

State of Iowa
1924

Journal of the Senate

OF THE

Fortieth General Assembly

EXTRA SESSION
CONVENED DECEMBER 4, 1923
RECESSED FROM APRIL 26 TO JULY 22, 1924
ADJOURNED JULY 30, 1924



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

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FORTIETH GENERAL ASSEMBLY

EXTRA SESSION

OFFICERS OF THE SENATE

President.....	JOHN HAMMILL
President Pro Tempore.....	JOHN R. PRICE
Secretary.....	L. W. AINSWORTH
Assistant Secretary.....	WALTER H. BEAM
Reading Clerk.....	GEORGE A. KERN
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MEMBERS OF THE SENATE

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Abben, Ben O., Jr.	Little Rock	35	Banker	Rep.	49	Lyon, O'Brien, Osceola, Sioux	39th
Adams, Henry C.	Algona	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.	Oskaloosa	36	Mfg. and Farmer	Rep.	14	Mahaaks	39th
Campbell, Ed. H.	Battle Creek	40	Lawyer	Rep.	46	Cherokee, Ida, Plymouth	34th
Cesna, T. O.	Grinnell	55	Farmer and Stock Dealer	Rep.	12	Keokuk, Poweshiek	38, 39th
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	Appanoos, 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	39th
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
Haakell, W. G.	Cedar Rapids	65	Mfr. and Merchant	Rep.	26	Linn	37, 38, 39th
Holdoegel, Perry C.	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

Kimberly, D. W.	Davenport	45	Retired Farmer	Rep	31	Scott	37, 38, 39th	36, 39th
McIntosh, J. A.	Leon	52	Clothing Merchant	Rep.	5	Decatur, Ringgold, Union		39th
Mantz, H. J.	Audubon	43	Lawyer	Rep.	17	Audubon, Dallas, Guthrie	37, 38, 39th	
Mead, O. L.	Shell Rock	47	Banker and Farmer	Rep.	39	Bramer, 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, Winneshiek		38, 39th
Rees, S. O.	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		
Stossion, 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.	Sloan	52	Grain Dealing	Rep.	32	Woodbury		38, 39th
Thurston, Lloyd	Osceola	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.	48	Cerro Gordo, Franklin, Hancock	37, 38, 39th	

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
Lawrence DeGraff	Judge of Supreme Court	Des Moines
F. F. Faville	Judge of Supreme Court	Fort Dodge
C. W. Vermillion	Judge of Supreme Court	Centerville

MEMBERS OF THE HOUSE

Fortieth General Assembly

Member	County	Member	County
Alken	Ida	Lichty	Black Hawk
Anderson	Webster	Liebernecht	Louisa
Anderson	Winnebago	Long	Jefferson
Berry	Monroe	Lovrien	Humboldt
Blake	Fayette	Mathews	Des Moines
Blume	Crawford	Mathieson	Clinton
Brady	O'Brien	McClune	Mahaska
Bradley	Poweskiek	Miller	Shelby
Brittain	Madison	Moen	Lyon
Buffington	Mills	Napier	Ringgold
Carter	Hardin	Navig	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		

SENATE COMMITTEES

SENATE COMMITTEES

AGRICULTURE

Buser, Chairman	Nelson	Mead	Bowman
Cessna	Campbell	Olson	Rees
Brookhart	White	Slosson	Romkey
Newberry	Banta	Tuck	Shaff
Hale	Browne	Bergman	Snook
Holdoegel	Caldwell	Shinn	Schmedika
Stoddard	Johnston	Brookins	

APPROPRIATIONS

Stoddard, Chairman	Horchem	Hartman	Perkins
Adams	Cessna	Abben	Schmedika
Hale	Haskell	Dutcher	Bowman
Holdoegel	Buser	Mantz	Rees
Brookhart	Wichman	Ethell	Bergman
White	Olson	Caldwell	Price
	McIntosh	Nelson	Goodwin

BANKS

Fulton, Chairman	Baird	Darting	Shane
Adams	Thurston	Gilchrist	White
Holdoegel	Abben	Perkins	Bergman
Mantz	Slosson	Goodwin	Shinn

BOARD OF CONTROL

Kimberly, Chairman	Hale	Snook	Horchem
Scott	Darting	Rees	Perkins
	Campbell	Bowman	

CHARITABLE, CORRECTIONAL AND PENAL INSTITUTIONS

Darting, Chairman	Buser	Caldwell	Campbell
	Mantz	Hale	

CITIES AND TOWNS

Haskell, Chairman	Reed	Dutcher	Shane
Kimberly	Fulton	Baird	Bowman
Stoddard	Darting	Schmedika	Shaff
Horchem	Slosson	Goodwin	Buser
Brookhart	Wichman	Snook	Scott
	Mantz	Romkey	

CODE REVISION

Dutcher, Chairman	Holdoegel	Gilchrist	Wichman
Smith	Scott	Reed	White
	Tuck	Perkins	Brookhart

CLAIMS

Baird, Chairman	Price	Smith	Browne
Scott	Reed	Hartman	Snook
		Schmedika	

CONGRESSIONAL, JUDICIAL AND REPRESENTATIVE DISTRICTS

Hartman, Chairman	Abben	Banta	Smith
Nelson	Adams	Buser	Rees
Johnston	Baird	Dutcher	Goodwin
Mead	Haskell	White	Snook
		Price	

COMMERCE AND TRADE

Goodwin, Chairman	Hartman	Haskell	Cessna
		Johnston	

SENATE COMMITTEES

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CONSERVATION

Brookins, Chairman	Fulton Mead	Stoddard Newberry	Banta Hartman
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CORPORATIONS

Perkins, Chairman	Campbell Ethell	Scott Brookins
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COUNTY AND TOWNSHIP AFFAIRS

Ethell, Chairman	Hale Price Hartman	Adams Tuck Browne	Shinn Romkey
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DAIRY AND FOOD

Nelson, Chairman	Browne Hartman Olson Scott	Shinn Banta Shaft Bowman	Romkey Schmedika
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DEPARTMENTAL AFFAIRS

Cessna, Chairman	Tuck Bergman	Price Darting	Brookins Campbell
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DRAINAGE

Caldwell, Chairman	Reed Adams Holdoegel	Schmedika Gilchrist Bergman	Buser Romkey
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EDUCATIONAL INSTITUTIONS

Mantz, Chairman	Campbell Hale Dutcher	McIntosh Browne Olson	Rees Bowman
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ELECTIONS

Wichman, Chairman	Kimberly McIntosh Mantz Tuck	Banta Shane Perkins Brookhart	Horchem Romkey
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ENROLLED BILLS

Gilchrist, Chairman	Banta McIntosh	Bowman
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FISH AND GAME

Mead, Chairman	Hartman Snook Newberry	Brookins Bowman Bergman	Rees Shaft
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HIGHWAYS

Holdoegel, Chairman	Haskell Kimberly Nelson White Olson Caldwell Johnston	Scott Tuck Wichman Slosson Abben Goodwin Romkey	Perkins Bowman Shaft Schmedika Shinn Brookins Snook
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Mead

HORTICULTURE AND FORESTRY

Browne, Chairman	Johnston Hartman	McIntosh Shinn	Rees
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SENATE COMMITTEES

INSURANCE

Scott, Chairman Adams Thurston Haskell Kimberly	Brookhart Mantz Abben Ethell Fulton	Hartman Darting Shane Snook Rees	Bergman Brookins Hale
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JUDICIARY NO. I

Reed, Chairman Price Mantz Dutcher	Thurston Wichman Caldwell Buser	Ethell Darting White Johnston	Perkins Slosson Tuck
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JUDICIARY NO. II

Brookhart, Chairman Newberry Banta	Campbell Scott Baird Gilchrist	Abben Holdoegel Bergman Cessna	Horchem McIntosh Rees Shinn
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Shaff

LABOR

Thurston, Chairman Kimberly Brookhart Horchem	Olson Darting Ethell Caldwell Fulton	Gilchrist Shinn White Shane Romkey	Perkins Schmedika Snook
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LAND TITLES

Rees, Chairman Abben Baird	Stoddard Reed Fulton	Hartman Ethell Nelson	Gilchrist
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MANUFACTURERS

Bergman, Chairman Kimberly	Ethell Darting	Bowman Fulton	Brookins
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MILITARY AFFAIRS

Abben, Chairman Thurston	Adams Campbell	Cessna Slosson	Goodwin
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MINES AND MINING

Johnston, Chairman Ethell	Price Haskell Olson	Caldwell Goodwin Shane	Cessna Snook
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MOTOR VEHICLES

Slosson, Chairman Cessna	Buser Stoddard	Johnston Caldwell	White Mead
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Brookins

PHARMACY

Shane, Chairman Olson	Price Adams	Mantz Shaff	Rees
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PRINTING

Banta, Chairman Caldwell	Nelson Smith	Fulton Ethell	McIntosh
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PUBLIC BUILDINGS AND LANDS

Shaff, Chairman	Browne Reed	Nelson Johnston	Newberry
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SENATE COMMITTEES

PUBLIC HEALTH

Price, Chairman Haskell Newberry	Nelson Cessna Mead	Dutcher Darting Shaft	Shane Banta
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PUBLIC LIBRARY

Tuck, Chairman	McIntosh Goodwin	Fulton Schmedika	Horchem
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PUBLIC SCHOOLS

Newberry, Chairman Smith Holdoegel Stoddard	Horchem Brookhart Mantz Caldwell Olson	Abben Banta Mead Dutcher Brookins	McIntosh Glichrist Bergman Romkey
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PUBLIC UTILITIES

Hale, Chairman Haskell Holdoegel Kimberly White Brookhart	Campbell Slosson Tuck Wichman Dutcher Browne	McIntosh Smith Price Romkey Shane Schmedika	Perkins Bergman Glichrist Horchem
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RAILROADS

Adams, Chairman Scott Haskell Kimberly Cessna	White Stoddard Mead Thurston Baird	Dutcher Ethell Smith Browne Shane	Shinn Olson Shaft Goodwin
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RULES

Bowman, Chairman	Baird	Newberry Shane	Thurston
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SENATE MEMBERS OF RETRENCHMENT AND REFORM

White	Horchem Stoddard	Smith	Reed
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SUPPRESSION OF INTemperance

McIntosh, Chairman	Tuck Brookhart Shinn	Holdoegel Wichman	Perkins Romkey
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TELEGRAPH AND TELEPHONE

Campbell, Chairman Reed	Holdoegel Mead Wichman	Adams Perkins Shaft	Glichrist Hartman Thurston
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WAYS AND MEANS

Smith, Chairman Newberry Hale Nelson Reed Dutcher Campbell	Baird Darting Fulton Johnston Slosson Thurston Tuck	Browne Mead Kimberly Banta Scott Glichrist Brookins	Shane Romkey Goodwin Shinn Snook Shaft
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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 18, 1923.

Pursuant to a call by Governor N. E. Kendall, the Fortieth General Assembly convened in extra session and the Senate was called to order by Lieutenant-governor John Hammill.

Prayer was offered by Senator McIntosh.

Senator Cessna placed in nomination, L. W. Ainsworth for secretary.

The rules were suspended and L. W. Ainsworth was selected by acclamation.

Senator Mantz moved that a committee of three be appointed to notify the House that the Senate is duly organized and ready to receive any communication it may desire to transmit. The motion prevailed and the president appointed as such committee, Senators Mantz, Shinn, Schmedika.

Senator Abben 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 Abben, Thurston, Johnston.

ADOPTION OF RULES

Senator Bowman moved that the Senate be governed by the rules of the Fortieth General Assembly until the committee on rules is ready to report. Carried.

Senator Slosson moved that the Secretary proceed to the reading of the Governor's message. Carried.

The following communication was received from the Governor:

To the Senate and House of Representatives of the Fortieth General Assembly:

Gentlemen: In the exercise of the power vested in me by section 11, article IV of the constitution, I have convened the Fortieth General Assembly in extraordinary session to conclude the revision of the code. In taking this action I in no measure renounce the conviction I expressed last January that the work was possible of accomplishment at the session then opening without serious interference with the routine business of the Assembly. But there was submitted to me the written report of your authorized joint committee advising me that at the regular session just adjourned conscientious effort was made in the direction of code revision and that it could not be completed at such session, supplemented by a concurrent resolution adopted with practical unanimity that a special session is necessary therefor. The formal and solemn judgment thus announced by the legislature is entitled to high consideration, and the executive is not at liberty to disregard it. The recommendation of the Senate and House is, therefore, acquiesced in because it is apparent (1) that no revision will be effected otherwise and (2) that unless revision is speedily consummated the vast sum already expended by the state in preliminary preparation may be wholly forfeited.

The immense importance of the work upon which you are now entering cannot be overstated. Your function is nothing less than to revise, reconstruct and recodify the statutes which have been formulated for the government of Iowa throughout the nearly eighty years of her statehood; and it is no exaggeration to prophesy that the result of your faithful and diligent labor when crystallized into a compact code will remain without material alteration as the fundamental law of the commonwealth for the ensuing quarter of a century. No graver duty ever was devolved upon the selected delegates of a free and enlightened electorate than that which you undertake today. While I believe the people expect that duty to be discharged expeditiously, I know they insist that it be discharged thoroughly. I beg to assure you that throughout your deliberations every energy that I possess will be cheerfully exerted in earnest and cordial cooperation with you to produce such restatement of the law as shall command the unqualified indorsement of all who are amenable to its provisions.

I ask your indulgence for one further observation. The appropriations authorized by the regular session are fabulous in their aggregate, and to realize funds for their disbursement a substantial increase in the tax levy may be inevitable. Allow me the suggestion that while in special session these appropriations be carefully and minutely reviewed, and if, without impairment of the public service, any can be reduced or postponed or repealed, that such reduction, postponement or repeal be promptly and fearlessly ordered.

I cannot forego the opportunity to congratulate you sincerely upon the record you established at the regular session. While several measures of great merit failed to command your approval, so much excellent legislation was enacted that in my opinion the achievements of the

Fortieth General Assembly will sustain favorable comparison with those of any of its predecessors.

Respectfully submitted,

N. E. KENDALL, *Governor.*

April 18, 1923.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 1, by Senator Bowman, 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 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.

Read first and second times.

Senator Price moved that the reference of this joint resolution be deferred until the next legislative day after today, which motion prevailed.

SENATE CONCURRENT RESOLUTION

Senator Buser offered the following resolution and moved its adoption:

Resolved by the Senate, the House concurring, That when the extra session of the Fortieth General Assembly adjourns April 18th, it adjourn to reconvene Tuesday, December 4, 1923, at 10 o'clock a. m.

Senator Shaff 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, 39.

Abben	Ethell	Mantz	Shane
Baird	Fulton	Nelson	Shinn
Banta	Glichrist	Newberry	Slosson
Bergman	Goodwin	Perkins	Smith
Bowman	Hale	Price	Snook
Brookhart	Hartman	Reed	Stoddard
Brookins	Horchem	Rees	Thurston
Cessna	Johnston	Romkey	Tuck
Darting	Kimberly	Schmedika	Wichman
Dutcher	McIntosh	Shaff	

Nays, none.

Absent or not voting, 11.

Adams	Caldwell	Holdoegel	Scott
Browne	Campbell	Mead	White
Buser	Haskell	Olson	

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. 1, a bill, for an act relating to the township road levy, the county road building levy and the road dragging levy.

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

Concurrent resolution providing for a recess of the extra session of the Fortieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Holdoegel moved that the rules be suspended and House File No. 1 be taken up and considered.

Senator Price raised the point of order that unanimous consent had not been granted to consider House File No. 1.

The President held the point not well taken as the question was on a motion and not unanimous consent.

Senator Price invoked rule 8.

On the question "Shall the motion prevail and the rules be suspended?" the vote was:

Ayes, 27.

Abben	Dutcher	Holdoegel	Shaff
Baird	Ethell	Horchem	Shane
Banta	Fulton	Mantz	Shinn
Bowman	Gilchrist	Perkins	Slosson
Brookhart	Goodwin	Reed	Smith
Brookins	Hale	Rees	Wichman
Darting	Hartman	Schmedika	

Nays, 12.

Bergman	Kimberly	Newberry	Snook
Cessna	McIntosh	Price	Stoddard
Johnston	Nelson	Romkey	Thurston

Absent or not voting, 11.

Adams	Caldwell	Mead	Tuck
Browne	Campbell	Olson	White
Buser	Haskell	Scott	

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Holdoegel House File No. 1, a bill for an act to repeal section fifty-five (55), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2962), relating to township road levy, and to repeal subsection five (5), section thirteen hundred three (1303), supplemental supplement to the code, 1915, as amended by chapter six (6), acts of the Thirty-seventh General Assembly, and as amended by section fifty-four (54), chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly (C. C. 2870), relating to county road building levy, and to amend 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), relating to the road dragging levy, was taken up and considered.

The bill was read for information.

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

Senator Holdoegel invoked rule 8.

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

Ayes, 32.

Abben	Ethell	Kimberly	Shaff
Baird	Fulton	McIntosh	Shane
Banta	Gilchrist	Mantz	Shinn
Bowman	Goodwin	Newberry	Slosson
Brookhart	Hale	Perkins	Smith
Brookins	Hartman	Reed	Snook
Darting	Holdoegel	Rees	Tuck
Dutcher	Horchem	Schmedika	Wichman

Nays, 8.

Bergman	Johnston	Price	Stoddard
Cessna	Nelson	Romkey	Thurston

Absent or not voting, 10.

Adams	Caldwell	Mead	White
Browne	Campbell	Olson	
Buser	Haskell	Scott	

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 Goodwin called up for consideration the following resolution and moved that the Senate concur:

Be It Resolved by the House, the Senate concurring, That the president and secretary of the Senate and speaker and chief clerk of the House are hereby authorized and directed to certify to the auditor of state the names of such officers and employees as have been retained temporarily for the performance of their duties on the first day of the special session, together with the compensation of each at the same rate as provided for the regular session of the Fortieth General Assembly, and the auditor is hereby authorized to draw warrants in favor of such officers and employees in the amounts so certified.

On the question "Shall the Senate concur?" the vote was:

Ayes, 29.

Abben	Goodwin	Price	Snook
Baird	Hartman	Reed	Stoddard
Bergman	Holdoegel	Romkey	Thurston
Bowman	Horchem	Shaff	Tuck
Darting	Mantz	Shane	Wichman
Dutcher	Nelson	Shinn	
Ethell	Newberry	Slosson	
Fulton	Perkins	Smith	

Nays, none.

Absent or not voting, 21.

Adams	Caldwell	Johnston	Schmedika
Banta	Campbell	Kimberly	Scott
Brookhart	Cessna	McIntosh	White
Brookins	Gilchrist	Mead	
Browne	Hale	Olson	
Buser	Haskell	Rees	

The resolution was concurred in.

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 File No. 1.

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 File No. 1.

Senator Dutcher moved that no bills be introduced on December 4th except by one of the regular standing committees of the Senate and by a majority vote thereof, which motion prevailed.

Senator Bowman moved that the Senate adjourn, which motion was lost.

Senator Price moved that the officers of the Senate selected at this day's session be temporary only and that temporary employees

shall receive no compensation from the time of the recess of the present extra session of the Fortieth General Assembly until reconvening December 4th; that the Senate on its reconvening after the recess make such arrangements as necessary for the compensation of such officers; that the permanent officers of the Senate be nominated and elected at the time of reconvening of the extra session of the Fortieth General Assembly in the same manner as during the regular session of the Fortieth General Assembly.

By unanimous consent the words "and members of the Senate" were inserted after the word "employees" where it first appears in the motion.

Senator Shaff moved that the Senate adjourn.

Senator Price raised the point of order that a motion to adjourn had just been defeated and no business had been transacted since, so this motion was out of order.

The President held the point well taken.

The motion by Senator Price was lost.

On motion of Senator Bowman the Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 4, 1923.

The Senate met in regular session pursuant to adjournment, President Hammill presiding.

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

The roll call revealed the presence of the following senators:

Abben	Darting	Mantz	Shane
Adams	Dutcher	Mead	Shinn
Baird	Ethel	Nelson	Slosson
Banta	Fulton	Newberry	Smith
Bergman	Gilchrist	Olson	Snook
Bowman	Goodwin	Perkins	Stoddard
Brookhart	Hale	Price	Thurston
Brookins	Hartman	Reed	Tuck
Browne	Haskel	Rees	White
Buser	Holdoegel	Romkey	Wichman
Caldwell	Horchem	Schmedika	
Campbell	Johnston	Scott	
Cesna	Kimberly	Shaff	

The President declared a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the morning, on request of Senator Price.

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

On motion of Senator Reed the Senate proceeded to permanent organization.

REPORT OF THE RETRENCHMENT AND REFORM COMMITTEE OF THE FORTIETH GENERAL ASSEMBLY.

Whereas, The House Concurrent Resolution adopted April 16, 1923, page 1575 of the Senate Journal, directed the committee on retrenchment and reform 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

might 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 employees that might be necessary.

Therefore, The Committee on Retrenchment and Reform of the Fortieth General Assembly, beg leave to report they have employed the following, who are now on duty:

SENATE

Assistant secretary, Walter H. Beam.
 Engrossing clerk, Mae McClean.
 Enrolling clerk, Edythe Ditto.
 Journal clerk, Meryle Hoefle.
 Assistant Journal clerk, C. P. Denison.
 Reading clerk, George Kern.
 Bill clerk, Paul Sims.
 File clerk, Glenn L. Steinhilber.
 Postmistress, Lucile Patterson.
 Sergeant-at-arms, T. D. Doke.
 Doorkeepers—Joe Horan, W. A. Grandquist. Patrick Ryan.
 Chief janitor, W. T. Jones.
 Assistant janitor, Henry Jones.

HOUSE

Assistant chief clerk, Frank S. Vetter.
 Engrossing clerk, Mrs. Gwendolyn McDowell.
 Enrolling clerk, Victor Pullis.
 Journal clerk, Lillian Leffert.
 Assistant Journal clerk, Margaret Canfield.
 Reading clerk, Robert Cook.
 Bill clerk, Donald M. Winterrowd.
 File clerk, Chas. A. Lindenau.
 Assistant postmistress, Mrs. Jeanette Cole.
 Sergeant-at-arms, Oley Nelson.
 Assistant Sergeant-at-arms, Walter R. Cook.
 Electrician, W. H. Callison.
 Assistant Electrician, R. J. Bruner.
 Doorkeepers—W. M. Abraham, D. R. Edmonds, E. P. Taylor, H. A. Hoffman, J. E. Kent.
 Chief janitor, Henry McCraven.
 Assistant janitors—Fred Miller, Louis Jackson.

ADDITIONAL EMPLOYEES

(Under supervision of custodian.)

Janitors—Samuel Blackburn, Stuart McMullen, Jake Tobis, Chas. S. Harris, W. F. Wiley, B. F. Schreves, Otha Blue, Wilder J. Moore.
 Elevator tenders—Hazel Anderson, George Stirts.

Assistant State House postmaster, Frank Blagburn.
 Assistant matron, Mrs. Ella Johnson.
 Fireman (heating plant), Philip Jones.

(Under supervision of law librarian.)

Law research assistant, R. F. Forest.
 Stenographer and clerk, Mary Kornis.
 Page, Fred Maurer.

Committee on Retrenchment and Reform,

CARL W. REED, *Chairman*,
 E. M. SMITH,
 B. J. HORCHEM,
 H. C. WHITE,
 T. E. MOEN,
 A. O. HAUGE,
 E. J. COLE,
 T. J. O'DONNELL,
 B. M. STODDARD.

Senator Shane offered the following proposed list of Senate employees:

Engrossing Clerk.....	Daisy Williams
Enrolling Clerk.....	Edythe Ditto
Journal Clerk.....	Meryl Hoefle
Journal Clerk.....	Ted Olson
Reading Clerk.....	Chas. P. Denison
Cloakroom Janitor.....	John Chesire
Toiletroom Janitor.....	Henry Jones
Sergeant-at-Arms.....	T. D. Doke
Bill Clerk.....	Paul Simms
Postmistress	Lucille Patterson

Doorkeepers:

O. W. Lowery, Chief Doorkeeper,	Cap't. McFarland,
Jack Heffelfinger,	Clark Wilson,
J. E. Fitch,	E. L. Stilson,
J R. White,	W. H. Foster.
Warren Turner,	

Senator Reed moved that his report be received, which motion prevailed.

Senator Reed placed in nomination for assistant secretary Walter H. Beam. There were no other nominations and Walter H. Beam was elected assistant secretary.

Senator Reed placed in nomination for engrossing clerk Mae McClean.

Senator Tuck placed in nomination for engrossing clerk Daisy Williams.

Senator Smith raised the point of order that according to the resolution on page 1575 of the Senate Journal of April 16, 1923, the retrenchment and reform committee was authorized to employ the help for this special session. If it is the will of this Senate that deviations be made, they should not be made in the form they are being made.

The President held that the point of order raised by the Senator from Madison was well taken, as the Senate had by concurrent resolution authorized the retrenchment and reform committee to employ the necessary help, and the report filed shows that the help, in pursuance of said resolution, has been employed.

Senator Ethell moved that further action be deferred, and that the selection of officers be made a special order for 1:30 p. m.

The President held the motion out of order, as there was a motion pending.

Senator Price raised the following points of order:

First—That the retrenchment and reform committee is at th's time without any authority to employ the help for the extraordinary session of the Fortieth General Assembly.

Second—That the authority of the retrenchment and reform committee expired with the opening of the first day of this extraordinary session on April 18, 1923.

Third—That the retrenchment and reform committee failed to exercise any authority under the rule until August 18, 1923 and because thereof its acts were in excess of its authority and are illegal and void.

Fourth—That the retrenchment and reform committee are not legally empowered to employ the help for the extraordinary session for the reason that such help can be employed only by the action of the Senate directly on such employment.

Fifth—That this extraordinary session is not conclusively bound by any resolution of the Fortieth General Assembly.

The President held the points of order not well taken.

President Hammill ruled that, under paragraph 3 of the concurrent resolution on page 1575 of the Senate Journal of the Fortieth General Assembly, the Senate delegated the authority to employ officers and other employees of the Senate to the retrenchment and reform committee. Senator Reed's motion was ruled out of order.

Senator Price raised the point of order that these persons have been employed and cannot be removed except for cause.

The President held the point well taken.

Senator Price raised the point of order that there was nothing before the Senate.

The President held the point well taken.

Senator Price moved that the vote by which this report was received be reconsidered.

Senator Brookhart raised the point of order that even the reception of this report was out of order. The President held the point not well taken.

Senator Price asked for a roll call on his motion.

Senator Johnston raised the point of order that Senator Price had closed the debate.

The President held the point not well taken.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 32

Adams	Campbell	Johnston	Romkey
Baird	Cessna	Kimberly	Schmedika
Bowman	Darting	McIntosh	Shane
Brookhart	Ethell	Mead	Shinn
Brookins	Fulton	Nelson	Snook
Browne	Goodwin	Olson	Thurston
Buser	Hartman	Price	Tuck
Caldwell	Haskell	Rees	Wichman

Nays, 18

Abben	Hale	Perkins	Smith
Banta	Holdoegel	Reed	Stoddard
Bergman	Horchem	Scott	White
Dutcher	Mantz	Shaff	
Gilchrist	Newberry	Slosson	

The motion to reconsider prevailed.

Senator Price moved that the report of the committee on retrenchment and reform be construed and treated as merely a recommendation of employees and not as the employment thereof and that the Senate proceed to select such officers and other employees as may be necessary.

Senator Dutcher raised the point of order that the President had already ruled that the retrenchment and reform committee is authorized to employ the help and it is not within the power of the Senate to construe a thing which has been ruled upon by the President. The President held the point well taken.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

Senator Holdoegel raised the point of order that under the concurrent resolution found on pages 1575 and 1576 of the Senate Journal and the rulings of the President, the report of the committee has already been approved.

The President remarked that as a matter of courtesy to the committee the report should be received, and that the point was not well taken.

Senator Tuck asked for a roll call.

On the question "Shall the motion that the report be received prevail?" the vote was:

Ayes, 21.

Abben	Dutcher	Newberry	Smith
Adams	Gilchrist	Perkins	Stoddard
Baird	Goodwin	Reed	White
Banta	Hale	Scott	
Bergman	Holdoegel	Shaff	
Bowman	Horchem	Slosson	

Nays, 25.

Brookhart	Darting	Nelson	Shinn
Brookins	Ethell	Olson	Snook
Browne	Fulton	Price	Thurston
Buser	Hartman	Rees	Tuck
Caldwell	Johnston	Romkey	
Campbell	Kimberly	Schmedika	
Cessna	McIntosh	Shane	

Absent or not voting, 4.

Haskell	Mantz	Mead	Wichman
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The motion was lost.

Senator Price moved that the Senate proceed to elect all of the necessary employees.

Senator Dutcher raised the point of order that the positions are all filled and there are no vacancies. The President held the point well taken.

Senator Shane moved that a committee of three be appointed

by the President to select such extra help as may be necessary.

Senator Shane moved to amend his motion by striking the words "that a committee of three be appointed by the President to" and inserting in lieu thereof the words "the patronage committee."

Senator Buser raised the point of order that authority has been vested in the retrenchment and reform committee to provide the help of the Senate, and that there was no patronage committee for the extra session, and that authority to employ additional or necessary help was still with the retrenchment and reform committee.

The President held the point well taken, and that the committee itself, or the Senate could provide for any additional or necessary help.

Senator Price moved that the people named on the list offered by the patronage committee be employed.

Senator Smith raised the point of order that there is no such committee as a patronage committee. The President held the point well taken.

Senator Reed raised the point of order that the help has already been employed.

The President held the point well taken.

Senator Brookhart moved that the rules be suspended and the vote by which the concurrent resolution found on page 1575 of the Senate Journal was adopted be reconsidered.

Senator Dutcher raised the point of order that the motion to reconsider was too late as the body that adopted the resolution had adjourned sine die.

The President held the point well taken.

Senator Brookhart moved that the retrenchment and reform committee be instructed that it is the sense of this Senate that they employ the old soldiers for the same positions they held last year.

The motion prevailed.

Senator Price raised the point of order that the President had already ruled that this was the province of this committee to employ these men if they so desired.

The President held the point not well taken and held that the committee or the Senate could employ any extra help necessary.

Senator Brookhart moved that the retrenchment and reform

committee be discharged from its duties under this resolution.

Senator Holdoegel raised the point of order that the resolution was a concurrent resolution and could not be affected by the Senate alone.

The President held the point well taken.

RESOLUTION RELATING TO CODE REVISION

Senator Dutcher offered the following resolution:

Be It Resolved, That during this extraordinary session of the General Assembly, no bill shall be introduced in or considered by the Senate except the printed bills Nos. 1 to 283 inclusive, designated by the Code Editor as Code Commissioners' Bills, legalizing acts, the bills prepared and heretofore reported by the joint legislative tax committee, bills providing for the editing, printing and publishing of the revised code and supplements thereto, and bills providing for salaries and expenses incident to the extraordinary session.

CONCURRENT RESOLUTION

Senator Tuck offered the following resolution as a substitute for the resolution offered by Senator Dutcher:

Concurrent resolution, relating to the codifying of the laws of the State and directing the preparation of bills for that purpose.

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

That the code revision committee be instructed to prepare and submit to the General Assembly within three days from the adoption of this resolution, bills for the adoption as the Code of Iowa, the compiled code of 1919, and the supplement thereto, together with such corrections as may be necessary to properly codify the law of the state of Iowa as it now exists, omitting all laws of a local or temporary character.

Senator Smith moved that the rules be suspended and the Senate proceed with the consideration of these two resolutions.

Senator Smith withdrew his motion.

Senator Dutcher moved that until his resolution had been disposed of no bills except those enumerated in said resolution be introduced.

Senator Dutcher's motion prevailed.

Senator Brookhart moved that the Senators be permitted to select their clerks and that they be sworn in.

The motion prevailed.

OFFICERS AND EMPLOYEES SWORN IN

The following permanent officers and committee clerks appeared before the bar of the senate and were duly sworn:

OFFICERS

Secretary, Col. L. W. Ainsworth, Des Moines.
 Assistant secretary, Walter H. Beam, Martensdale.
 Reading clerk, Geo. A. Kern, Des Moines.
 Engrossing clerk, Mae McClean, Des Moines.
 Journal clerk, Meryl Hoefle, Des Moines.
 Assistant Journal clerk, Chas. P. Denison, Battle Creek.
 Enrolling clerk, Edythe Ditto, Ankeny.
 Bill clerk, Paul W. Simms, Sioux City.
 File clerk, Glen L. Steinhilber, Des Moines.
 Sergeant-at-arms, T. D. Doke, Bloomfield.
 Postmistress, Lucille Patterson, Des Moines.
 Doorkeepers—Patrick Ryan, J. Horan, W. A. Granquist.
 Janitors—W. T. Jones, Henry Jones.

MESSENGERS

The President appointed the following as messengers for the Senate:

Arthur Wadsworth, Grinnell; Meredith Williams, Des Moines. Telephone messenger, Gretchen Hutchings.

COMMITTEE CLERKS, assigned as follows:

Minnie Truax—Senator Tuck.
 Betty Smith—Senator Fulton.
 Frances Schmitt—Senator Cessna.
 Nell Swanson—Senator Adams.
 Josephine De Verse—Senator Buser.
 Lucille Forgey—Senator Brookhart.
 Doris M. Crummer—Senator Hartman.
 Hazel Marshall—Senator Mantz.
 Madge Stanton—Senator Ethell.
 Sadie M. Lowry—Senator Scott.
 Laura Schulze—Senator Dutcher.
 Bertha Ocheltree—Senator Wichman.
 Lou'se Koenigsberger—Senator Mead.
 Corne Belle Hurst—Senator Kimberly.
 Harriet Wells—Senator Bergman.
 Lillian Fisher—Senator Abben.
 Hannah Millard—Senator Reese.
 Minnie Wilder—Senator Schaff.
 Minetta B. Furbush—Senator Schmedika.
 Dorothy Baker—Senator Haskell.
 Mrs. May Frame—Senator Nelson.
 Hilda Melaas—Senator Reed.
 Doris Slaught Cruisinberry—Senator Olson.
 Trula Kepple—Senator Brookins.
 Neva Barnes—Senator Slosson.
 Ann Trainor—Senator Shane.
 Agnes Brennan—Senator Johnston.

Eva Head—Senator Romkey.
 Florence Jorgensen—Senator Gilchrist.
 Maude Brown—Senator Perkins.
 Kathryn Andrews—Senator Holdoegel.
 Edith W. McElroy—Senator Thurston.
 May Myers—Senator Banta.
 Emma Malm—Senator Bowman.
 Amy Byram—Senator Goodwin.
 Genevieve Burling—Senator Smith.
 Mrs. L. Vinyard—Senator Stoddard.
 Ted Olson—Senator Caldwell.

CONCURRENT RESOLUTION

Senator Ethell 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 to each member of the Special Session of the 40th General Assembly, including the Lieutenant Governor and the Speaker of the House of Representatives, the Secretary of the Senate and Chief Clerk of the House, and to each member of the press, one copy of the supplement to the code, 1923, and one copy of the session laws of the 40th General Assembly.

Senator Price moved that the words "code of 1897" be added to the resolution. The motion prevailed and the amendment was made.

The resolution was adopted.

SENATE RESOLUTION

Senator Dutcher offered the following resolution:

Whereas, it is desirable that provision be made for the method of carrying out the work of code revision at the Special Session of the 40th General Assembly;

Therefore, Be It Resolved,

I. That all bills prepared by the members of the code commission or the code editor be introduced in both Houses by the chairman of the committee on code revision of the Senate and House immediately on the convening of the Assembly in Special Session, and prior to the introduction of any other bills.

II. That after code commissioner's and code editor's bills are referred to committees such bills, so far as practicable, shall be referred to the same sub-committee as in the 40th General Assembly.

III. All odd numbered bills after being recommended for passage shall, so far as practicable, be first placed upon their passage in the Senate, and all even numbered bills after being recommended for passage shall, so far as practicable be first placed on their passage in the House.

IV. That no bill shall be placed upon its passage upon the day when the bill has been reported out for passage.

V. That when a public hearing is to be held on any bill in committee, the chairman of the senate committee, if it is an odd numbered bill shall notify the chairman of the same committee in the House and arrange for a joint meeting of both committees, and if an even numbered bill, the chairman of the house committee shall notify the chairman of the same committee in the Senate and arrange for a joint meeting of both committees for such hearings.

The code commission and any persons or organizations known to be interested in such bills shall by the chairman be notified of the time and place of such hearing.

The time of such hearing shall be subject to the approval of the chairman of the code revision committee of the Senate and the chairman of the code revision of the House.

Senator Abben moved that the Senate go into executive session for the purpose of electing a president pro tem.

Senator Campbell raised the point of order that it was his understanding under rule 3 of the Senate rules that the president pro tem was elected for the same period of time as the Lieutenant Governor.

Senator Abben withdrew his motion.

Senator Holdoegel raised the point of order that Senator Price's discussion was out of order.

The President held the point well taken.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned members of the State Senate of Iowa request a call of the Senate when the question of the election of a president pro tem is being voted upon.

J. D. BUSER,	T. C. CESSNA,
C. S. BROWNE,	J. A. NELSON,
C. J. FULTON,	J. C. TUCK,
JAS. F. JOHNSTON,	J. L. BROOKHART,
E. W. KIMBERLY,	E. W. ROMKEY,
J. A. MCINTOSH,	W. SCHMEDIKA,
W. J. GOODWIN,	A. J. SHINN,
FRANK SHANE,	A. T. BROOKINS,
I. N. SNOOK,	G. S. HARTMAN,
ED H. CAMPBELL,	A. H. BERGMAN,
W. S. BAIRD,	CHAS. OLSON.
O. L. MEAD,	

The Journal of April 18 was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 5, 1923.

The Senate met in regular session, President Hammill presiding. Prayer was offered by Col. L. W. Ainsworth, secretary of the Senate.

On motion of Senator Tuck, rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Smith for the day on request of Senator Reed.

PETITIONS AND MEMORIALS

Senator Shinn presented a petition from the Royal Neighbors of America, located at Whiting, Soldier, Missouri Valley and Manilla. Referred to committee on insurance.

Senator Shinn presented a petition from Modern Woodmen, Woodbine. Referred to committee on insurance.

RESOLUTION CONSIDERED

Senator Tuck called up for consideration the following resolution and moved that it be substituted for the resolution offered by Senator Dutcher:

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

That the code revision committee be instructed to prepare and submit to the General Assembly within three days from the adoption of this resolution, bills for the adoption as the Code of Iowa, the compiled code of 1919, and the supplement thereto, together with such corrections as may be necessary to properly codify the law of the state of Iowa as it now exists, omitting all laws of a local or temporary character.

Senator Cessna moved that the Senate meet in a committee of the whole at 2 p. m. for the consideration of the foregoing resolution and the resolution offered by Senator Dutcher.

The motion was lost.

On the question "Shall Senator Tuck's resolution be substituted for Senator Dutcher's?" the vote was:

Ayes, 8.

Bowman	Fulton	McIntosh	Shinn
Browne	Johnston	Mead	Tuck

Nays, 40.

Abben	Cessna	Horchem	Schemdika
Adams	Darting	Kimberly	Scott
Baird	Dutcher	Mantz	Shaff
Banta	Ethell	Nelson	Shane
Bergman	Gilchrist	Newberry	Slosson
Brookhart	Goodwin	Olson	Snook
Brookins	Hale	Perkins	Stoddard
Buser	Hartman	Price	Thurston
Caldwell	Haskell	Reed	White
Campbell	Holdoegel	Rees	Wichman

Absent or not voting, 2.

Romkey	Smith
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The motion to substitute was lost.

RESOLUTION CONSIDERED

Senator Dutcher called up for consideration the following resolution:

Be It Resolved, That during this extraordinary session of the General Assembly, no bill shall be introduced in or considered by the Senate except the printed bills Nos. 1 to 283 inclusive, designated by the code editor as code commissioners' bills, legalizing acts, the bills prepared and heretofore reported by the joint legislative tax committee, bills providing for the editing, printing and publishing of the revised code and supplements thereto, and bills providing for salaries and expenses incident to the extraordinary session.

Senator Buser offered the following amendment and moved its adoption:

Amend the resolution by the code revision committee by inserting after the comma following the word "inclusive" in line four the following: "and such additional bills as may be necessary to codify or revise such parts of the law not included in the code commissioner's bills".

By unanimous consent the words "line four" were stricken and the words "line three" inserted in lieu thereof.

By unanimous consent the words "following the word 'inclusive' in line three" were stricken and the words "following the word 'bills' in line four" were inserted in lieu thereof.

Senator Gilchrist offered the following amendment to Senator Buser's amendment and moved its adoption:

Amend by striking therefrom the words "or revise".

The amendment to the amendment was adopted.

Senator Newberry offered the following amendment to Senator Buser's amendment and moved its adoption:

Amend by inserting after the words "additional bills" the words "introduced by proper committee".

Senator Price filed the following amendment to the resolution and moved its adoption:

Amend by inserting after the comma following the words "legalizing acts" in line four the words "committee bills introduced by a two-thirds vote of any standing committee".

Senator Buser filed the following amendment and moved its adoption:

Amend the resolution by the code revision committee by striking therefrom the following: "the bills prepared and heretofore reported by the joint legislative tax committee".

Senator Price moved the previous question on all amendments.

On the question "Shall the previous question be ordered?" the vote was:

Ayes, 12.

Abben	Bergman	Goodwin	Price
Adams	Darting	Hale	Romkey
Banta	Ethell	McIntosh	Shaff

Nays, 36.

Baird	Dutcher	Mantz	Scott
Bowman	Fulton	Mead	Shane
Brookhart	Gilchrist	Nelson	Shinn
Brookins	Hartman	Newberry	Slosson
Browne	Haskell	Olson	Snook
Buser	Holdoegel	Perkins	Stoddard
Caldwell	Horchem	Reed	Thurston
Campbell	Johnston	Rees	White
Cessna	Kimberly	Schmedika	Wichman

Absent or not voting, 2.

Smith	Tuck
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The motion was lost.

Senator Bowman offered the following amendment to the amendment offered by Senator Newberry and moved its adoption :

Amend by striking therefrom the words "proper committee" and inserting in lieu thereof the words "majority vote of a committee".

Senator Newberry raised the point of order that Senator Bowman's amendment was out of order, being an amendment to an amendment to an amendment.

The President held the point well taken.

Senator Newberry's amendment to the amendment was lost.

Senator Dutcher invoked rule 8.

On the question "Shall Senator Buser's amendment to the resolution be adopted?" the vote was :

Ayes, 28.

Baird	Caldwell	Johnston	Schmedika
Bergman	Cessna	McIntosh	Shaff
Bowman	Ethell	Mead	Shane
Brookhart	Fulton	Nelson	Shinn
Brookins	Hale	Olson	Slosson
Browne	Hartman	Rees	Snook
Buser	Horchem	Romkey	Thurston

Nays, 21.

Abben	Gilchrist	Newberry	Tuck
Adams	Goodwin	Perkins	White
Banta	Haskell	Price	Wichman
Campbell	Holdoegel	Reed	
Darting	Kimberly	Scott	
Dutcher	Mantz	Stoddard	

Absent or not voting, 1.

Smith

The amendment was adopted.

The following amendment by Senator Buser was taken up and considered :

Amend the resolution by striking therefrom the following: "the bills prepared and heretofore reported by the joint legislative tax committee".

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

Ayes, 38.

Abben	Cessna	Kimberly	Schmedika
Adams	Darting	McIntosh	Scott
Baird	Dutcher	Mead	Shaff
Bergman	Fulton	Nelson	Shane
Brookhart	Goodwin	Newberry	Shinn
Brookins	Hale	Olson	Slosson
Browne	Hartman	Perkins	Snook
Buser	Haskell	Price	Thurston
Caldwell	Horchem	Rees	
Campbell	Johnston	Romkey	

Nays, 7.

Banta	Mantz	Stoddard	Wichman
Holdoegel	Reed	White	

Absent or not voting, 5.

Bowman	Gilchrist	Tuck
Ethell	Smith	

The amendment was adopted.

Senator Price withdrew his amendment.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

Senator Dutcher's resolution was adopted.

CONCURRENT RESOLUTION

Senator Buser offered the following resolution:

Be It Resolved by the Senate, the House concurring, That all concurrent resolutions be numbered consecutively in the order in which they are introduced.

By unanimous consent on request of Senator Buser the resolution was taken up, considered and adopted.

RESOLUTION CONSIDERED

Senator Dutcher called up for consideration the following resolution:

Whereas, it is desirable that provision be made for the method of carrying out the work of code revision at the Special Session of the 40th General Assembly;

Therefore, Be It Resolved,

I. That all bills prepared by the members of the code commission or the code editor be introduced in both Houses by the chairman of the committee on code revision of the Senate and House immediately on the convening of the Assembly in Special Session, and prior to the introduction of any other bills.

II. That after code commissioner's and code editor's bills are referred to committees such bills, so far as practicable, shall be referred to the same sub-committee as in the 40th General Assembly.

III. All odd numbered bills after being recommended for passage shall, so far as practicable, be first placed upon their passage in the Senate, and all even numbered bills after being recommended for passage shall, so far as practicable be first placed on their passage in the House.

IV. That no bill shall be placed upon its passage upon the day when the bill has been reported out for passage.

V. That when a public hearing is to be held on any bill in committee, the chairman of the Senate committee, if it is an odd numbered bill shall notify the chairman of the same committee in the House and arrange for a joint meeting of both committees, and if an even numbered bill, the chairman of the House committee shall notify the chairman of the same committee in the Senate and arrange for a joint meeting of both committees for such hearings.

The code commission and any persons or organizations known to be interested in such bills shall by the chairman be notified of the time and place of such hearing.

The time of such hearing shall be subject to the approval of the chairman of the code revision committee of the Senate and the chairman of the code revision of the House.

Senator Fulton offered the following amendment and moved its adoption:

Amend by adding as paragraph VI the following:

VI. Bills upon the calendar shall be considered in the order in which they appear and if passed shall go to the foot of the calendar.

The amendment was adopted.

Senator McIntosh offered the following amendment and moved its adoption:

Amend by striking out the last paragraph of Sec. V.

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

Ayes, 29.

Abben	Buser	Johnston	Schmedika
Adams	Campbell	Kimberly	Shane
Baird	Cessna	McIntosh	Shinn
Banta	Darting	Mead	Snook
Bergman	Ethell	Nelson	Thurston
Bowman	Gilchrist	Price	
Brookins	Hartman	Rees	
Browne	Haskell	Romkey	

Nays, 18.

Brookhart	Holdoegel	Perkins	Stoddard
Caldwell	Horchem	Reed	White
Fulton	Mantz	Scott	Wichman
Goodwin	Newberry	Shaff	
Hale	Olson	Slosson	

Absent or not voting, 3.

Dutcher	Smith	Tuck
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The amendment was adopted.

The resolution as amended was adopted.

INTRODUCTION OF BILLS

Senate File No. 2, by committee on code revision, 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.

Senate File No. 3, by committee on code revision, a bill for an act to provide for a committee on bills.

Read first and second times and referred to committee on code revision.

Senate File No. 4, by committee on code revision, 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 times and referred to committee on judiciary No. 1.

Senate File No. 6, by committee on code revision, 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 sessions laws, and the method of accounting therefor.

Read first and second times and referred to committee on code revision.

Senate File No. 7, by committee on code revision, 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 times and referred to committee on departmental affairs.

Senate File No. 8, by committee on code revision, 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), two hundred seventy-four (274) and seven hundred twenty-five (725) 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 times and referred to committee on departmental affairs.

Senate File No. 9, by committee on code revision, 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.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 10, by committee on code revision, 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 times and referred to committee on judiciary No. 2.

Senate File No. 14, by committee on code revision, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-

eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties, and employees thereof.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 15, by committee on code revision, 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 hundred fifteen (715) of said code, and section one hundred eighteen-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against the state.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 17, by committee on code revision, 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 times and referred to committee on departmental affairs.

Senate File No. 18, by committee on code revision, 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 times and referred to committee on departmental affairs.

Senate File No. 19, by committee on code revision, 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 hun-

dred sixty-nine (3769) of the supplement to said code, relating to memorial halls and monuments for soldiers, sailors, and marines.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 20, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 21, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 22, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 23 by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 24, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 25, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 26, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 27, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 28, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 29, by committee on code revision, 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 by candidates for office.

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

Senate File No. 30, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 31, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 32, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 33, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 34, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 35, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 39, by committee on code revision, 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 times and referred to committee on judiciary No. 2.

Senate File No. 40, by committee on code revision, 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 times and referred to committee on judiciary No. 2.

Senate File No. 41, by committee on code revision, 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 of the supplement to said code, relating to coal mines, gypsum mines, and mining.

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

Senate File No. 42, by committee on code revision, 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 twenty-three-a one (823-a1), 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 times and referred to committee on labor.

Senate File No. 43, by committee on code revision, 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), and 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 times and referred to committee on labor.

Senate File No. 44, by committee on code revision, 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 times and referred to committee on labor.

Senate File No. 45, by committee on code revision, 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 times and referred to committee on labor.

Senate File No. 46, by committee on code revision, a bill for an act to amend, revise, and codify sections eight hundred seventy-three (873) to eight hundred eighty (880), 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 times and referred to committee on labor.

Senate File No. 47, by committee on code revision, a bill for an act to amend, revise, and codify sections eight hundred ninety-two (892) 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 times and referred to committee on labor.

Senate File No. 50, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 51, by committee on code revision, a bill for an act to amend, revise, and codify sections nine hundred sixteen (916), nine hundred seventeen (917), nine hundred nineteen (919), nine hundred sixty-two (962), nine hundred sixty-five (965) to nine hundred sixty-seven (967), inclusive, nine hundred sixty-nine (969) to nine hundred seventy-three (973), inclusive, nine hundred seventy-eight (978), nine hundred seventy-nine (979), nine hundred eighty-one (981) to nine hundred ninety-seven (997), inclusive, nine hundred ninety-nine (999) to ten hundred eighteen (1018), inclusive, ten hundred twenty (1020), ten hundred twenty-three (1023), and ten hundred twenty-five (1025) to ten hundred twenty-seven (1027), inclusive, of the compiled code of Iowa, and sections nine hundred fourteen (914), nine hundred fifteen (915), nine hundred eighteen (918), nine hundred sixty-eight (968), nine hundred seventy-four-a one (974-a1) to nine hundred seventy-four-a three (974-a3), inclusive, nine hundred seventy-five (975), nine hundred seventy-six-a one (976-a1) to nine hundred seventy-six-a six (976-a6), inclusive, nine hundred seventy-seven-a one (977-a1) to nine hundred seventy-seven-a seven (977-a7), inclusive, nine hundred ninety-eight (998), ten hundred nineteen (1019), ten hundred twenty-a one (1020-a1), and ten hundred twenty-four (1024) of the supplement to said code, relating to intoxicating liquors.

Read first and second times and referred to committee on suppression of intemperance.

Senate File No. 52, by committee on code revision, 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 times and referred to committee on judiciary No. 1.

Senate File No. 53, by committee on code revision, a bill for an act to amend, revise, and codify chapter ten (10) of title five (5) of the compiled code of Iowa, and of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 54, by committee on code revision, 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 of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals.

Read first and second times and referred to committee on fish and game.

Senate File No. 55, by committee on code revision, a bill for an act to amend, revise, and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-three (1183), inclusive, of the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks.

Read first and second times and referred to committee on conservation.

Senate File No. 57, by committee on code revision, 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.

Senate File No. 58, by committee on code revision, 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 twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 60-A, by committee on code revision, a bill for an act to amend, revise, and codify sections twelve hundred forty-four-a one (1244-a1), twelve hundred forty-four-a fourteen (1244-a14), and twelve hundred forty-four-a fifteen (1244-a15) of the supplement to the compiled code of Iowa, relating to the board of accountancy.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 61, by committee on code revision, 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.

Senate File No. 65, by committee on code revision, a bill for an act to amend, revise, and codify sections nine hundred seven (907), fourteen hundred forty (1440), fourteen hundred forty-three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six (1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1) to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, and sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations.

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

Senate File No. 66, by committee on code revision, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9) of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred sixteen (1616), inclusive, sixteen hundred eighteen (1618) to sixteen hundred twenty-one (1621), inclusive, sixteen hundred twenty-three (1623) to sixteen hundred twenty-five (1625), inclusive, sixteen hundred twenty-eight (1628), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), and sixteen hundred thirty-eight (1638) to sixteen hundred forty-four (1644), inclusive, of the compiled code of Iowa, and chapters six (6), seven (7), and eight (8) of title eight (8), of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and sections sixteen hundred twenty-two (1622), sixteen hundred thirty-one-a nine (1631-a9), sixteen hundred thirty-six-a one

(1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, and sixteen hundred thirty-seven (1637), of the supplement to said code, relating to state fair and agricultural organizations receiving state aid.

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

Senate File No. 68, by committee on code revision, a bill for an act to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, relating to animal industry.

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

Senate File No. 69, by committee on code revision, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A) of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants.

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

Senate File No. 71, by committee on code revision, 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 three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) 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 times and referred to committee on agriculture.

Senate File No. 72, by committee on code revision, 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 times and referred to committee on elections.

Senate File No. 74, by committee on code revision, 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 times and referred to committee on judiciary No. 2.

Senate File No. 75, by committee on code revision, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property.

Read first and second times and referred to committee on judiciary No. 2.

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 five (6405), inclusive, of the compiled code of Iowa, relating to conveyances.

Read first and second times 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 times and referred to committee on land titles.

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 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.

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 times 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), and twenty-five hundred seventy-five (2575) of the compiled code of Iowa, and sections twenty-two hundred seventy-four-a one (2274-a1), twenty-two hundred seventy-four-a two (2274-a2), and twenty-six hundred twenty-eight (2628) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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 sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred seventy-seven (2277) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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 of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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), two thousand three hundred six (2306), and section two thousand four hundred eighty-two-a one (2482-a1) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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, and section two thousand five hundred fifty-eight-a two (2558-a2) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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 times and referred to committee on educational institutions.

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 times 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 times 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 times 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 times 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 times and referred to committee on board of control.

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, and of the supplement to said code, relating to education.

Read first and second times and referred to committee on board of control.

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, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to said code, relating to education.

Read first and second times 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 times and referred to committee on public 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-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, two thousand five hundred forty-two (2542) to two thousand five hundred forty-four

(2544), inclusive, two thousand five hundred forty-nine (2549) 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 sections two thousand five hundred forty-five-a one (2545-a1) to two thousand five hundred forty-five-a four (2545-a4), inclusive, two thousand five hundred fifty-eight-a one (2558-a1), and two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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 times and referred to committee on public schools.

Senate File No. 104, by 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 times and referred to committee on public 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 times and referred to committee on public 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 times and referred to committee on public schools.

Senate File No. 108, by committee on code revision, a bill for

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 times and referred to committee on public 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 forty-one (2641), two thousand six hundred forty-three (2643), and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty (2640), and two thousand six hundred forty-two (2642) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public schools.

Senate File No. 111, by committee on code revision, a bill for an act to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, relating to education.

Read first and second times and referred to committee on public 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 times and referred to committee on public schools.

Senate File No. 114, by committee on code revision, a bill for an act to amend, revise, and codify sections two thousand seven hun-

dred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738); 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 times and referred to committee on educational institutions.

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 of the supplement to said code, relating to education.

Read first and second times and referred to committee on educational institutions.

Senate File No. 116, by committee on code revision, 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.

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 and of the supplement to said code, relating to the establishment, vacation, and alteration of highways and to the erection and maintenance of bridges.

Read first and second times 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 times and referred to committee on highways.

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 times and referred to committee on highways.

Senate File No. 121, by committee on code revision, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) 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 and to toll bridges and ferries.

Read first and second times 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 times 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 times and referred to committee on highways.

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 times and referred to committee 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 and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks.

Read first and second times 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 times 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, and three thousand forty (3040) of the compiled code of Iowa, relating to the use of public highways.

Read first and second times 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 times 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 section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards of supervisors.

Read first and second times 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 times 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 times 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) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff.

Read first and second times 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, and of the supplement to said code, relating to the submission of questions to voters.

Read first and second times 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 and of the supplement to said code, relating to county bonds.

Read first and second times 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 times 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 of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases.

Read first and second times and referred to committee on county and township affairs.

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-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors, and marines.

Read first and second times and referred to committee on county and township 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 times 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 times and referred to committee on county and township affairs.

Senate File No. 149, by committee on code revision, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys.

Read first and second times 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 sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township officers.

Read first and second times 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-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 times 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 and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal corporations.

Read first and second times 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) of the compiled code of Iowa and of the supplement to said code, 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 times 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 times 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 times 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 times 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 thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds.

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

Senate File No. 166, by committee on code revision, a bill for an act to amend, revise, and codify section three thousand seven hun-

dred seventy-seven (3777) of the compiled code of Iowa, relating to municipal corporations.

Read first and second times 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 times 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, and 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 times 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 two (3902), inclusive, three thousand nine hundred four (3904), 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), inclu-

sive, 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 three (3903), 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 times 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 fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) of the supplement to said code, relating to municipal corporations.

Read first and second times 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 times 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), and three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, and section four thousand six (4006) of the supplement to said code, relating to municipal corporations.

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

Senate File No. 174, by committee on code revision, a bill for an 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 times 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 times and referred to committee on cities and towns.

Senate File No. 176, by committee on code revision, 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 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 times and referred to committee on cities and towns.

Senate File No. 177, by committee on code revision, a bill for 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, four thousand fifty-two (4052), and four thousand fifty-three (4053) of the compiled code of Iowa, and sections three thousand four hundred eighty-five (3485), 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 times 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 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 sections four thousand fifty-nine (4059), and three thousand six hundred thirty-eight (3638) of the supplement to said code, relating to municipal corporations.

Read first and second times 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-two (4062), four thousand sixty-three (4063), four thousand sixty-five (4065) to four thousand sixty-eight (4068), inclusive, of the compiled code of Iowa, and sections four thousand sixty-one (4061), four thousand sixty-five-a one (4065-a1) of the supplement to said code, relating to municipal corporations.

Read first and second times 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 times 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 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 (4350), inclusive, four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), 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 two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), 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, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred three (4403), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations.

Read first and second times 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 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 nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to taxation.

Read first and second times and referred to committee on ways and means.

Senate File No. 185, by committee on code revision, a bill for an act to amend, revise, and codify chapters one (1), two (2), and two-a (2-a) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and watercourses.

Read first and second times 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 times 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 times and referred to committee on judiciary No. 2.

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 times 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 of the supplement to said code, relating to commerce counsel.

Read first and second times 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) to fifty hundred eighty-five (5085), inclusive, 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 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 railroads.

Read first and second times 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 (5027) 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 times 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 times and referred to committee on railroads.

Senate File No. 193, by committee on code revision, a bill for an 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 times 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 times 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 times 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 times 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 times 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 sections fifty-one hundred seventy-nine-a one (5179-a1) to fifty-one hundred seventy-nine-a thirteen (5179-a13), inclusive, of the supplement to the compiled code of Iowa, relating to regulation of common carriers in respect to schedules of rates and charges.

Read first and second times and referred to committee on railroads.

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 times 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), five thousand four hundred forty-four (5444), and five thousand four hundred forty-eight (5448), of the compiled code of Iowa, relating to corporations for pecuniary profit.

Read first and second times 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 times 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 times and referred to committee on corporations.

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 times 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 seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code of Iowa, and sections five thousand four hundred ninety-six (5496), and five thousand six hundred five (5605) of the supplement to said code, relating to insurance other than life.

Read first and second times 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 times and referred to committee on banks.

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 times and referred to committee on judiciary No. 1.

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 commodity or article of commerce and penalties for violation of said provisions.

Read first and second times and referred to committee on judiciary No. 2.

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 times and referred to committee on judiciary No. 1.

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 sections sixty-six hundred thirty-seven (6637) and eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest.

Read first and second times 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, and sections sixty-six hundred twenty-nine (6629) of the supplement to said code, relating to divorce and the remarriage of divorced persons.

Read first and second times and referred to committee on judiciary No. 1.

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 compiled code of Iowa, relating to adoption, and master and apprentice.

Read first and second times and referred to committee on judiciary No. 2.

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 times and referred to committee on judiciary No. 1.

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 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 times 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 times 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 times 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 times 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 times 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 times 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 estate of decedents.

Read first and second times and referred to committee on judiciary No. 1.

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 twenty-nine (7829), 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 times and referred to committee on judiciary No. 2.

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 times and referred to committee on judiciary No. 2.

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 times and referred to committee on judiciary No. 1.

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 times and referred to committee on judiciary No. 2.

Senate File No. 246, by committee on code revision, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), 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 times and referred to committee on judiciary No. 1.

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 compiled code of Iowa, relating to carrying dangerous weapons and permits therefor.

Read first and second times and referred to committee on judiciary No. 2.

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 times and referred to committee on judiciary No. 1.

Senate File No. 251, by committee on code revision, a bill for an 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 times and referred to committee on judiciary No. 2.

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 times 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 times and referred to committee on judiciary No. 2.

Senate File No. 254, by committee on code revision, a bill for an act to amend, revise, and codify 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 times and referred to committee on judiciary No. 1.

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), sixty-six hundred seventy (6670), 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 committee on judiciary No. 2.

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 times 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), 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 times and referred to committee on cities and towns.

Senate File No. 260, by committee on code revision, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), 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, thirty-four hundred forty-seven (3447), thirty-four hundred forty-eight (3448), forty-one hundred four-

teen (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 chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to public health.

Read first and second times 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 chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), chapter forty-six (46) of title thirty-three (33), and sections nine hundred (900) to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundred seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hundred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, and eighty-eight hundred fifty-two (8852), of the compiled code of Iowa: chapters seven (7) and twelve (12) of title (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), chapter fourteen-A (14-A) of title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one

(1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods, drugs, and other articles.

Read first and second times 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 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 sixteen (1416) to fourteen hundred nineteen (1419), inclusive, fourteen hundred twenty-one (1421) to fourteen hundred twenty-three (1423), inclusive, fourteen hundred twenty-five (1425), and fourteen hundred twenty-six (1426) of the compiled code of Iowa, and chapters six (6), twelve (12), 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 thirteen (1413) to fourteen hundred fifteen (1415), inclusive, and fourteen hundred twenty (1420) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting the public health.

Read first and second times and referred to committee on public health.

Senate File No. 263, by committee on code revision, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices.

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

Senate File No. 264, by committee on code revision, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 265, by committee on code revision, a bill for an act to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom.

Read first and second times and referred to committee on railroads.

Senate File No. 266, by committee on code revision, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 267, by committee on code revision, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 268, by committee on code revision, a bill for an act to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, relating to the statute of frauds.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 269, by committee on code revision, a bill for an act to repeal paragraph one (1) of section seventy-one hundred sixteen (7116) of the compiled code of Iowa and to enact a substitute therefor, relating to the statute of limitation.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 270, by committee on code revision, a bill for an act to amend, revise, and codify sections eighty-one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 271, by committee on code revision, a bill for an act to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 272, by committee on code revision, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 273, by committee on code revision, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 274, by committee on code revision, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 275, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-five-A (25-A) of title four (4) of the supplement to the compiled code of Iowa, relating to the sale of public bonds.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 276, by committee on code revision, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, pool and billiard rooms and bowling alleys .

Read first and second times and referred to committee on county and township affairs.

Senate File No. 277, by committee on code revision, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 278, by committee on code revision, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 279, by committee on code revision, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 280, by committee on code revision, a bill for an

act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled code of Iowa, relating to garnishment.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 281, by committee on code revision, a bill for an act to amend, revise, and codify section sixty-three hundred forty-one (6341) of the compiled code of Iowa, relating to future estates.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 282, by committee on code revision, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 283, by committee on code revision, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred sixty-one (961), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under permits.

Read first and second times and referred to committee on suppression of intemperance.

Senate File No. 284, 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. 1.

Senate File No. 285, by Senator Shane, a bill for an act to amend the law as it appears in section fourteen (14) of the Code (C. C. 19) relating to the payment of compensation and mileage of members of the General Assembly.

Read first and second times.

THIRD READING OF BILLS

On motion of Senator Shane Senate File No. 285, a bill for an act to amend the law as it appears in section fourteen (14) of the Code (C. C. 19) relating to the payment of compensation and mileage of members of the General Assembly, was taken up and considered, the rules having been suspended.

By unanimous consent the words and figures "fourteen (14) of the Code (C. C. 19)" were stricken and the words "nineteen of the Compiled Code" were inserted in lieu thereof.

By unanimous consent on request of Senator Shane, the bill was amended by adding the following as section 2:

"Sec. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Des Moines Register, a newspaper published in Des Moines, Iowa, and the Ottumwa Daily Courier, a newspaper published in Ottumwa, Iowa."

By unanimous consent on request of Senator Shane the bill was amended as follows:

Amend by adding following the word "officer" the words "of each house showing the number of days of allowance and compensation as provided by law".

By unanimous consent on request of Senator Shane the words "or adjourned" were inserted after the word "extra" in line 1 of paragraph 2 of section 1.

The bill was read for information.

Senator Shane 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, 47.

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

Nays, 1.

Hale

Absent or not voting, 2.

Buser

Smith

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.

EMPLOYMENT OF ADDITIONAL DOORKEEPERS

Senator Bowman offered the following:

We move that the former members of the Grand Old Army of the Republic, namely: J. R. White, W. H. Foster, E. L. Stilson, Jack Hafflinger, Clark Wilson, Warren Turner and O. W. Lowrey, employed as doorkeepers during the Fortieth General Assembly be employed as additional doorkeepers for this special session as of December 4th and that they be so notified.

M. L. BOWMAN,	F. C. GILCHRIST,	A. H. BERGMAN,
CARL W. REED,	I. N. SNOOK,	RAY P. SCOTT,
W. A. CALDWELL,	A. T. BROOKINS,	GEORGE S. BANTA,
J. M. SLOSSON,	JOHN J. ETHELL,	S. C. REES,
O. L. MEAD,	FRANK SHANE,	H. C. ADAMS,
A. J. SHINN,	B. M. STODDARD,	CHAS. M. DUTCHER,
W. J. GOODWIN,	T. C. CESSNA,	ED. H. CAMPBELL,
W. SCHMEDIKA,	BEN C. ABBEN,	J. A. MCINTOSH,
LLOYD THUBSTON,	J. O. SHAFF,	J. C. TUCK,
E. W. ROMKEY,	CHAS. J. FULTON,	J. L. BROOKHART,
JNO. R. PRICE,	GEORGE S. HARTMAN,	CHAS. OLSON,
D. W. KIMBERLY,	J. D. BUSER,	J. K. HALE,
BYRON W. NEWBERRY,	J. A. NELSON,	W. G. HASKELL,
W. S. BAIRD,	J. E. WICHMAN,	CHARLES S. BROWNE.
PERRY C. HOLDOEGEL,	B. J. HORCHEM,	

Senator Shaff invoked rule 8.

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

Ayes, 46.

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

Nays, 1.

White

Absent or not voting, 3.

Smith Thurston Johnston

The motion prevailed.

COMMITTEE CLERKS

The following committee clerks were selected, examined and after appearing before the bar of the Senate and being duly sworn were assigned as follows:

Marion Bagley—Senator Baird.
 Mary E. Allen—Senator Snook.
 Emma A. Wilson—Senator Shinn.
 Keith K. Scott—Senator Browne.
 Mae E. Schlater—Senator Hale.
 Vesta Ealls—Senator White.
 Harriet D. Blackwell—Senator Darting.
 Elmer E. Beck—Senator Newberry.
 N. E. Kelley—Senator Horchem.
 Daisy V. Williams—Senator Price.
 Augusta Wellons—Senator McIntosh.

MESSENGERS

The President appointed the following as messenger for the Senate:

Everett Law.

The Journal of December 4 was corrected and approved.

Senator Newberry moved that the Senate adjourn until 10 a. m. Thursday.

Senator Shaff moved to amend by making the hour 9 a. m.

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

Ayes, 20.

Bowman	Goodwin	Perkins	Shinn
Brookins	Hale	Price	Snook
Campbell	Haskell	Reed	Tuck
Cessna	McIntosh	Schmedika	White
Ethell	Nelson	Shaff	Wichman

Nays, 26.

Abben	Bergman	Caldwell	Gilchrist
Adams	Brookhart	Darting	Hartman
Baird	Browne	Dutcher	Horchem
Banta	Buser	Fulton	Johnston

Kimberly	Newberry	Shane	Thurston
Mantz	Olson	Slosson	
Mead	Rees	Stoddard	

Absent or not voting, 4.

Holdoegel	Romkey	Scott	Smith
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The amendment was lost.

The motion by Senator Newberry prevailed and the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 6, 1923.

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

Prayer was offered by the Rev. John A. Kettle, pastor of the Methodist-Episcopal church, of Odebolt, Iowa.

On motion of Senator Campbell, rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented:

By Senator Schmedika, from Antioch Lodge, No. 617, A. F. and A. M., Radcliffe, Iowa, urging revision of the law respecting the reading of the Bible in public schools. Referred to committee on public schools.

By Senator Schmedika, from the trustees of Lincoln Township, Hamilton County, asking the amendment of the law relating to proportionment of automobile tax. Referred to committee on judiciary No. 2.

By Senator Schmedika, from the town council of Webster City, urging the amendment of the law regulating expenditure of the primary road fund. Referred to committee on highways.

Petitions from the Modern Woodmen of America protesting legislation requiring or permitting fraternal beneficiary societies to segregate their funds were presented by Senator Schmedika from Jewell Camp No. 2316, Jewell, Iowa; from Eldora Camp No. 394, Eldora, Iowa; from Maple Camp No. 100, Iowa Falls, Iowa, and from Boone Valley Camp No. 3651, Eagle Grove, Iowa. Referred to committee on insurance.

MESSAGES FROM THE HOUSE

The following messages was received from the House:

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

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

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 code revision.

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.

On motion of Senator Ethell the senators who were absent were excused from the call of the Senate on the question of the election of a president pro tem.

Senator Abben moved that the Senate go into executive session for the purpose of electing a president pro tem.

Senator Campbell raised the point of order that under rule 3 of the Senate rules, the president pro tem. was elected for the same period of time as the Lieutenant Governor.

Senator Brookhart raised the further point of order that this is not a subject for an executive session. Also that under sections 18 and 19 of the constitution of the state of Iowa the term of office

of president pro tem of the Senate is to be construed as co-extensive with that of president of the Senate, and there is no vacancy until the next regular legislative session.

The President remarked as follows:

"The question presented by the point of order raised by the Senator from Ida on the fourth day of December, and again today, raises the question as to whether or not there is now a vacancy in the office of the Senate filled by the election of a president pro tem. of the Senate at the regular session which terminated April 17, 1923.

The inquiry is, by what authority and for what term was the office filled? The matter appears to be governed by Rule 3, which is as follows:

"The Senate shall, at its pleasure, elect a president pro tem, who shall hold his office during the remaining portion of the time for which the president was elected; and when the president shall, from any cause, be absent, the president pro tem shall preside, except when the chair is filled by appointment by the president."

Under this rule the term of the president pro tem. expires with the term of the president of the Senate. The term of the president expires January, 1925. I do not deem it within my province to determine the validity of the rule. You are a legislative body. You have adopted your own rules for your government. It is my duty as the presiding officer to determine this question under the rule as a parliamentarian and not as a judicial officer. Viewing the matter from a parliamentary standpoint, the point of order must be sustained.

This ruling also applies to the point of order raised by the Senator from Washington."

PROOF OF PUBLICATION

I hereby certify that there has been filed with the Secretary of the Senate, the proof of publication of a proposed bill for the legalization of certain warrants and bonds of the city of Council Bluffs, Iowa.

L. W. AINSWORTH, *Secretary of the Senate.*

AMENDMENT TO RESOLUTION

By unanimous consent on request of Senator Dutcher, the words "former members of the" were inserted after the first word "The" in paragraph 2 of section 5 of the resolution found on page 25 of the Senate Journal.

Senator Dutcher moved that it be the sense of this Senate that from next Tuesday until the adjournment of the Senate for the holiday recess, that the former members of the code commission be present at the state house ready to respond to the requests of the chairmen of the respective committees to which the bills have been

referred, or other members of the Senate, to answer such inquiries as may be put to them, and that the retrenchment and reform committee be authorized to make arrangements for their compensation.

Senator Buser raised the point of order that Senator Dutcher's motion was out of order, inasmuch as this authority had already been conferred by action of the Fortieth General Assembly, chapter 330, section 7.

The President held the point well taken.

Senator Dutcher withdrew the latter part of his motion, referring to compensation.

Senator Buser raised the point of order that the whole general authority conveyed in this motion had already been vested in the retrenchment and reform committee and the motion was out of order.

Senator Dutcher withdrew his motion.

The Journal of December 5th was corrected and approved.

On motion of Senator Shane, the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 7, 1923.

The Senate met in regular session, Col. L. W. Ainsworth, secretary of the Senate, presiding on account of the absence of both the President and president pro tem.

Prayer was offered by Col. Ainsworth.

Senator Stoddard placed in nomination Senator Ethell for temporary president.

Senator Ethell refused the nomination.

Senator Abben then placed in nomination for temporary president Senator Scott.

Senator Scott was elected and a committee of two, composed of Senators Stoddard and Kimberly, was appointed to escort him to the President's chair.

Senator Scott addressed the Senate briefly.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Haskell for the day on request of Senator Hale; Senator Shaff for the day on request of Senator Newberry; Senator Cessna until Monday on request of Senator Shinn; Senator Darting for the day on request of Senator Stoddard; Senator McIntosh for remainder of week on request of Senator Price; Senator Bowman for the day on request of Senator Price.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Wichman, from city council of Hampton, urging amendment of law relating to primary road funds. Judiciary No. 1.

By Senator Ethell, from city council of Bloomfield, urging amendment of law relating to primary road funds. Judiciary No. 1.

By Senator Holdoegel, from Mr. Brown McCrary, urging appointment of additional judges. Judiciary No. 1.

By Senator Shinn, from farm bureau of Harrison Township, Harrison County, protesting change to the appointed board of assessment and review. Ways and means.

By Senator Wichman, from Royal Neighbors of America, Hampton, protesting certain fraternal legislation. Insurance.

The following petitions from the Modern Woodmen of America protesting legislation relative to segregation of funds in fraternal beneficiary organizations, and referred to the committee on insurance: By Senator Rees, from Camp No. 336, Sidney; by Senator Shinn, from Camp No. 325, Dunlap; by Senator Stoddard, from Sun Dance Camp No. 184, Sioux City; by Senator Fulton, from Fairfield Camp No. 246, Fairfield; by Senator Hartman, from Palm Camp No. 230, Oelwein; by Senator Hartman, from Spruce Camp No. 354, Arlington; by Senator Baird, from Avoca Camp No. 165, Avoca; by Senator Wichman, from Garner Camp No. 767, Garner.

REPORT OF COMMITTEE ON MILEAGE

Senator Abben offered the following report:

MR. PRESIDENT: Your committee on mileage begs leave to report that it finds the members of the Senate of the extra session of the Fortieth General Assembly are entitled to mileage as follows:

Name	Miles	Amount
Lieut Gov. Hammill.....	166	\$16.60
Abben	225	22.50
Adams	120	12.00
Baird	142	14.20
Banta	155	15.50
Bergman	35	3.50
Bowman	106	10.60
Brookhart	117	11.70
Brookins	155	15.50
Browne	202	20.20
Buser	156	15.60
Caldwell	62	6.20
Campbell	162	16.20
Cessna	56	5.60
Darting	161	16.10
Dutcher	121	12.10
Ethell	120	12.00

Name	Miles	Amount
Fulton	117	11.70
Gilchrist	120	12.00
Goodwin	5	.50
Hale	182	18.20
Hartman	242	24.20
Haskell	142	14.20
Holdoegel	89	8.90
Horchem	204	20.40
Johnston	54	5.40
Kimberly	175	17.50
McIntosh	85	8.50
Mantz	107	10.70
Mead	135	13.50
Nelson	81	8.10
Newberry	220	22.00
Olson	65	6.50
Perkins	115	11.50
Price	68	6.80
Reed	215	21.50
Rees	182	18.20
Romkey	168	16.80
Schmedika	64	6.40
Scott	59	5.90
Shaff	285	23.50
Shane	91	9.10
Shinn	166	16.60
Slawson	142	14.20
Smith	85	3.50
Snook	200	20.00
Stoddard	214	21.40
Thurston	55	5.50
Tuck	121	12.10
White	123	12.30
Wichman	125	12.50

All of which is respectfully submitted.

BENJ. ABBEN, *Chairman.*

GEO. B. PERKINS,

J. D. BUSER.

The report was received and ordered printed in the Journal.

INTRODUCTION OF BILLS

Senate File No. 286, by Senator Baird, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto.

Read first and second times and referred to committee on judiciary No. 1.

PROOF OF PUBLICATION

I hereby certify, that there has been filed with the secretary of the Senate, the proof of publication of a proposed bill for the legalization of a certain election, issuance and sale of bonds of the Independent School District of Council Bluffs, Pottawattamie county, Iowa.

L. W. AINSWORTH,

Secretary of the Senate.

The Journal of December 6th was corrected and approved.

On motion of Senator Newberry the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

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

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

Prayer was offered by the Rev. Raymond M. Shipman, pastor of the Trinity Methodist church, of Des Moines.

On motion of Senator Shane, rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Romkey for the day on request of Senator Price; Senator Haskell for the day on request of Senator Hale; Senator Thurston for the day on request of Senator Rees; Senator Dutcher for the day on request of Senator Stoddard; Senator Shaff for the day on request of Senator Stoddard; Senator Gilchrist for the day on request of Senator Wichman; Senator Nelson for the day on request of Senator Browne; Senator McIntosh for the day on request of Senator Bowman.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

Petitions from Modern Woodmen of America protesting certain fraternal beneficiary legislation and referred to committee on insurance: By Senator Stoddard, from Willow Camp No. 2738, Correctionville; by Senator Fulton, from Great Bend Camp No. 5909, Keosauqua; by Senator Bowman, from Dike Camp No. 8692, Dike; by Senator Slosson, from Worth Camp No. 2355, Northwood.

On request, the roll was called to ascertain if a quorum were present. The following senators responded:

Abben	Caldwell	Kimberly	Shinn
Baird	Campbell	Mantz	Slosson
Banta	Ethell	Mead	Snook
Bowman	Fulton	Perkins	Stoddard
Brookhart	Hale	Price	Tuck
Brookins	Hartman	Reed	White
Browne	Holdoegel	Rees	Wichman
Buser	Horchem	Shane	

Total, 31.

The President declared a quorum present.

REPORTS OF COMMITTEE

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 286, a bill for an act to legalize an election held in the Independent School District of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

Ordered passed on file.

Also,

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 284, 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, 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.

MESSAGES FROM 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. 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, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 285, a bill for an act to amend the law as it appears in section nineteen of the compiled code, relating to the payment of compensation and mileage of members of the General Assembly.

Also, that the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution providing one copy of the supplement to the code, 1923, code of 1897, and one copy of the session laws of the Fortieth General Assembly for members of the General Assembly.

Also, that the House has concurred in Senate concurrent resolution providing for the numbering of concurrent resolutions.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution No. 1, providing for the printing of committee books.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution No. 2, relating to the enrollment of bills designated as code commissioner's bills.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED.

Senator Ethell called up for consideration Senate concurrent resolution No. 1, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking from line seven (7) thereof the words and figures "Code of 1897."

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Abben	Caldwell	Mantz	Shinn
Baird	Campbell	Mead	Slosson
Banta	Ethell	Perkins	Snook
Bowman	Fulton	Price	Stoddard
Brookhart	Hale	Reed	Tuck
Brookins	Holdoegel	Rees	White
Browne	Horchem	Schmedika	Wichman
Buser	Kimberly	Shane	

Nays, none,

Absent or not voting, 19.

Adams	Gilchrist	McIntosh	Scott
Bergman	Goodwin	Nelson	Shaff
Cessna	Hartman	Newberry	Smith
Darting	Haskell	Olson	Thurston
Dutcher	Johnston	Romkey	

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. 284, 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, 32.

Abben	Caldwell	Kimberly	Schmedika
Adams	Campbell	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Newberry	Slosson
Brookhart	Hale	Perkins	Stoddard
Brookins	Hartman	Price	Tuck
Browne	Holdoegel	Reed	White
Buser	Horchem	Rees	Wichman

Nays, none,

Absent or not voting, 18.

Bergman	Gilchrist	Nelson	Smith
Bowman	Goodwin	Oison	Snook
Cessna	Haskell	Romkey	Thurston
Darting	Johnston	Scott	
Dutcher	McIntosh	Shaff	

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.

President Pro Tem. Price took the chair at 10:30 a. m.

On motion of Senator Baird Senate File No. 286, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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, 33.

Abben	Bowman	Buser	Fulton
Adams	Brookhart	Caldwell	Hale
Baird	Brookins	Campbell	Hartman
Banta	Browne	Ethell	Holdoegel

Horchem	Perkins	Shinn	White
Kimberly	Price	Slosson	Wichman
Mantz	Reed	Snook	
Mead	Schmedika	Stoddard	
Newberry	Shane	Tuck	

Nays, none.

Absent or not voting, 17.

Bergman	Goodwin	Olson	Smith
Cessna	Haskell	Rees	Thurston
Darting	Johnston	Romkey	
Dutcher	McIntosh	Scott	
Gilchrist	Nelson	Shaff	

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.

President Hammill resumed the chair at 10:35 a. m.

HOUSE CONCURRENT RESOLUTION NO. 1 CONSIDERED

Senator Baird called up for consideration the following House concurrent resolution and moved its adoption:

Be It Resolved by the House, the Senate concurring, That the secretary of the Senate and the chief clerk of the House are hereby instructed to prepare and have printed in pamphlet form a book similar to that showing the list of committees of the Fortieth General Assembly and other information contained therein corrected for use in the special session; such pamphlet to be approximately three by five and a half inches in size; six hundred copies thereof to be for the use of the Senate and nine hundred for the use of the House.

On the question "Shall the resolution be adopted?" the vote was:
Ayes, 28.

Abben	Campbell	Mantz	Shane
Adams	Ethell	Mead	Shinn
Baird	Fulton	Newberry	Slosson
Brookhart	Hale	Perkins	Snook
Brookins	Hartman	Price	Stoddard
Browne	Horchem	Reed	Tuck
Buser	Kimberly	Schmedika	Wichman

Nays, 1.

Banta

Absent or not voting, 21.

Bergman	Gilchrist	Nelson	Smith
Bowman	Goodwin	Olson	Thurston
Caldwell	Haskell	Rees	White
Cessna	Holdoegel	Romkey	
Darting	Johnston	Shaff	
Dutcher	McIntosh	Scott	

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

HOUSE CONCURRENT RESOLUTION NO. 2 CONSIDERED

Senator Baird called up for consideration the following House concurrent resolution and moved its adoption:

Be It Resolved by the House, the Senate concurring, That the secretary of the Senate and the chief clerk of the House, be and they are hereby directed to omit from the enrollment of such bills designated as code commissioners' bills, when passed by the General Assembly, all foot notes, briefs, general explanations, parenthetical references, and explanatory notes which form no part of said bills.

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

Ayes, 31.

Abben	Campbell	Mantz	Shinn
Adams	Ethell	Mead	Slosson
Baird	Fulton	Newberry	Snook
Banta	Hale	Perkins	Stoddard
Brookins	Hartman	Reed	Tuck
Browne	Holdoegel	Rees	White
Buser	Horchem	Schmedika	Wichman
Caldwell	Kimberly	Shane	

Nays, none.

Absent or not voting, 19.

Bergman	Dutcher	McIntosh	Scott
Bowman	Gilchrist	Nelson	Shaff
Brookhart	Goodwin	Olson	Smith
Cessna	Haskell	Price	Thurston
Darting	Johnston	Romkey	

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

HOUSE MESSAGE 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. 1.

The Journal of December 7th was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 10 a. m. Tuesday.

Senator Brookhart moved to amend the motion by making the time 10 a. m. Monday.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 10, 1923.

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

Prayer was offered by the Rev. Edward Duea, of Slater, 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 Newberry; Senator Campbell for the day, on request of Senator Buser; Senator Adams for the day, on request of Senator White; Senator Romkey for the day, on request of Senator Price; Senator Cessna for the day, on request of Senator Stoddard; Senator McIntosh 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 Rees, from the city of Shenandoah, urging amendment to the law proportioning the primary road fund. Highways.

The following petitions protesting fraternal insurance legislation. Referred to committee on insurance.

From the Royal Neighbors of America located at Charles City, Nora Springs, Marble Rock, Floyd, Fredericksburg, Williamstown and Lawler, by Senator Brookins, from camps of the Royal Neighbors of America at Council Bluffs, Oakland, Avoca, Underwood and Crescent by Senator Baird.

From the Modern Woodmen of America by Senator Wichman, from Camp No. 320, Clear Lake; by Senator Stoddard, from Camp No. 4655, Danbury; by Senator Rees, from Camp No. 344, Clarinda; by Senator Fulton, from Bonaparte Camp, Bonaparte.

Senator Banta moved that the superintendent of printing be re-

quested to print 600 extra copies of Senate Files Nos. 85, 86, 93 and 99, which motion prevailed.

The Journal of December 8th was corrected and approved.

Senator Newberry moved that the Senate adjourn until 10 a. m. Tuesday.

Senator Price moved to amend the motion by making the hour 9 a. m. Senator Price invoked rule 8.

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

Ayes, 23.

Abben	Darting	Nelson	Smith
Banta	Ethell	Price	Thurston
Bowman	Fulton	Reed	Tuck
Brookins	Hale	Schmedika	White
Browne	Hartman	Shinn	Wichman
Buser	Haskell	Slosson	

Nays, 16.

Baird	Goodwin	Kimberly	Perkins
Bergman	Holdoegel	Mantz	Rees
Brookhart	Horchem	Mead	Snook
Gilchrist	Johnston	Newberry	Stoddard

Absent or not voting, 11.

Adams	Cessna	Olson	Shaff
Caldwell	Dutcher	Romkey	Shane
Campbell	McIntosh	Scott	

The amendment was adopted.

The motion prevailed and the Senate adjourned until 9 a. m. Tuesday.

JOURNAL OF THE SENATE

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

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

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Adams for the day on request of Senator White.

Senator Abben moved that rule 33 be suspended for the day. Senator Stoddard asked for a roll call.

Senator Brookhart invoked rule 8.

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

Ayes, 16.

Abben	Brookins	Hartman	Shinn
Baird	Browne	Haskell	Slosson
Bowman	Ethell	Price	Stoddard
Brookhart	Gilchrist	Shane	Wichman

Nays, 15.

Campbell	Johnston	Perkins	Snook
Dutcher	McIntosh	Reed	Tuck
Fulton	Nelson	Rees	White
Hale	Newberry	Scott	

Absent or not voting, 19.

Adams	Cessna	Kimberly	Schmedika
Banta	Darting	Mantz	Shaff
Bergman	Goodwin	Mead	Smith
Buser	Holdoegel	Olson	Thurston
Caldwell	Horchem	Romkey	

The motion was lost, the suspension of a rule requiring a two-thirds majority.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Olson, from Mrs. Edna B. Shackelton, urging amendment to Code Commission Bill No. 92. Educational institutions.

By Senator Olson, from Mrs. Edna B. Shackelton, urging amendment to Code Commission Bill No. 42. Labor.

By Senator Nelson, from Royal Neighbors of America Camps at Portsmouth, Anita and Atlantic, and from Modern Woodmen of America Camp No. 1537, Anita, protesting fraternal beneficiary insurance legislation. Insurance.

By Senator Haskell, from Modern Woodmen of America Camp No. 3346, Springville, protesting fraternal beneficiary insurance legislation. Insurance.

REPORTS OF COMMITTEES

Senator Bowman, from the committee on rules, submitted the following report:

MR. PRESIDENT: Your joint committee on rules recommend that the joint rules of the Fortieth General Assembly be adopted temporarily as rules for the special session as far as applicable.

M. L. BOWMAN, *Chairman*.

O. A. ONTJES, *Chairman House Committee*.

On the question "Shall the report of the rules committee be adopted?" the vote was:

Ayes, 30.

Abben	Ethell	McIntosh	Shinn
Baird	Fulton	Mantz	Slosson
Bergman	Gilchrist	Nelson	Snook
Bowman	Hale	Newberry	Thurston
Brookins	Haskell	Perkins	Tuck
Buser	Holdoegel	Shaff	White
Campbell	Johnston	Shane	Wichman
Dutcher	Kimberly		

Nays, none.

Absent or not voting, 20.

Adams	Cessna	Mead	Romkey
Banta	Darting	Olson	Schmedika
Brookhart	Goodwin	Price	Scott
Browne	Hartman	Reed	Smith
Caldwell	Horchem	Rees	Stoddard

The report was adopted.

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred

Senate File No. 31, a bill for an act relating to qualification by public officers, 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 Sec. 3 all of line 1 and all of line 2 before the comma and inserting in lieu thereof the following: "When on account of sickness, the inclement state of the weather, unavoidable absence, or casualty."

J. E. WICHMAN, *Chairman.*

Ordered passed on file.

Senator Wichman moved that the rules be suspended and that the Senate consider Senate File No. 31, which motion was lost.

SENATE CONCURRENT RESOLUTION NO. 4

Senator Perkins offered the following resolution:

Resolved by the Senate, the House concurring, That this General Assembly adjourn Friday, December 21, 1923, to re-convene on Monday, January 7, 1924, at 10 o'clock A. M.

Be It Further Resolved, That there be no per diem allowed members for the sixteen clear days of the vacation.

Be It Further Resolved, That there be no per diem allowed members during the vacation between April 18, 1923, and December 4, 1923.

GEO. B. PERKINS.

Laid over under the rules.

The Journal of December 10th was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 8:30 a. m. Wednesday.

Senator Price moved to amend the motion by making the time 9 a. m. Wednesday.

Senator Gilchrist moved to amend the amendment by making the time 4 p. m. Tuesday.

Senator Price raised the point of order that an amendment could not be amended.

The President held the point not well taken.

Senator Gilchrist's amendment was adopted.

The motion prevailed and the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred 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, 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. 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, 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. 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, 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. 221, 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, 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. 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, 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. 271, a bill for an act to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings, 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.

On motion of Senator Campbell, the Senate adjourned until 9 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 12, 1923.

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

Prayer was offered by Rev. John F. Arnold, pastor of the First Methodist Episcopal church of Guthrie Center, Iowa.

On motion of Senator Price, rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions protesting fraternal beneficiary insurance legislation, were presented: By Senator Fulton, from Camp No. 3818, Modern Woodmen of America; by Senator Schmedika, from Ackley Camp No. 690, Modern Wodomen of America; by Senator Schmedika, from Hawkeye Camp No. 1583, Modern Woodmen of America; by Senator Brookhart, from New London Camp No. 5844, Modern Woodmen of America, and referred to committee on insurance.

THIRD READING OF BILLS

On motion of Senator Wichman, 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, 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 Sec. 3 all of line 1 and all of line 2 before the comma and inserting in lieu thereof the following: "when on account of sickness, the inclement state of the weather, unavoidable absence, or casualty,".

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, 42.

Abben	Cessna	McIntosh	Shane
Baird	Ethell	Mantz	Shinn
Banta	Fulton	Mead	Slosson
Bergman	Gilchrist	Newberry	Smith
Bowman	Goodwin	Olson	Snook
Brookhart	Hale	Perkins	Stoddard
Brookins	Hartman	Price	Tuck
Browne	Haskell	Rees	White
Buser	Horchem	Romkey	Wichman
Caldwell	Johnston	Schmedika	
Campbell	Kimberly	Scott	

Nays, none.

Absent or not voting, 8.

Adams	Dutcher	Nelson	Shaff
Darting	Holdoegel	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 Brookhart House File No. 10 was substituted for Senate File No. 10.

On motion of Senator Brookhart, 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, having been substituted for Senate File No. 10, was taken up and considered.

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, 44.

Abben	Buser	Hartman	Mead
Baird	Caldwell	Haskell	Nelson
Banta	Campbell	Holdoegel	Newberry
Bergman	Ethell	Horchem	Olson
Bowman	Fulton	Johnston	Perkins
Brookhart	Gilchrist	Kimberly	Price
Brookins	Goodwin	McIntosh	Reed
Browne	Hale	Mantz	Romkey

Schmedika	Shane	Smith	Tuck
Scott	Shinn	Snook	White
Shaff	Slosson	Stoddard	Wichman

Nays, none.

Absent or not voting, 6.

Adams	Darting	Rees
Cessna	Dutcher	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 Brookhart withdrew Senate File No. 10 from further consideration.

On motion of Senator Brookhart, 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, 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, 44.

Baird	Ethell	Mantz	Shaff
Banta	Fulton	Mead	Shane
Bergman	Gilchrist	Newberry	Shinn
Bowman	Hale	Olson	Slosson
Brookhart	Hartman	Perkins	Smith
Browne	Haskell	Price	Snook
Buser	Holdoegel	Reed	Stoddard
Caldwell	Horchem	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna	Kimberly	Schmedika	White
Darting	McIntosh	Scott	Wichman

Nays, none.

Absent or not voting, 6.

Abben	Brookins	Goodwin
Adams	Dutcher	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 Brookhart, 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.

Senator Brookhart offered the following amendments and moved their adoption:

Amend section one (1) by inserting after the word "superior" in line 7 thereof, the word "police".

Amend section two (2) by inserting after the word "clerks" in line 10 thereof, the words "assessors".

The amendments were adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out the colon at the end of line 2 of section 1 and adding the following: "within their respective territorial jurisdiction:"

The amendment was lost.

Senator Thurston offered the following amendment and moved its adoption:

Amend subsection 2 of section 1 by substituting a comma (,) for the period (.) after the word "courts" in line 6 and by adding thereto the following: "or any commissioner or referee duly appointed by an officer named in subsection 1 hereof".

Senator Thurston withdrew his amendment.

Senator Bowman moved that Senate File No. 39 be rereferred to the judiciary committee No. 2.

Senator Bowman withdrew his motion.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by transposing subsection 2 of section 1, making it subsection 6 of section 2.

Senator Wichman offered the following substitute amendment and moved its adoption:

Amend section one (1) by striking out subdivision two (2) thereof and renumbering the remaining subdivisions.

The substitute amendment was lost.

Senator Brookhart withdrew his amendment.

Senator Bowman moved that Senate File No. 39 be rereferred to the committee on judiciary No. 2.

The motion was lost.

Senator Smith moved the previous question, which motion prevailed.

By unanimous consent on request of Senator Price, Senator Brookhart was permitted to offer an amendment.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by changing the period (.) at the end of line 6 of section 1 to a comma (,) and adding the following: "to witnesses in any court where they are acting in their official capacity, or in taking depositions."

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, 45.

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

Nays, none.

Absent or not voting, 5.

Adams	Dutcher	Mantz
Bowman	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 Scott, Senate File No. 221 was rereferred to the committee on judiciary No. 2.

On motion of Senator Brookhart, 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 recom-

mending 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, 47.

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

Nays, none.

Absent or not voting, 3.

Adams Ethell 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. 271, a bill for an act to amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings, 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, 48.

Abben	Buser	Gilchrist	Kimberly
Baird	Caldwell	Goodwin	McIntosh
Banta	Campbell	Hale	Mantz
Bergman	Cessna	Hartman	Mead
Bowman	Darting	Haskell	Nelson
Brookhart	Dutcher	Holdoegel	Newberry
Brookins	Ethell	Horchem	Olson
Browne	Fulton	Johnston	Perkins

Price	Schmedika	Shinn	Stoddard
Reed	Scott	Slosson	Thurston
Rees	Shaff	Smith	Tuck
Romkey	Shane	Snook	Wichman

Nays, none.

Absent or not voting, 2.

Adams 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 Brookhart withdrew Senate File No. 61 from further consideration.

RULING OF ATTORNEY GENERAL ON MILEAGE

STATE OF IOWA

DEPARTMENT OF JUSTICE

DES MOINES, December 12, 1923.

HONORABLE JOHN HAMMILL,
Senate Chamber,
Building.

Dear Governor Hammill:

You have submitted to this department the question as to whether or not members of the General Assembly may draw mileage for the special session.

The facts giving rise to the question are in substance these: The Governor issued his call for a special session, advising the members of the General Assembly of his desire that they meet on the day following the adjourning of the Fortieth General Assembly. The members did not return to their homes prior to the convening of the special session.

Section 25 of Article III of the Constitution provides in words as follows:

"Each member of the first general assembly under this constitution shall receive three dollars per diem while in session; and the further sum of three dollars for every twenty miles traveled in going to and returning from the place where such session is held, by the nearest traveled route; after which they shall receive such compensation as shall be fixed by law; but no general assembly shall have the power to increase the compensation of its members. And when convened in extra session *they shall receive the same mileage and per diem compensation as fixed by law for the regular session, and none other.*"

Section 12 of the supplement to the code, 1913, provides as follows:

"The compensation of the members of the general assembly shall be: To every member, for each full regular session one thousand dollars, and for each extra session the same compensation per day while in session, to be ascertained by the rate per day of the compensation of the members of

the general assembly at the preceding regular session; and in going to and returning from the place where the general assembly is held, five cents per mile, by the nearest traveled route; but in no case shall the compensation for any extra session exceed ten dollars per day, exclusive of mileage. When a vacancy occurs during the session of the general assembly, and by reason thereof the term of office of any member does not cover the entire session such members shall be paid as follows: To members whose term of office covers fifteen session days, or less, three hundred dollars; to members whose term of office covers more than fifteen session days, and less than thirty-one such days, five hundred dollars; to members whose term of office covers more than thirty session days, and less than fifty-one such days, seven hundred dollars; and to members whose term of office covers more than fifty session days, one thousand dollars."

The history of the convening of the extra session of the Fortieth General Assembly is of importance in determining the question submitted by you. This department is informed that the true purpose and intent of the Governor in calling the session was to have the session meet formally after the adjournment of the regular session for the purpose of determining the date when they should reconvene for the purpose of revising the code. It was the clear purpose that this should be the procedure. It was fully understood that the members would be required to return to their homes and return to the State Capitol for the purposes of the special session. It cannot be said, then, that the legislature did not, as a matter of fact, travel the same number of miles for the extra session as for the general session immediately preceding. It would seem therefore, without a construction of the statute or of the constitutional provision, that the members would be entitled to mileage. The expense has been actually incurred in good faith.

However, from a reading of the debates of the constitutional convention, found on pages 30, 84, 528, and 551, it will be observed that the true intent of this constitutional provision was to have the members receive the same per diem as for the preceding regular session, and the same mileage. The mileage being for the distance by the nearest traveled route from the home of the legislator to the State Capitol Building.

Respectfully submitted,

BEN J. GIBSON, *Attorney General.*

MESSAGES FROM THE HOUSE

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

House Joint Resolution No. 1, fixing the compensation of officers and employees of the special session of the Fortieth General Assembly.

Also: That the House has adopted the joint rules of the Fortieth General Assembly as the rules for the special session.

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 amend, revise, and codify sections twelve hundred fourteen (1214), twelve hundred seventeen (1217), twelve hundred eighteen (1218), twelve hundred twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying.

Also: That the House has 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 passed the following bill in which the concurrence to 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.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

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 times and referred to committee on highways.

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. 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 twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa, and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying.

Read first and second times and referred to committee on departmental affairs.

THIRD READING OF BILLS

On motion of Senator Reed, House Joint Resolution No. 1, fixing the compensation of the officers and employees of the Fortieth Gen-

eral Assembly, was taken up and considered, the rules having been suspended.

The resolution 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 resolution be adopted?" the vote was:

Ayes, 48.

Abben	Darting	Kimberly	Scott
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	Haskell	Reed	Thurston
Caldwell	Holdoegel	Rees	Tuck
Campbell	Horchem	Romkey	White
Cessna	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 2.

Adams Olson

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

SENATE CONCURRENT RESOLUTION NO. 5

Senator Scott offered the following resolution:

Whereas, the Governor of Iowa has in a proclamation, dated December 3, 1923, designated the week of December 9 to December 16, inclusive, as a period to be especially devoted to the furtherance of a memorial to our late president, Warren G. Harding, therefore,

Be It Resolved by the Senate, the House concurring, That a joint convention of the two houses of the Fortieth extraordinary session of the General Assembly be held on Friday, December 14, at 11:00 a. m. for the purpose of conducting appropriate exercises in commemoration of the life and public service of our beloved late president.

By unanimous consent on request of Senator Scott the resolution was taken up and considered.

By unanimous consent on request of Senator Scott the letters and figures "10:00 a. m." were stricken out and "11:00 a. m." inserted in lieu thereof.

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

Ayes, 49.

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

Nays, none.

Absent or not voting, 1.

Adams

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

The President appointed Arthur Wadsworth as Lieutenant Governor's page, the date of beginning service being December 10th.

The Journal of December 11th was corrected and approved.

On motion of Senator White, the Senate adjourned until 9 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 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 Banta rule 33 was suspended for the day.

LEAVE OF ABSENCE

Senator Reed for the day, on request of Senator Slosson.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Shinn, from the Nelson Hollow Farmers Club, Dunlap, protesting report of the joint legislative committee on taxation. Ways and means.

By Senator Haskell, from Iowa Funeral Directors' Association, approving code commission bills 260 and 262. Public health.

By Senator Thurston, from Modern Woodmen of America, Camp No. 280, Osceola, protesting fraternal beneficiary legislation. Insurance.

By Senator Fulton, from Modern Woodmen of America, Camp No. 4495, protesting fraternal beneficiary legislation. 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. 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 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. 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 it has had the same under consideration and recommends the same do pass.

CARL W. REED, *Chairman.*

Ordered passed on file.

Senator Stoddard asked for a roll call to determine the presence of a quorum.

The roll call revealed the presence of the following Senators:

Abben	Darting	McIntosh	Shaff
Baird	Ethell	Mead	Shane
Banta	Fulton	Nelson	Shinn
Bowman	Gilchrist	Newberry	Slosson
Brookhart	Goodwin	Olson	Snook
Brookins	Hale	Perkins	Stoddard
Browne	Hartman	Price	Thurston
Buser	Haskell	Rees	Tuick
Caldwell	Horchem	Romkey	White
Campbell	Kimberly	Schmedika	Wichman

The President declared a quorum present.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senator Perkins called up for consideration the following resolution:

Resolved by the Senate, the House concurring, That this General Assembly adjourn Friday, December 21, 1923, to re-convene on Monday, January 7, 1924, at 10 o'clock A. M.

Be It Further Resolved, That there be no per diem allowed members for the sixteen clear days of the vacation.

Be It Further Resolved, That there be no per diem allowed members during the vacation between April 19, 1923, and December 4, 1923.

Senator Caldwell offered the following as a substitute:

Resolved by the Senate, the House concurring, That this General Assembly adjourn Saturday, December 22, 1923, to reconvene on Thursday, December 27, 1923, at 10 A. M.

Senator Price raised the point of order that paragraph 2 of the resolution has once been acted upon by this Senate adversely, as found on pages 7 and 8 of the Senate Journal.

The President held the point not well taken.

Senator Shane moved the previous question, which motion prevailed.

On the question "Shall the resolution offered by Senator Caldwell be substituted?" the vote was:

Ayes, 31.

Baird	Cessna	McIntosh	Schmedika
Banta	Darting	Mantz	Shane
Bowman	Ethell	Mead	Shinn
Brookhart	Goodwin	Nelson	Slosson
Brookins	Haskell	Olson	Snook
Browne	Horchem	Price	Tuck
Caldwell	Johnston	Rees	White
Campbell	Kimberly	Romkey	

Nays, 12.

Abben	Gilchrist	Newberry	Stoddard
Buser	Hale	Perkins	Thurston
Fulton	Hartman	Shaff	Wichman

Absent or not voting, 7.

Adams	Dutcher	Reed	Smith
Bergman	Holdoegel	Scott	

The motion prevailed and the substitution was made.

Senator Banta moved that the rules be suspended and the resolution be amended by adding the following clause:

Be It Further Resolved, That there be no per diem allowed members during the vacation between April 19, 1923, and December 4, 1923.

The motion was lost.

Senator Price raised the point of order that the previous question had been ordered and there could be no debate.

The President held the point well taken.

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

Ayes, 32.

Baird	Cessna	Mantz	Shaff
Banta	Darting	Mead	Shane
Bowman	Ethell	Nelson	Shinn
Brookhart	Goodwin	Olson	Slosson
Brookins	Haskell	Price	Snook
Browne	Johnston	Rees	Thurston
Caldwell	Kimberly	Romkey	Tuck
Campbell	McIntosh	Schmedika	White

Nays, 11.

Abben	Gilchrist	Horchem	Stoddard
Buser	Hale	Newberry	Wichman
Fulton	Hartman	Perkins	

Absent or not voting, 7.

Adams	Dutcher	Reed	Smith
Bergman	Holdoegel	Scott	

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

The Journal of December 13 was corrected and approved.

Senator Cessna moved that the Senate adjourn until 3:30 p. m.

Senator Brookhart moved to amend the motion by making the hour 4 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

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. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code relating to the sheriff, 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. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa relating to land surveys, 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. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code relating to the coroner, 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 Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 269, a bill for an act to repeal paragraph one (1) of section seventy-one hundred sixteen (7116) of the compiled code of Iowa and to enact a substitute therefor, relating to the statute of limitation, 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. 253, 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, 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. 75, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal 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 out the word "hour" in line two of section 7 and inserting in lieu thereof the words, "exact time"; and by inserting after the word "instrument" in line two of section 6 the following: "or any assignment or release thereof"; also by striking the word "mortgagee" in line four of section 6, and inserting in lieu thereof the word "owner";

also by striking the period after the word "remarks" in subsection 12 in section 8 and adding the words, "and assignments".

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 273, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property, 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 Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 175, a bill for an act relating to municipal corporations—street railway—regulations, 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 "any violation" in line 1 of section 2 thereof, and substituting therefor the words "a violation of any".

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred House File No. 148, a bill for an act relating to changing names of villages, 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 word "published" after the word "circulation" in line 2, section 7 thereof.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 173, a bill for an act relating to municipal corporations—waterworks, 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 "of" as it occurs in line 11 of section 2 the following words "not to exceed".

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to whom was referred Senate File No. 171, a bill for an act relating to municipal corporations—street improvement and sewer 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 two (2) by inserting after the word "city" in lines two (2) and six (6), the words "or town".

Amend section five (5) by inserting after the word "city" in lines six (6), twelve (12), thirteen (13), fifteen (15), twenty-one (21), thirty-three (33), thirty-five (35), thirty-seven (37), forty (40), forty-two (42), forty-four (44) and forty-nine (49), the words "or town".

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 that it has examined and finds correctly enrolled Senate File No. 285.

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 the following bill:

Senate File No. 285.

Senator Haskell moved that the Senate adjourn until 10 a. m. Friday.

Senator Buser moved to amend by making the hour 9 a. m.

Senator Haskell raised the point of order that the motion could not be amended as a vote had been taken.

The President held the point not well taken as the vote had not been completed.

A roll call was requested.

Senator Brookhart invoked rule 8.

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

Ayes, 20.

Bowman	Hale	Price	Tuck
Brookins	Horchem	Romkey	White
Browne	Johnston	Schmedika	
Buser	McIntosh	Scott	
Campbell	Nelson	Shinn	
Cessna	Newberry	Snook	

Nays, 17.

Abben	Gilchrist	Rees	Thurston
Baird	Haskell	Shaff	Wichman
Banta	Holdoegel	Shane	
Bergman	Kimberly	Slosson	
Brookhart	Perkins	Stoddard	

Absent or not voting, 13.

Adams	Ethell	Mantz	Smith
Caldwell	Fulton	Mead	
Darting	Goodwin	Olson	
Dutcher	Hartman	Reed	

The amendment was adopted.

Senator Stoddard moved to amend by making the hour 9:30 a. m.

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

Ayes, 20.

Abben	Gilchrist	Newberry	Shane
Baird	Haskell	Perkins	Slosson
Bergman	Holdoegel	Rees	Stoddard
Bowman	Kimberly	Scott	Thurston
Brookhart	McIntosh	Shaff	Wichman

Nays, 15.

Banta	Campbell	Johnston	Shinn
Brookins	Cessna	Nelson	Snook
Browne	Hale	Price	White
Buser	Horchem	Schmedika	

Absent or not voting, 15.

Adams	Ethell	Mantz	Romkey
Caldwell	Fulton	Mead	Smith
Darting	Goodwin	Olson	Tuck
Dutcher	Hartman	Reed	

The amendment was adopted and the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 14, 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 Shane, rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Romkey for the day, on request of Senator Price; Senator Fulton for the remainder of the week, on request of Senator Perkins; Senator Cessna for the day, on request of Senator Bergman.

PETITIONS AND MEMORIALS

Petitions protesting fraternal insurance legislation were presented by Senator Brookins from Camp No. 220, Modern Woodmen of America, Charles City; by Senator McIntosh, from Modern Woodmen of America at Shannon City; by Senator Horchem, from Camp No. 984, Modern Woodmen of America, Dubuque; by Senator Olson, from Camp No. 2937, Modern Woodmen of America, Boxholm, and referred to committee on insurance.

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 14th day of December, sent to the governor for his approval, Senate File No. 285, a bill for an act to amend the law as it appears in section nineteen (19) of the compiled code relating to the payment of compensation and mileage of members of the General Assembly.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate concurrent resolution No. 4 relating to the recess of the special session of the Fortieth General Assembly.

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

House Joint Resolution No. 2 relating to the selection of additional employees of the special session of the Fortieth General Assembly of the state of Iowa, fixing their compensation, and defining their duties.

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

Senate Concurrent Resolution No. 5 providing for a joint convention of the two houses Friday, December 14th at 11 a. m. for the purpose of holding a memorial for the late President Harding.

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

House File No. 164, a bill for an act to amend, 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.

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

House File No. 166, a bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-seven (3777) and three thousand seven hundred seventy-one (3771) 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. 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. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219) 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.

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-five (3035) to three thousand thirty-seven (3037), inclusive, and three thousand forty (3040) 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. 176, a bill for an act to amend, revise, and codify sections four thousand twenty-three (4023) 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. 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 of the supplement to said code, relating to trustees to manage cemetery funds.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

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 times and referred to committee on judiciary No. 1.

House File No. 166, a bill for an act to amend, revise, and codify sections three thousand seven hundred seventy-seven (3777), and three thousand seven hundred seventy-one (3771), 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. 164, 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 times and referred to committee on cities and towns.

House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), 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 times and referred to committee on cities and towns.

House File No. 176, 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 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 times and referred to committee on cities and towns.

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 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 Joint Resolution No. 2, joint resolution relating to the selection of additional employees of the special session of the Fortieth General Assembly of the state of Iowa, fixing their compensation, and defining their duties.

Read first and second times.

House File No. 128, a bill for an act to amend, revise, and codify sections three thousand thirty-five (3035) to three thousand thirty-seven (3037), inclusive, and three thousand forty (3040) of the compiled code of Iowa, relating to the use of public highways.

Read first and second times and referred to committee on highways.

HOUSE AMENDMENTS CONSIDERED

Senator Caldwell called up for consideration Senate Concurrent Resolution No. 4, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking from line two the word "adjourn" and inserting in lieu thereof the word "recess".

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Abben	Bergman	Brookins	Caldwell
Baird	Bowman	Browne	Campbell
Banta	Brookhart	Buser	Ethell

Gilchrist	Kimberly	Price	Slosson
Goodwin	McIntosh	Reed	Snook
Hale	Mantz	Romkey	Stoddard
Hartman	Mead	Schmedika	Tuck
Haskell	Nelson	Shaff	White
Horchem	Olson	Shane	Wichman
Johnston	Perkins	Shinn	

Nays, none.

Absent or not voting, 11.

Adams	Dutcher	Newberry	Smith
Cessna	Fulton	Rees	Thurston
Darting	Holdoegel	Scott	

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 Stoddard, House Joint Resolution No. 2, relating to the selection of additional employees of the special session of the Fortieth General Assembly of the state of Iowa, fixing their compensation and defining their duties, was taken up and considered, the rules having been suspended.

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 resolution be adopted?" the vote was:

Ayes, 30.

Abben	Hale	Mantz	Slosson
Baird	Hartman	Mead	Snook
Banta	Haskell	Newberry	Stoddard
Bergman	Holdoegel	Olson	Thurston
Caldwell	Horchem	Perkins	Tuck
Campbell	Johnston	Schmedika	White
Gilchrist	Kimberly	Shane	
Goodwin	McIntosh	Shinn	

Nays, none.

Absent or not voting, 20.

Adams	Buser	Fulton	Romkey
Bowman	Cessna	Nelson	Scott
Brookhart	Darting	Price	Shaff
Brookins	Dutcher	Reed	Smith
Browne	Ethell	Rees	Wichman

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 Reed, 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, 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, 41.

Abben	Dutcher	Mantz	Shane
Adams	Ethell	Mead	Shinn
Baird	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Snook
Bergman	Hale	Olson	Thurston
Brookins	Hartman	Perkins	Tuck
Browne	Haskell	Price	White
Buser	Holdoegel	Reed	Wichman
Caldwell	Horchem	Rees	
Campbell	Johnston	Schmedika	
Darting	Kimberly	Shaff	

Nays, none.

Absent or not voting, 9.

Bowman	Fulton	Scott
Brookhart	McIntosh	Smith
Cessna	Romkey	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 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 passage, was taken up, considered, and the report of the committee adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by inserting after the comma (,) following the word "line" in line 3 of section 1 the words "highway improvement,".

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting after the word "work" in line 5 of section 1 the words "or breach".

The amendment was adopted.

By unanimous consent the following amendment was substituted by Senator Gilchrist, for the one just adopted:

Amend by inserting the words "or for any breach of" following the word "on" in line 3 of section 1.

The substitute amendment was adopted.

Senator Buser asked for a roll call.

Senator Gilchrist raised the point of order that a vote had already been taken, and decided upon.

The President held the point well taken.

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, 32.

Abben	Dutcher	McIntosh	Schmedfka
Adams	Ethell	Mantz	Shaff
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Snook
Bergman	Hale	Olson	Thurston
Brookhart	Haskell	Perkins	Tuck
Brookins	Horchem	Price	White
Darting	Kimberly	Reed	Wichman

Nays, 10.

Bowman	Hartman	Nelson	Shinn
Buser	Holdoegel	Rees	
Campbell	Johnston	Shane	

Absent or not voting, 8.

Browne	Cessna	Romkey	Smith
Caldwell	Fulton	Scott	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 Ethell Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred

five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff, 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, 43.

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

Nays, none.

Absent or not voting, 7.

Cessna	Horchem	Scott	Stoddard
Fulton	Romkey	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 Ethell, Senate File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys, 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.

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

Ayes, 41.

Abben	Bowman	Campbell	Hale
Adams	Brookhart	Darting	Hartman
Baird	Browne	Dutcher	Haskell
Banta	Buser	Ethell	Holdoegel
Bergman	Caldwell	Gilchrist	Horchem

Johnston	Newberry	Shane	Tuck
Kimberly	Olson	Shinn	White
McIntosh	Perkins	Slosson	Wichman
Mantz	Price	Smith	
Mead	Reed	Snook	
Nelson	Schmedika	Thurston	

Nays, none.

Absent or not voting, 9.

Brookins	Goodwin	Scott
Cessna	Rees	Shaff
Fulton	Romkey	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 Ethell, Senate File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, 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 Shinn moved 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	McIntosh	Shaff
Adams	Darting	Mantz	Shane
Baird	Dutcher	Mead	Shinn
Banta	Ethell	Nelson	Slosson
Bergman	Gilchrist	Newberry	Smith
Bowman	Hale	Perkins	Snook
Brookhart	Hartman	Price	Tuck
Brookins	Holdoegel	Reed	White
Browne	Horchem	Rees	Wichman
Buser	Johnston	Schmedika	
Caldwell	Kimberly	Scott	

Nays, none.

Absent or not voting, 8.

Cessna	Goodwin	Olson	Stoddard
Fulton	Haskell	Romkey	Thurston

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

five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff, 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, 43.

Abben	Campbell	Kimberly	Schmedika
Adams	Darting	McIntosh	Shane
Baird	Dutcher	Mantz	Shinn
Banta	Ethell	Mead	Slosson
Bergman	Gilchrist	Nelson	Smith
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Olson	Thurstard
Brookins	Hartman	Perkins	Tuck
Browne	Haskell	Price	White
Buser	Holdoegel	Reed	Wichman
Caldwell	Johnston	Rees	

Nays, none.

Absent or not voting, 7.

Cessna	Horchem	Scott	Stoddard
Fulton	Romkey	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 Ethell, Senate File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys, 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.

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

Ayes, 41.

Abben	Bowman	Campbell	Hale
Adams	Brookhart	Darting	Hartman
Baird	Browne	Dutcher	Haskell
Banta	Buser	Ethell	Holdoegel
Bergman	Caldwell	Gilchrist	Horchem

Johnston	Newberry	Shane	Tuck
Kimberly	Olson	Shinn	White
McIntosh	Perkins	Slosson	Wichman
Mantz	Price	Smith	
Mead	Reed	Snook	
Nelson	Schmedika	Thurston	

Nays, none.

Absent or not voting, 9.

Brookins	Goodwin	Scott
Cessna	Rees	Shaff
Fulton	Romkey	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 Ethell, Senate File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, 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 Shinn moved 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	McIntosh	Shaff
Adams	Darting	Mantz	Shane
Baird	Dutcher	Mead	Shinn
Banta	Ethell	Nelson	Slosson
Bergman	Gilchrist	Newberry	Smith
Bowman	Hale	Perkins	Snook
Brookhart	Hartman	Price	Tuck
Brookins	Holdoegel	Reed	White
Browne	Horchem	Rees	Wichman
Buser	Johnston	Schmedika	
Caldwell	Kimberly	Scott	

Nays, none.

Absent or not voting, 8.

Cessna	Goodwin	Olson	Stoddard
Fulton	Haskell	Romkey	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 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, 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 "published" after the word "circulation" in line 2, section 7 thereof.

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, 43.

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

Nays, none.

Absent or not voting, 7.

Cessna	Olson	Shaff	Stoddard
Fulton	Romkey	Shinn	

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 House be requested to return House File No. 10, 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 under direction of the sergeant-at-arms.

more modern methods of extracting fees from the sick and unfortunate, and could not, therefore, provide his family with anything but the bare necessities of life.

After he entered college he had to stop from time to time to earn money to continue. He became a printer's devil and displayed a strong inclination toward newspaper work. With little or no money, but influential friends, he purchased one of the Marion papers. His path was anything but rosy in his new undertaking, and the ensuing years were full of difficulties. He was compelled to ask his advertisers to pay in advance so he could meet his creditors, but, with the assistance of his good wife, whom he married against her father's wishes, he transformed the paper into a powerful daily. He posted conspicuously in all the offices and composing rooms the following rules:

1. There are two sides to every question; get them both.
2. Be truthful; get the facts.
3. Be decent.
4. Be fair.
5. Bring out the good.
6. Treat religious subjects with respect.
7. Permit no indecent words to get into print.
8. Write or print no suggestive story.

He followed this last rule with this paragraph:

"I want this paper to go into every home in this state, and I do not want it to be responsible for the lost innocence of any child for which I would be held accountable."

His newspaper work enabled him to make many friends who learned to admire his honesty and sincerity, and, in addition, he had attracted the attention of the Republican leaders by his fine ability as an orator, and became acquainted with such men as McKinley and Foraker. He was then twice elected to the state senate of Ohio, and four years later was elected lieutenant-governor. He then declined the renomination as lieutenant-governor, and returned to his newspaper, and four years later became a candidate for governor but was defeated. Four years later he was elected United States senator where, by the force of his personality, he continued to widen the circle of his friendships, although he never sought public attention.

His nomination to the presidency in Chicago in 1920 is familiar to all. Mr. Harding was intensely human, and remarked to newspaper reporters just after the nomination that he felt like he had been holding a pair of eights and had drawn a full house.

In his campaign he refused to hit below the belt, and when his political friends tried to persuade him to denounce Woodrow Wilson for extravagance during the war he said, "I won't resort to that kind of business; we had to win the war and didn't have time to economize. I don't want to win an election by that kind of a fight."

Soon after he became president he gave a postmastership to an old friend down in Virginia who had come upon misfortune, and when the

local citizens and politicians protested he remarked, "What is the good of being president if you can't take care of a needy friend?"

His first year in the presidential chair started under heavy handicaps. Industry was crushed, unemployment was growing; international relations were hopelessly involved. By the end of the first year he had brought an end to the state of war with Germany and Austria; immigration was restricted by congressional enactment; a budget system was established, and a veterans' bureau coordinating under one head all the activities looking to the welfare of the former service men.

At the conference on the limitation of armaments, he pointed the nations to the way of peace, and invited them to sit at the council table at Washington. Representatives of nine powers entered into an agreement for limiting the number of capital ships, and he induced them to enter a series of treaties designed to prevent trouble in the far east. His sincerity and frankness pointed them to a peace based on justice and righteousness, and the Washington conference on the limitation of armaments was one of the monumental accomplishments of his tenure in office.

Another great achievement was the refunding of the national debt, which worked a substantial reduction from the burdens of the taxpayer.

These works were a small part of the vision for service which he had set out to accomplish, and when the news was flashed across the country, on the night of August second last, that the silver cord had broken, men were brought to the sudden realization of the part he had played in restoring peace and good will among men, and millions of his countrymen stood with bowed heads and paid silent tribute on that last journey across the continent, to one whom they had learned not only to trust, but to love.

Mr. Harding was thoroughly democratic, and it is very significant that he was referred to familiarly by his first name during his tenure of office. He was too big to be petty and too humble before the greatness of his responsibilities to his countrymen to indulge in political by-plays, nor did he bow to the dictates of his party for like reasons. He stood first and foremost for his own country and then for mankind, and in his last speeches (against the advice of his closest political associates) he advocated our participation in the permanent court of international justice, and said: "I do not know that such a court will be unfailing in the avoidance of war, but I know it is a step in the right direction and will prove an advance toward international peace for which the conflictive conscience of mankind is calling." When he was criticised by members of the senate as to his proposals for the creative machinery of the court he said: "I am more interested in adherence to such a tribunal in the best form attainable than I am concerned about the triumph of presidential insistence."

The president was deeply religious and practiced his religion every day of his life. His favorite song was "Lead Kindly Light," and its words fittingly describe his character, always straightforward, taking but one step at a time with no idea that Eutopia could be obtained on earth. His life was the emulation of the admonition spoken two thousand years ago, "Whosoever will be chief among you, let him be your servant."

There are those among us who will not agree with some of his creed, and cannot see the wisdom of certain of his acts, but his bitterest enemies politically, for he had none personally, deeply mourn the loss of a man whom honesty, simple faith, and Godlike devotion to a cause have made a king among men.

As a conspicuous example of what can be accomplished by a boy of lowly birth who struggles for the attainments of high purposes, his name has joined that galaxy of spirits: Lincoln, Garfield and McKinley. His life and attainments will give courage to boys and girls to fight for those accomplishments for which President Harding fought, and his tomb will be a shrine for American homes.

Of a truth, Warren G. Harding walked with kings and was a peer among them, yet he did not lose the common touch, and in the well-chosen words of President Coolidge:

"We mourn him today and shall mourn him as long as remembrance holds before us the picture of his patient forbearance and Christian tolerance. We may well hope that his example to his own countrymen and to the world may help to bring a spirit of charity and true fraternity whereby shall be lighted the lamp of understanding to show our feet into the path of peace on earth, good will to men. We may well consider by what means we shall show our appreciation and by what method we can best enshrine his memory."

REMARKS OF HONORABLE E. A. GRIMWOOD

For a gathering of this character there are two entirely adequate reasons. First, that those who are possessed of an almost unbearable sorrow by reason of a personal loss may be assured that, in accordance with the genius of our government, that loss has become a common loss and in the sharing of that loss assert that kinship which gives this republic one reason for existence. And that there are those who would demonstrate that this is in fact as well as name a Christian nation, for, while we as a people have what Oliver Wendell Holmes called our accursed Anglo-Saxon repression which would hide those sentiments most worthy of expression and permit the world to search diligently if it would discover those well springs of action from which we derive the greatest satisfaction, yet there is in us an appreciation of Christian character which will not be denied when occasion really demands it. Your presence here this morning I take as such expression.

Again, ample warrant may be found for this gathering in the opportunity here offered to review this life and its achievements, that we may draw therefrom some lessons that may be of value in directing our own efforts.

This was a man with heart, head, hand, like one of

The simple great ones gone forever and ever by,

A still strong man in a blatant land;

Whatever they call him, what care I?

Aristocrat, autocrat, democrat, one who is brave and dare not lie.

For be it known that Warran G. Harding was no superman. If he excelled in aught it was in having an amazing common sense and none

would have decried more promptly than he any attempt to deify or apotheosize his memory today, but he achieved what he was, by a persistence in those homely virtues which have a place in the lives of all of us. Therefore, I am content today to "sing of one whose brave but kindly heart, met fortune good or fortune ill a-smiling, the weary way by virtue of that art beguiling."

My friends, I cannot conceive it to be other than a work of supererogation for me to weary you with a recital of his wonderful history so like our boyhood heroes from the pen of Alger or Henty, wherein the modestly equipped boyhood is by energy and perseverance converted to the splendors of official life, first, through an economic competence, then through modest tasks well done to the greatest responsibilities of modern life, for other and more graphic tongues than mine have enlarged on that theme and it is familiar to you all, but I do hold that we may well dwell here on two incidents in his career which demonstrate the simple greatness of him; first, that magnificent speech of acceptance wherein he accepted not only the honors but the responsibility laid on his shoulders by the Chicago convention in which he extended the right of fellowship to his companion on the ticket, where by a simple gesture he might almost be said to have created a new department in our government and in that motion elevated the vice-presidency to a position of responsibility in some degree commensurate to its prominence, where he prepared Calvin Coolidge for the burdens he is carrying so nobly today, and I venture to predict that it will be many, many years before again our conception of that office shall recede to its former level.

Again, when at his invitation the world powers sent their delegates to a peace conference, he met them with a statement of his hopes of what might be there accomplished so simply stated that a child might easily understand, and laying a mantel of confidence and responsibility on the worthy shoulders of Mr. Hughes, quietly retired to the duties to which he had been elected, and thus was born the greatest single movement for peace since historic records have been kept.

He was a still, strong man. It is a highly significant fact that notwithstanding he was connected with the publishing business practically all his active life, and we are accustomed to associate that business with the slogan of, "Advertise; say it with ink," etc., yet, in the matter of personal publicity, Harding was a shrinking violet. He rather kept his eye on the task to be done and to that devoted his energies, and his whole life is an illustration of the truism that he serves his country best who serves his neighbor well, and he is most useful to posterity who serves his own time and place.

He seemed to realize, as few do, that the bubble reputation is scarcely worthy of pursuit, but that character, which is built up day by day, is our acquisition, the one thing we take out of this life that we did not bring into it, is the character and personality we have achieved, and with this it is our privilege to live through an eternity.

We are the better that this life was passed
 Within our sphere; he has not lost in dying
 On the firm faith that we shall meet at last relying.

We question why the bonds grew firm and strong
 With which the fates his heart to ours did tether
 If through the world we might not pass along together.

We're answered, for each severed bond may prove
 A tendril without which our souls might never
 Attain the fullness of that broader love forever.

Rhinehart of Dallas moved that the joint convention be now dissolved. Motion prevailed.

The Senate returned to the Senate chamber and resumed session.

On motion of Senator Shane 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 Gilchrist for the afternoon and Saturday, on request of Senator Bowman.

THIRD READING OF BILLS

On motion of Senator Haskell Senate File No. 171, 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, 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 section two (2) by inserting after the word "city" in lines two (2) and six (6), the words "or town".

Amend section five (5) by inserting after the word "city" in lines six (6), twelve (12), thirteen (13), fifteen (15), twenty-one (21), thirty-three (33), thirty-five (35), thirty-seven (37), forty (40), forty-two (42), forty-four (44) and forty-nine (49), the words "or town".

Senator Ethell offered the following amendment and moved its adoption:

Amend by striking out the word "five" and figure "5" in line 25 of section 5 and inserting in lieu thereof a blank.

The amendment was lost.

Senator Tuck offered the following amendment and moved its adoption:

Amend by inserting the words "or alley" after the word "street" where it appears in lines 20 and 21 of section 5.

The amendment was adopted.

Senator Buser moved that further action on the bill be deferred until Senator Fulton could be present.

Senator Campbell moved to amend the motion by adding that the bill retain its place on the calendar.

Senator Tuck offered the suggestion that the proposed amendment to the motion would require a two-thirds vote, as it involved the suspending of a rule.

The President agreed that the suggestion was correct as to the requirement of a two-thirds vote on the amendment.

On a division vote, twenty-six voted "aye."

The President ordered the roll called to determine the number in attendance and the following Senators responded:

Abben	Campbell	Mead	Shinn
Adams	Darting	Nelson	Slosson
Baird	Dutcher	Newberry	Smith
Banta	Ethell	Olson	Snook
Bowman	Goodwin	Perkins	Stoddard
Brookhart	Haskell	Price	Thurston
Brookings	Holdoegel	Reed	Tuck
Browne	Horchem	Schmedika	White
Buser	Johnston	Scott	Wichman
Caldwell	Kimberly	Shane	

Total, 39.

The amendment having received a two-thirds vote, was adopted.

Senator Haskell offered the following amendment to the motion and moved its adoption:

Amend by making the time of action on this bill, Monday.

The amendment was adopted.

The motion prevailed and action was deferred until Monday.

On motion of Senator Haskell, Senate File No. 173, 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, 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 after the word "of" as it occurs in line 11 of said section 2 the following words "not to exceed".

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, 35.

Abben	Campbell	Mead	Shinn
Adams	Darting	Nelson	Slosson
Baird	Ethell	Newberry	Smith
Banta	Goodwin	Olson	Snook
Brookbart	Hale	Perkins	Stoddard
Brookins	Haskell	Reed	Thurston
Browne	Horchem	Schmedika	White
Buser	Johnston	Scott	Wichman
Caldwell	Kimberly	Shane	

Nays, none.

Absent or not voting, 15.

Bergman	Fulton	McIntosh	Romkey
Bowman	Gilchrist	Mantz	Shaff
Cessna	Hartman	Price	Tuck
Dutcher	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 Haskell, Senate 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out the words "any violation" in line 1 of section 2 thereof, and substituting therefor the words "a violation of any".

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	Caldwell	Kimberly	Shane
Adams	Campbell	Mead	Slosson
Baird	Darting	Nelson	Smith
Banta	Goodwin	Newberry	Snook
Bowman	Hale	Olson	Stoddard
Brookhart	Haskell	Perkins	Thurston
Brookins	Holdoegel	Reed	White
Browne	Horchem	Schmedfka	Wichman
Buser	Johnston	Scott	

Nays, none.

Absent or not voting, 15.

Bergman	Fulton	McIntosh	Shaff
Cessna	Gilchrist	Price	Shinn
Dutcher	Hartman	Rees	Tuck
Ethell	Mantz	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 Brookhart, Senate File No. 75, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) to sixty-three hundred thirty-two (6332), inclusive, of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal 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 out the word "hour" in line two of section 7 and inserting in lieu thereof the words, "exact time"; and by inserting after the word "instrument" in line two of section 6 the following: "or any assignment or release thereof"; also by striking the word "mortgagee" in line four of section 6, and inserting in lieu thereof the word "owner"; also by striking the period after the word "remarks" in subsection 12 in section 8 and adding the words, "and assignments".

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out section 16 thereof.

The amendment was lost.

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, 37.

Abben	Campbell	Newberry	Slosson
Adams	Darting	Olson	Smith
Baird	Ethell	Perkins	Snook
Banta	Hale	Price	Stoddard
Bowman	Haskell	Reed	Thurston
Brookhart	Holdoegel	Rees	White
Brookins	Horchem	Schmedika	Wichman
Browne	Johnston	Scott	
Buser	Kimberly	Shane	
Caldwell	Mead	Shinn	

Nays, none.

Absent or not voting, 13.

Bergman	Gilchrist	Mantz	Tuck
Cessna	Goodwin	Nelson	
Dutcher	Hartman	Romkey	
Fulton	McIntosh	Shaff	

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

MOTION TO AMEND RULE NO. 30

Senator Smith offered the following:

MR. PRESIDENT: I move to amend Rule No. 30 by striking out the period (.) at the end of the second paragraph thereof, inserting in lieu thereof a comma (,) and adding the following: "and bills reported out for passage, for amendment and passage, or without recommendation by a committee shall not be acted upon until at least one legislative day after the printed Journal, containing said report, has been placed upon the desks of the members of the Senate."

Consideration of the motion was deferred.

The Journal of December 13th was corrected and approved.

Senator Banta moved that the superintendent of printing be instructed to print 600 extra copies of the following bills: Senate Files Nos. 92, 102, 87, 89, 107, 283, 98, 94, and 88, which motion prevailed.

Senator Newberry moved that the Senate adjourn until 9:30 a. m. Saturday.

Senator Price moved to amend the motion by making the hour 4:30 p. m. today.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 4:30 p. m.

The Senate met pursuant to adjournment, President Hammill presiding.

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. 241, 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, 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. Strike from line 1 of section 2 the word "mortgagee".
2. By adding to section three the following:

"Such notice shall contain a full and accurate description of the property to be sold, the day and hour when, and the place at which the same will be sold."

3. Strike out all of section 4, down to and including the word "county", line 8 and in lieu thereof insert the following:

"Such notice shall be posted for ten days in three public places in the county in which the property or any part thereof is situated. Any party entitled to notice shall be personally served with said notice for ten days if he is a resident of the county where said sale is to take place."

4. Strike from line 9 of section 5 the words and figures "fifty dollars (\$50.00) and in lieu thereof insert the words and figures "twenty-five dollars (\$25.00).

Also amend the title as follows: insert after the word "foreclosure" in the last line, the words "and release", also change the period at the end of the title to a comma, and add "and sales under pledge."

CARL W. REED, *Chairman*.

Ordered passed on file.

On motion of Senator Abben the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 15, 1923

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

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

Senator Holdoegel moved that rule 33 be suspended for the day.

Senator Stoddard asked for a roll call.

Senator Ethell invoked rule 8.

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

Ayes, 25.

Abben	Holdoegel	Perkins	Thurston
Banta	Horchem	Price	Tuck
Brookhart	Johnston	Shane	White
Browne	Kimberly	Shinn	Wichman
Buser	Mantz	Slosson	
Caldwell	Mead	Snook	
Ethell	Newberry	Stoddard	

Nays, 3.

Hale	Nelson	Rees
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Absent or not voting, 22.

Adams	Cessna	Hartman	Schmedika
Baird	Darting	Haskell	Scott
Bergman	Dutcher	McIntosh	Shaff
Bowman	Fulton	Olson	Smith
Brookins	Gilchrist	Reed	
Campbell	Goodwin	Romkey	

The motion prevailed and rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

Petitions urging amendment of code commission bill No. 92, by Senator Campbell, from E. J. Dobson, Walter F. James, Katherine M. Croot, C. C. Capehart, Warner D. Miller and Jackson Blizard. Educational institutions.

Petitions urging amendment of code commission bill No. 42, by Senator Campbell, from E. J. Dobson, Catherine M. Croot, C. C. Capehart, Warner D. Miller and Jackson Blizard. Labor.

By Senator Campbell, from Royal Neighbors of America camps at Marcus, Cherokee, Quimby, Galva, Ida Grove and Merrill; and by Senator Horchem, from Camp No. 83, Modern Woodmen of America, Dubuque, protesting fraternal insurance legislation. Insurance.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Romkey for the day on request of Senator Price; Senator Bowman for the day on request of Senator Price; Senator McIntosh for the day on request of Senator Price; Senator Haskell for the day on request of Senator Hale; Senator Scott for the day, on request of Senator Stoddard; Senator Fulton for the day on request of Senator Buser; Senator Shaff for the day on request of Senator Banta; Senator Bergman for the day on request of Senator Mantz; Senator Smith for the day on request of Senator Price.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House returns herewith as requested House File No. 10, relating to the Attorney General.

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. 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. 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.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

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. 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.

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.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on December 14th he had signed Senate File No. 285.

VOTE RECONSIDERED ON HOUSE FILE NO. 10

Senator Brookhart moved that the vote by which House File No. 10 passed the Senate be reconsidered, which motion prevailed.

Senator Brookhart moved that the vote by which House File No. 10 passed to its third reading be reconsidered, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Brookhart Senate File No. 253, 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, 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 action on this bill be deferred and that it be put at the foot of the calendar, which motion prevailed.

On motion of Senator Brookhart Senate File No. 269, a bill for an act to repeal paragraph one (1) of section seventy-one hundred sixteen (7116) of the compiled code of Iowa and to enact a substitute therefor, relating to the statute of limitation, 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, 2.

Banta Olson

Nays, 23.

Abben	Hale	Price	Stoddard
Baird	Johnston	Reed	Thurston
Brookins	Kimberly	Shane	Tuck
Buser	Mead	Shinn	White
Caldwell	Nelson	Slosson	Wichman
Campbell	Perkins	Snook	

Absent or not voting, 25.

Adams	Dutcher	Holdoegel	Schmedika
Bergman	Ethell	Horchem	Scott
Bowman	Fulton	McIntosh	Shaff
Brookhart	Gilchrist	Mantz	Smith
Browne	Goodwin	Newberry	
Cessna	Hartman	Rees	
Darting	Haskell	Romkey	

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. 273, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal 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 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, 31.

Abben	Campbell	Newberry	Slosson
Baird	Ethell	Olson	Snook
Banta	Hale	Perkins	Stoddard
Brookhart	Johnston	Price	Thurston
Brookins	Kimberly	Reed	Tuck
Browne	Mantz	Schmedika	White
Buser	Mead	Shane	Wichman
Caldwell	Nelson	Shinn	

Nays, none.

Absent or not voting, 19.

Adams	Dutcher	Haskell	Romkey
Bergman	Fulton	Holdoegel	Scott
Bowman	Gilchrist	Horchem	Shaff
Cessna	Goodwin	McIntosh	Smith
Darting	Hartman	Rees	

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

Senator Price moved that action on Senator Smith's motion, found on page 140 of the Senate Journal, be deferred until Monday, which motion prevailed.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 269 failed to pass the Senate.

B. M. STODDARD.

The Journal of December 14th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 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 Brookins rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Ethell, from the citizens of Appanoose county urging law relating to use of Bibles in school rooms. Schools.

By Senator Mantz, from Camp 1717, Modern Woodmen of America, Panora, protesting fraternal insurance legislation. Insurance.

By Senator Tuck, from Camp No. 1665, Modern Woodmen of America, Lenox, protesting fraternal insurance legislation. Insurance.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McIntosh for the day, on request of Senator Price; Senator Romkey for the day, on request of Senator Price; Senator Cessna for the day, on request of Senator Price; Senator Rees until Thursday, on request of Senator Dutcher; Senator Shaff for the day, on request of Senator Bergman.

INTRODUCTION OF BILLS

Senate File No. 287, by Senator Perkins, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred and forty-two (2942) of the code and chapter one hundred

seventy-three of the acts of the Thirty-seventh General Assembly.

Read first and second times and referred to committee on judiciary No. 1.

SENATE MESSENGERS APPOINTED

I hereby appoint the following messengers in the Senate: Louis J. King and Harry Cooper.

December 17, 1923.

JOHN HAMMILL, *Lieut. Governor.*

REPORT OF COMMITTEE

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 267, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court, 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. 245, a bill for an act to amend, revise, and codify sections eight thousand four hundred seventy-eight (8748) and eight thousand four hundred seventy-nine (8479) of the compiled code of Iowa, relating to the clerk of the supreme court, 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.

MOTION TO AMEND RULE NO. 30 CONSIDERED

Senator Smith called the following motion up for consideration:

Amend Rule No. 30 by striking out the period (.) at the end of the second paragraph thereof, inserting in lieu thereof a comma (,) and adding the following: "and bills reported out for passage, for amendment and passage, or without recommendation by a committee shall not be acted upon until at least one legislative day after the printed Journal, containing said report, has been placed upon the desks of the members of the Senate."

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out all after the (:) after the word "following" in line three, and insert in lieu thereof the following:

"And bills reported out by a committee recommending passage, or amendment and passage, or without recommendation, shall not be acted upon before the expiration of one legislative day after the printed Journal containing such report has been placed upon the desks of the members of the Senate."

The amendment was adopted.

The motion prevailed, and the amendment to the rule 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. 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.

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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 272, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections.

Also: That the House has concurred in the Senate amendment to the following bill:

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.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Brookhart 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, was taken up and considered, having been recalled from the House.

Senator Brookhart offered the following amendments and moved their adoption:

Amend section 6 by adding at the end thereof the following: "Such expenses shall be payable out of any funds in the state treasury not otherwise appropriated."

Also add to said bill the following as section 7:

"Sec. 7. There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, annually an amount sufficient to pay the salaries and expenses provided for in this act".

The amendments were 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, 40.

Adams	Campbell	Johnston	Shane
Baird	Darting	Kimberly	Shinn
Banta	Dutcher	Mantz	Slosson
Bergman	Ethell	Mead	Smith
Bowman	Gilchrist	Nelson	Snook
Brookhart	Goodwin	Newberry	Stoddard
Brookins	Hale	Olson	Thurston
Browne	Haskell	Perkins	Tuck
Buser	Holdoegel	Price	White
Caldwell	Horchem	Reed	Wichman

Nays, none.

Absent or not voting, 10.

Abben	Hartman	Romkey	Shaff
Cessna	McIntosh	Schmedika	
Fulton	Rees	Scott	

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 the title by striking the period at the end and adding the following: "and making an appropriation for the expenses provided."

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

Ayes, 40.

Abben	Brookhart	Darting	Haskell
Adams	Brookins	Ethell	Holdoegel
Baird	Browne	Fulton	Horchem
Banta	Buser	Gilchrist	Johnston
Bergman	Caldwell	Goodwin	Kimberly
Bowman	Campbell	Hale	Mantz

Nelson	Reed	Slosson	Thurston
Newberry	Schmedika	Smith	Tuck
Olson	Shane	Snook	White
Perkins	Shinn	Stoddard	Wichman

Nays, none.

Absent of not voting, 10.

Cessna	McIntosh	Rees	Shaff
Dutcher	Mead	Romkey	
Hartman	Price	Scott	

The amendment was adopted and the title as amended agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 39, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by striking out subdivision two (2) thereof and renumbering the remaining subdivisions.

Senator Price moved the previous question.

On the question "Shall the Senate concur?" the vote was:
Ayes, 24.

Abben	Caldwell	Hale	Newberry
Adams	Darting	Haskell	Olson
Banta	Dutcher	Holdoegel	Perkins
Bergman	Ethell	Horchem	Shinn
Brookins	Fulton	Mantz	Slosson
Buser	Goodwin	Mead	Stoddard

Nays, 17.

Baird	Johnston	Schmedika	White
Bowman	Kimberly	Shane	Wichman
Brookhart	Nelson	Smith	
Campbell	Price	Snook	
Gilchrist	Reed	Thurston	

Absent or not voting, 9.

Browne	McIntosh	Scott
Cessna	Rees	Shaff
Hartman	Romkey	Tuck

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

ACTION DEFERRED ON S. F. 171

Senator Fulton moved that consideration of Senate File No. 171 be deferred until the committee on cities and towns reports on Senate File No. 169, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Brookhart Senate File No. 253, 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, was taken up and considered, the report of the committee having been previously adopted.

Senator Baird moved the previous question, which motion prevailed.

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, 18.

Abben	Gilchrist	Mantz	Stoddard
Banta	Goodwin	Perkins	White
Brookhart	Holdoegel	Reed	Wichman
Darting	Horchem	Scott	
Dutcher	Kimberly	Smith	

Nays, 26.

Adams	Caldwell	Mead	Shinn
Baird	Campbell	Nelson	Slosson
Bergman	Cessna	Newberry	Snook
Bowman	Fulton	Olson	Thurston
Brookins	Hale	Price	Tuck
Browne	Haskell	Schmedika	
Buser	Johnston	Shane	

Absent or not voting, 6.

Ethell	McIntosh	Romkey
Hartman	Rees	Shaff

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Reed Senate File No. 241, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Strike from line 1 of section 2 the word "mortgagee".
2. Amend by adding to section three the following:

"Such notice shall contain a full and accurate description of the property to be sold, the day and hour when, and the place at which the same will be sold."

3. Strike out all of section 4, down to and including the word "county", line 8 and in lieu thereof insert the following:

"Such notice shall be posted for ten days in three public places in the county in which the property or any part thereof is situated. Any party entitled to notice shall be personally served with said notice for ten days if he is a resident of the county where said sale is to take place."

4. Strike from line 9 of section 5 the words and figures "fifty dollars (\$50.00) and in lieu thereof insert the words and figures "twenty-five dollars (\$25.00).

Also amend the title as follows: insert after the word "foreclosure" in the last line, the words "and release", also change the period at the end of the title to a comma, and add "and sales under pledge."

The first amendment was adopted.

Senator White moved to amend amendment No. 2 by striking the words "to be sold" therefrom.

The amendment to the amendment was lost.

Amendments Nos. 2 and 3 were adopted.

Amendment No. 4 was adopted.

The amendment to the title was adopted.

Senator Dutcher offered the following amendment and moved its adoption:

Amend by inserting after the word "indebtedness" in line 3 of section 3 the words "when due".

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, 39.

Abben	Banta	Brookins	Campbell
Adams	Bergman	Buser	Darting
Baird	Brookhart	Caldwell	Dutcher

Ethell	Horchem	Olson	Snook
Fulton	Johnston	Perkins	Stoddard
Gilchrist	Kimberly	Reed	Thurston
Goodwin	Mantz	Schmedika	Tuck
Hale	Mead	Scott	White
Haskell	Nelson	Shane	Wichman
Holdoegel	Newberry	Slosson	

Nays, 2.

Browne Shinn

Absent or not voting, 9.

Bowman	McIntosh	Romkey
Cessna	Price	Shaff
Hartman	Rees	Smith

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE MESSAGES CONSIDERED

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.

House File No. 272, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections.

Read first and second time and referred to committee on judiciary No. 1.

The Journal of December 15th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 167, a bill for an act relating to municipal corporations—bridges, begs leave to report it has had the same under considera-

tion and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting the word "public" after the word "all" in line one of section one.

Amend by striking out of section one beginning with the semi-colon in line three the words "cities not controlling the city bridge fund shall construct and keep in repair all culverts which are thirty-six (36) inches or less in diameter within the city" and inserting in lieu thereof the following: "and shall construct and keep in repair all public culverts within the limits of said corporations."

W. G. HASKELL, *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. 139, a bill for an act to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and of the supplement to said code, relating to county bonds, 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), section two (2), all following the word "which" and inserting in lieu thereof the following: "is authorized by law to levy its own bridge tax."

Also amend by adding as section 18 following section 17 the following: "The provisions of this chapter shall not be so construed as to limit in any way the application of the provisions of section thirty-two hundred forty-one-a two (3241-a2) of the supplement to the compiled code."

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. 133, 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, 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 the following sections:

Section 2. Record of fees. Each such officer shall keep a record to be known as the "fee book" of the office to which it relates and shall be kept in such office as a part of the permanent county records. It shall be ruled in appropriate columns for the date, kind of service, for whom rendered and the amount of fee collected; and, when the charge is for recording an instrument, the names of the parties thereto. All said items shall be entered upon said record at the time the service is rendered.

Section 3. Fee book of recorder. In addition to the requirements of the

last preceding section the recorder shall enter in his fee book the exact time of filing each instrument, the number and character thereof, and the names of the grantors and grantees therein.

In numbering said instruments, he shall start with number one (1), immediately after the date of his settlement with the board of supervisors each year, and continue to number them consecutively till his next settlement with said board.

Amend the title by inserting after the word "code" in line two "and section thirty-two hundred thirty-one-a twenty-six (3231-a26) of the supplement to the compiled code."

Amend the enacting clause by inserting after the word "code" in line two "and section thirty-two hundred thirty-one-a 26 (3231-a26) of the supplement to the compiled code."

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. 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 amended as follows; and when so amended the bill do pass:

Amend by striking from section sixteen (16) beginning after the word "equivalent" in line three (3) the following: "for each insertion" and inserting a period (.) after the word "equivalent" in said line.

Also amend section five (5) by striking out all after the word "delivery" in line five (5) of said section and inserting a period (.) after the word "delivery".

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 35, a bill for an act relating to vacancies in office 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 2 of paragraph 2, section 1, the following: "officers elected in districts larger than a county."

Also by striking from lines 9 and 10 of the same paragraph the following: "officers chosen by the General Assembly if the legislature is not in session."

Also by striking from line one of paragraph 4 of section 1 the words "those of".

Also by striking out paragraph 6 of section 1 and substituting in lieu thereof the following:

"Clerk of the district court. In the office of the clerk of the district court, by the said court or by a judge thereof, by order entered of record in the court journal which order shall be effective until the vacancy shall be filled in the manner provided by law."

Also by striking from line one of paragraph 7 of section 1 the words "all other."

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 33, a bill for an act relating to release of sureties, 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:

That section 638 of the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. Sureties Relieved on Notice. If any surety on a bond required by law shall so elect, his liability thereon may be cancelled at any time by giving thirty days' notice in writing to the person or persons authorized to approve said bond and to the officer or person with whom the same is required to be filed or deposited by law, and refunding the premium paid, if any, less a pro rata part thereof for the time said bond shall have been in force. The liability and indemnity created by said bond shall extend to the date of cancellation as provided by this chapter.

Amend the title by striking out the title as it appears in said bill and inserting in lieu thereof the following:

An act to amend, revise and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Senator Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which 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, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on departmental affairs to which was referred 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, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on departmental affairs to which was referred House 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 twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying, 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 seven (7) by adding to the last line thereof, following the word "duties", the words "but in no event shall the state be chargeable with any expense incurred under the provisions of this act."

T. C. CESSNA, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on departmental affairs to which was referred 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, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman.*

Ordered passed on file.

Senator Gilchrist moved that the Senate adjourn until 10 a. m. Tuesday.

Senator Cessna moved to amend the motion by making the hour 9 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 18, 1923.

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

Prayer was offered by Rev. A. C. Grafton, pastor of the Presbyterian church, Middletown, Iowa.

On motion of Senator Shane rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Schmedika, from Camp No. 2096, Modern Woodmen of America, Alden; by Senator Shinn, from Camp No. 2843, Modern Woodmen of America, Manilla; and by Senator Hartman, from Camp No. 2809, Modern Woodmen of America, Wadena, protesting fraternal insurance legislation. Insurance.

By Senator Scott, from citizens of Marshall county, urging law relative to placing of all schools under state supervision. Schools.

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. 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.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

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 time and referred to committee on cities and towns.

REPORT OF COMMITTEE

Senator Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred 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 of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires, 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 striking out the period at the end of the last line and substituting a semi-colon (;) therefor, and by adding the following: "to provide the method of procedure in effecting appeals; also to provide a penalty for a violation thereof".

Amend section three (3), line two (2) by striking out the words and figure "and two (2) assistant deputies".

Strike out the words "actual and" and the period (.) following "hotel" and the words "other expenses" in section five (5), line two (2).

Strike out the word "deputies" wherever it appears in the bill and substitute the word "deputy" therefor.

Strike out all after the words "Des Moines" in section five (5), line three (3), and substitute the following therefor: "The fire marshal may contract other necessary expenses in the performance of his official duties, but shall not exceed the amount appropriated for the support of his department."

Strike out the words "expedient or" in section seven (7), line two (2).

Strike out the first sentence of section six (6), commencing with the word "The" in line one (1), and ending with the period (.) after the word "state" in line four (4), and inserting in lieu thereof the following: "The state fire marshal, his deputy or inspectors either by themselves or other persons as in this chapter provided, shall immediately investigate the cause, origin, and circumstances of every fire occurring within the state, when so requested in writing by any official mentioned in this section."

Strike out of line two (2) of section seven (7), the words "whenever he deems it expedient or necessary" and substitute therefor the words "when notified as above provided".

Insert after the word "testify" in line one (1) section twelve (12) the following: "except as otherwise provided by law," and the comma following "law".

Strike out all of section thirteen (13).

Strike out of line three (3), section fifteen (15) the words "at all times, day or night," also the comma following "night."

Strike out of line three (3), section sixteen (16), the words "or for any cause"; also the comma following the word "cause".

Insert after the word "such" in line ten (10), section sixteen (16), the word "reasonable".

Strike out of lines one (1) and two (2), in section seventeen (17) the words and figures "forty-eight (48) hours" and substitute therefor the words and figures "five (5) days".

Strike out the period (.) following the word "address" in line eight (8) of section twenty-seven (27), substitute a comma (,) therefor, and add the following: "or by service upon his duly appointed agent."

Strike out the period (.) at the end of section twenty-eight (28), line eighteen (18), and add thereto the following: "provided, however, that the funds received from the material or property salvaged shall first be applied towards the payment of the expenses and penalty hereinbefore mentioned and any surplus shall then be paid to the owner of the property."

Strike out all of section thirty-one (31).

Insert after the word "department" in line one (1) of section thirty-three (33) the words "except in cities of the first class,".

Renumber the following sections after striking out sections thirteen (13) and thirty-one (31).

T. C. CESSNA, *Chairman*.

Ordered passed on file.

SENATE CONCURRENT RESOLUTION NO. 6

Senator Smith offered the following resolution:

Whereas, The Honorable Wm. A. Hough, Chairman of the Indiana Tax Board, is to speak in Davenport before the Iowa Realtors Association on the subject of Budget Legislation in Indiana; therefore,

Be It Resolved by the Senate, the House concurring, That Judge Hough be invited to address the members of the General Assembly at 2:00 p. m. on Thursday, December 20th.

By unanimous consent on request of Senator Smith the resolution was taken up and considered.

Senator Brown offered the following amendment and moved its adoption:

Amend by striking out the words and figures "Thursday, December 20th" and inserting in lieu thereof the words and figures "Friday, December 21st".

The amendment was lost.

Senator Smith moved that the resolution be adopted.

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

Ayes, 34.

Abben	Campbell	Kimberly	Slosson
Adams	Cessna	Mead	Smith
Baird	Darting	Nelson	Stoddard
Banta	Gilchrist	Newberry	Thurston
Bergman	Goodwin	Perkins	Tuck
Bowman	Hale	Reed	White
Brookhart	Haskell	Scott	Wichman
Brookins	Holdoegel	Shaff	
Caldwell	Horchem	Shane	

Nays, 1.

Shinn

Absent or not voting, 15.

Browne	Fulton	Mantz	Romkey
Buser	Hartman	Olson	Schmedika
Dutcher	Johnston	Price	Snook
Ethell	McIntosh	Rees	

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 Joint Resolution No. 1 and House File No. 61.

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 Joint Resolution No. 1.

House File No. 61.

The Journal of December 17th 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:

Senator Stoddard moved that George W. Seevers, grandson of the late Hon. George W. Seevers, of Oskaloosa, winner of the Iowa Nine Declamatory Contest for High School Boys, at Fairfield, December 7th, be invited to address the Senate, which motion prevailed, and the young man delivered his oration, "Shylock."

Senator Bergman moved that the Senate adjourn until 10 a. m. Wednesday.

Senator White moved to amend by making the hour 9 a. m.

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

Ayes, 11.

Bowman	Cessna	Schmedika	Smith
Brookins	Nelson	Shane	White
Buser	Reed	Shinn	

Nays, 11.

Bergman	Fulton	Johnston	Stoddard
Caldwell	Goodwin	Mantz	Wichman
Dutcher	Holdoegel	Mead	

Absent or not voting, 28.

Abben	Darting	Kimberly	Romkey
Adams	Ethell	McIntosh	Scott
Baird	Gilchrist	Newberry	Shaff
Banta	Hale	Olson	Slosson
Brookhart	Hartman	Perkins	Snook
Browne	Haskell	Price	Thurston
Campbell	Horchem	Rees	Tuck

The amendment was lost.

The motion prevailed and the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 19, 1923.

The Senate met in regular session, President Hammill presiding. Prayer was offered by Rev. Arthur R. Oats, pastor of the Presbyterian church of Washington, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mantz for the day, on request of Senator Bergman; Senator McIntosh for the day, on request of Senator Price.

PETITIONS AND MEMORIALS

Petition was presented by Senator Gilchrist, from Rolfe Camp No. 609, M. W. A., Rolfe, protesting fraternal insurance legislation, and referred to committee on insurance.

INTRODUCTION OF BILLS

Senate File No. 288, by Senator Bowman, a bill for an act to legalize the acts of the board of directors of the Independent School District of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors.

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 that it has examined and finds correctly enrolled House Joint Resolution No. 2 and House File No. 148.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Brookhart Senate File No. 267, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable 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 Tuck offered the following amendment and moved its adoption:

Amend by striking out all after line 6.

The amendment was lost.

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, 45.

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

Nays, none.

Absent or not voting, 5.

Hartman	Mantz	Rees	Smith
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 Brookhart Senate File No. 245, 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, with report of committee recommending

passage, was taken up, considered, and the report of the committee adopted.

Senator Banta offered the following amendment and moved its adoption :

Amend by striking out of section 1 the sentence beginning with the word "Vacancies" in line 5 and ending with the word "term" in line 6 and inserting in lieu thereof the following: "In case a vacancy occurs, the same shall be filled by appointment for the unexpired portion of the term only."

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, 45.

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

Nays, none.

Absent or not voting, 5.

Hartman	Mantz	Rees	Romkey
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 Haskell Senate File No. 167, 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, 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 inserting the word "public" after the word "all" in line one of section one.

Amend by striking out of section one beginning with the semi-colon in line three the words "cities not controlling the city bridge fund shall construct and keep in repair all culverts which are thirty-six (36) inches or less in diameter within the city" and inserting in lieu thereof the following: "and shall construct and keep in repair all public culverts within the limits of said corporations."

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	Ethell	Nelson	Slosson
Adams	Fulton	Newberry	Smith
Baird	Gilchrist	Olson	Snook
Banta	Goodwin	Perkins	Stoddard
Bergman	Hale	Price	Thurston
Bowman	Haskell	Reed	Tuck
Brookins	Holdoegel	Romkey	White
Buser	Horchem	Schmedika	Wichman
Caldwell	Johnston	Shaff	
Campbell	Kimberly	Shane	
Cessna	Mead	Shinn	

Nays, none.

Absent or not voting, 9.

Brookhart	Dutcher	McIntosh	Rees
Browne	Hartman	Mantz	Scott
Darting			

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. 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. 280, a bill for an act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled code of Iowa, relating to garnishment.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 140, a bill for an act to amend, revise, and codify sections thirty-two hundred seventy-eight (3278) of the compiled code of Iowa, relating to the support of the poor.

A. C. GUSTAFSON, *Chief Clerk.*

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 Joint Resolution No. 2.

House File No. 148.

THIRD READING OF BILLS

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 and of the supplement to said code, relating to county bonds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by striking out of line six (6) section two (2) following the word "which" and inserting in lieu thereof the following: "is authorized by law to levy its own bridge tax."

Also amend by adding as section 18 following section 17 the following: "the provisions of this chapter shall not be so construed as to limit in any way the application of the provisions of section thirty-two hundred forty-one-a two (3241-a2) of the supplement to the compiled code."

By unanimous consent on request of Senator Ethell, the following amendment was included in the committee amendments:

Amend by striking out all after the word "issued" in line 5 of section 14, and adding a period (.) after the word "issued".

On motion of Senator Buser the following amendment was substituted for the first committee amendment:

Amend by striking from line 6 of section 2 the words "which levies its own bridge tax" and inserting in lieu thereof the following: "of the first class and any city of the second class having a population of five thousand

or over and which is traversed by a stream two hundred feet or over in width from shore line to shore line.”.

By unanimous consent on request of Senator Buser the small “t” was stricken from the first word “the” in line 2 of the second committee amendment and a capital “T” inserted in lieu thereof.

The first two committee amendments as amended were adopted.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

Consideration of Senate File No. 139 was resumed.

Senator Buser offered the following amendment and asked unanimous consent to have it considered prior to consideration of the third committee amendment:

Amend Senate File No. 139 by inserting in line two (2) of the clause immediately following the enacting clause after the first “and” the following: “section thirty-two hundred sixty-one (3261)”.

Consent was granted and the amendment was adopted.

The third committee 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	Darting	Kimberly	Shane
Adams	Dutcher	Mead	Shinn
Bergman	Ethell	Nelson	Slosson
Bowman	Fulton	Newberry	Snook
Brookhart	Gilchrist	Olson	Stoddard
Brookins	Goodwin	Perkins	Thurston
Browne	Hale	Price	Tuck
Buser	Haskell	Reed	White
Caldwell	Holdoegel	Romkey	Wichman
Campbell	Horchem	Schmedika	
Cessna	Johnston	Scott	

Nays, none.

Absent or not voting, 8.

Baird
Banta

Hartman
McIntosh

Mantz
Rees

Shaff
Smith

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 to Senate File No. 139 by inserting after the word "and" in line two (2) the following: "section thirty-two hundred sixty-one (3261)".

The amendment was adopted and the title as amended was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 239, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out all of said bill after the enacting clause and inserting in lieu thereof the following:

"That sections seven thousand nine hundred four (7904) and seven thousand nine hundred ten (7910) of the compiled code of Iowa are amended, revised, and codified to read as follows:

Section 1. If the intestate leaves no issue, the whole of the estate to the amount of seventy-five hundred dollars, after the payment of the debts and expenses of administration, and one-half of all of the estate in excess of said seventy-five hundred dollars shall go to the surviving spouse and the other one-half of said excess shall go to the parents. If no spouse, the whole shall go to the parents. In case of an adopted child, the parents by adoption shall inherit as if they were the natural parents."

Amend the title so that it shall read:

"A bill for an act to amend, revise, and codify sections seven thousand nine hundred four (7904) and seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to the distribution of intestate property."

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Abben
Adams
Banta
Bergman
Bowman
Brookhart

Brookins
Browne
Buser
Caldwell
Campbell
Darting

Dutcher
Fulton
Gilchrist
Haskell
Holdoegel
Horchem

Johnston
Kimberly
Mead
Nelson
Newberry
Perkins

Price	Scott	Snook	Wichman
Reed	Shaff	Stoddard	
Romkey	Shane	Tuck	
Schmedika	Slosson	White	

Nays, none.

Absent or not voting, 13.

Baird	Hale	Mantz	Shinn
Cessna	Hartman	Olson	Smith
Ethell	McIntosh	Rees	Thurston
Goodwin			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

MOTION TO RECONSIDER WITHDRAWN

Senator Stoddard withdrew his motion to reconsider the vote by which Senate File No. 269 failed to pass the Senate, found on page 146 of the Senate Journal.

THIRD READING OF BILLS

On motion of Senator Ethell Senate File No. 133, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by adding the following sections:

Section 2. Record of fees. Each such officer shall keep a record to be known as the "fee book" of the office to which it relates and shall be kept in such office as a part of the permanent county records. It shall be ruled in appropriate columns for the date, kind of service, for whom rendered and the amount of fee collected; and, when the charge is for recording an instrument, the names of the parties thereto. All said items shall be entered upon said record at the time the service is rendered.

Section 3. Fee book of recorder. In addition to the requirements of the last preceding section the recorder shall enter in his fee book the exact time of filing each instrument, the number and character thereof, and the names of the grantors and grantees therein.

In numbering said instruments, he shall start with number one (1), immediately after the date of his settlement with the board of supervisors each year, and continue to number them consecutively till his next settlement with said board.

Amend the title by inserting after the word "code" in line two "and

section thirty-two hundred thirty-one-a twenty-six (3231-a26) of the supplement to the compiled code."

Amend the enacting clause by inserting after the word "code" in line two "and section thirty-two hundred thirty-one-a twenty-six (3231-a26) of the supplement to the compiled code."

On motion of Senator Ethell further action was deferred.

On motion of Senator Ethell 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by striking from section sixteen (16) beginning after the word "equivalent" in line three (3) the following: "for each insertion" and inserting a period (.) after the word "equivalent" in said line.

Also amend section five (5) by striking out all after the word "delivery" in line five (5) of said section and inserting a period (.) after the word "delivery".

By unanimous consent on request of Senator Brookhart the word "papers" was stricken from line 3 of section 9 and the word "newspapers" inserted in lieu thereof.

By unanimous consent on request of Senator Brookhart the word "papers" was stricken from lines 8, 9, 10, 11 and 13 of section 14 and the word "newspapers" inserted in lieu thereof.

By unanimous consent on request of Senator Brookhart the word "papers" was stricken from line 4 of section 17 and the word "newspapers" inserted in lieu thereof.

The committee amendment with reference to section 5 was adopted.

On the question "Shall the committee amendment referring to section 16 be adopted?" the vote was:

Ayes, 12.

Brookhart
Buser
Ethell

Fulton
Hale
Nelson

Price
Romkey
Schmedika

Shinn
Snook
Tuck

Nays, 30.

Abben
Adams

Baird
Banta

Bergman
Bowman

Caldwell
Campbell

Darting	Horchem	Reed	Stoddard
Dutcher	Johnston	Scott	Thurston
Gilchrist	Kimberly	Shaff	White
Goodwin	Mead	Shane	Wichman
Haskell	Newberry	Slosson	
Holdoegel	Perkins	Smith	

Absent or not voting, 8.

Brookins	Cessna	McIntosh	Olson
Browne	Hartman	Mantz	Rees

The amendment was lost.

Senator Bowman asked that the amendment be reread and another vote taken.

Senator Smith raised the point of order that the vote could not be taken over again.

The President held the point well taken.

Senator Buser offered the following amendment and moved its adoption:

Amend by adding to section sixteen the following: "Provided no such official publication shall be printed in type smaller than six point".

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking from section 3 the words and figures "fifteen thousand (15,000)" and inserting in lieu thereof the words and figures "twenty-five thousand (25,000)".

Senator Shane offered the following amendment to the amendment offered by Senator Brookhart:

Amend by adding thereto the following: "Also add to sub-section 1: 'only one of which shall be published in the same city or town'."

Senator Shane withdrew his amendment to the amendment. Senator Haskell invoked rule 8.

On the question "Shall the amendment offered by Senator Brookhart be adopted?" the vote was:

Ayes, 7.

Brookhart	Johnston	Schmedika	White
Buser	Romkey	Tuck	

Nays, 37.

Abben	Cessna	Horchem	Shane
Adams	Darting	Kimberly	Shinn
Baird	Dutcher	Mead	Slosson
Banta	Ethell	Nelson	Smith
Bergman	Fulton	Newberry	Snook
Bowman	Gilchrist	Perkins	Stoddard
Brookins	Goodwin	Price	Thurston
Browne	Hale	Reed	Wichman
Caldwell	Haskell	Scott	
Campbell	Holdoegel	Shaff	

Absent or not voting, 6.

Hartman	Mantz	Rees
McIntosh	Olson	

The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking from line 11 of section 15 the following:

"5. All other matters required by law to be published therein"

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

Ayes, 23.

Adams	Goodwin	Mead	Smith
Banta	Hale	Newberry	Stoddard
Caldwell	Haskell	Perkins	Thurston
Darting	Holdoegel	Reed	White
Fulton	Horchem	Scott	Wichman
Gilchrist	Kimberly	Shane	

Nays, 18.

Abben	Brookins	Ethell	Slosson
Baird	Browne	Johnston	Snook
Bergman	Buser	Nelson	Tuck
Bowman	Campbell	Price	
Brookhart	Cessna	Schmedika	

Absent or not voting, 9.

Dutcher	Mantz	Rees	Shaff
Hartman	Olson	Romkey	Shinn
McIntosh			

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, 31.

Abben	Darting	Horchem	Shane
Adams	Ethell	Kimberly	Slosson
Baird	Fulton	Mead	Smith
Banta	Gilchrist	Newberry	Stoddard
Bergman	Goodwin	Perkins	Thurston
Bowman	Hale	Reed	White
Brookins	Haskell	Romkey	Wichman
Caldwell	Holdoegel	Scott	

Nays, 10.

Brookhart	Campbell	Shaff	Tuck
Browne	Johnston	Shinn	
Buser	Schmedika	Snook	

Absent or not voting, 9.

Cessna	McIntosh	Nelson	Price
Dutcher	Mantz	Olson	Rees
Hartman			

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

Senator Ethell called up for consideration Senate File No. 133, action on which was deferred this morning.

By unanimous consent Senator Ethell withdrew all pending amendments.

Senator Ethell offered the following amendment and moved its adoption:

Amend by adding the following:

"Sec. 2. Fee book of recorder. In addition to the other requirements of the law the recorder shall enter in his fee book the exact time of filing each instrument, the number and character thereof, and the names of the grantors and grantees therein.

In numbering said instruments, he shall start with number one (1), immediately after the date of his settlement with the board of supervisors each year, and continue to number them consecutively till his next settlement with said board."

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, 42.

Abben	Baird	Bergman	Brookhart
Adams	Banta	Bowman	Brookins

Browne	Gilchrist	Nelson	Shinn
Buser	Goodwin	Newberry	Slosson
Caldwell	Hale	Perkins	Smith
Campbell	Haskell	Price	Snook
Cessna	Holdoegel	Reed	Stoddard
Darting	Horchem	Schmedika	Thurston
Dutcher	Johnston	Scott	Tuck
Ethell	Kimberly	Shaff	
Fulton	Mead	Shane	

Nays, none.

Absent or not voting, 8.

Hartman	Mantz	Rees	White
McIntosh	Olson	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 Wichman 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, 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 line 2 of paragraph 2, section 1, the following: "officers elected in districts larger than a county."

Also by striking from lines 9 and 10 of the same paragraph the following: "officers chosen by the General Assembly if the legislature is not in session."

Also by striking from line one of paragraph 4 of section 1 the words "those of".

Also by striking out paragraph 6 of section 1 and substituting in lieu thereof the following:

"Clerk of the district court. In the office of the clerk of the district court, by the said court or by a judge thereof, by order entered of record in the court journal which order shall be effective until the vacancy shall be filled in the manner provided by law."

Also by striking from line one of paragraph 7 of section 1 the words "all other."

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, 44.

Abben	Banta	Brookhart	Buser
Adams	Bergman	Brookins	Caldwell
Baird	Bowman	Browne	Campbell

Cessna	Haskell	Perkins	Slosson
Darting	Holdoegel	Reed	Smith
Dutcher	Horchem	Romkey	Snook
Ethell	Johnston	Schmedika	Stoddard
Fulton	Kimberly	Scott	Thurston
Gilchrist	Mead	Shaff	Tuck
Goodwin	Nelson	Shane	White
Hale	Newberry	Shinn	Wichman

Nays, none.

Absent or not voting, 6.

Hartman	Mantz	Price
McIntosh	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 Wichman 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, 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 all after the enacting clause and inserting in lieu thereof the following:

That section 638 of the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. Sureties relieved on notice. If any surety on a bond required by law shall so elect, his liability thereon may be cancelled at any time by giving thirty days' notice in writing to the person or persons authorized to approve said bond and to the officer or person with whom the same is required to be filed or deposited by law, and refunding the premium paid, if any, less a pro rata part thereof for the time said bond shall have been in force. The liability and indemnity created by said bond shall extend to the date of cancellation as provided by this chapter.

Amend the title by striking out the title as it appears in said bill and inserting in lieu thereof the following:

An act to amend, revise and codify section 638 of the compiled code of Iowa, relating to the release of sureties on bonds required by law.

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, 44.

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

Nays, none.

Absent or not voting, 6.

Browne	McIntosh	Olson
Hartman	Mantz	Rees

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE MESSAGES CONSIDERED

House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters.

Read first and second time and referred to committee on county and township affairs.

House 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 support of the poor.

Read first and second times and referred to committee on county and township affairs.

House File No. 280, a bill for an act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled code of Iowa, relating to garnishment.

Read first and second time and referred to committee on judiciary No. 2.

The Journal of December 18th was corrected and approved.

On motion of Senator Hale the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 20, 1923.

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

Prayer was offered by Rev. T. Ernest Hoon, pastor of the Methodist Episcopal church of Laurens, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hartman for the past few days and the rest of this week, on request of Senator Buser; Senator McIntosh for the remainder of the week, on request of Senator Price; Senator Mantz for the day, on request of Senator Bergman; Senator Holdoegel for the afternoon, on request of Senator Bergman; Senator Perkins for the day, on request of Senator Bergman; Senator Shaff for the day, on request of Senator Bergman.

PETITIONS AND MEMORIALS

Petition was presented by Senator Hale, from Elder Camp No. 285, M. W. A., Oxford Junction, protesting fraternal insurance legislation, and referred to committee on insurance.

REPORTS OF COMMITTEES

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 272, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections, 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. 288, a bill for an act to legalize the acts of the

board of directors of the Independent School District of Waterloo, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors, 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. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred and forty-two (2942) of the code and chapter one hundred seventy-three of the acts of the Thirty-seventh General Assembly, 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.

By unanimous consent Senator Haskell withdrew Senate File No. 148 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 that it has examined and finds correctly enrolled Senate File No. 239.

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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 278, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes.

Also, That the House insists on its amendment to 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, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Harrison, R. O. Garber, Storey and Yenter.

Also, That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution No. 4, memorializing Congress to pass legislation prohibiting the issuance of tax-free securities.

A. C. GUSTAFSON, *Chief Clerk*.

CONFERENCE COMMITTEE ON SENATE FILE NO. 39

The President appointed as members of the conference committee on Senate File No. 39, Senators Campbell, Shaff, Bergman and Mantz.

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. 239.

THIRD READING OF BILLS

On motion of Senator Cessna 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, 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 therefrom sections 3, 4 and 5 and renumbering the remaining sections.

Senator Price moved that the bill be referred to the committee on judiciary No. 2 for further consideration, together with the pending amendment, which motion prevailed.

On motion of Senator Cessna 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, 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, 43.

Abben	Cessna	Kimberly	Scott
Adams	Darting	Mead	Shaff
Baird	Ethell	Nelson	Slosson
Banta	Fulton	Newberry	Smith
Bergman	Gilchrist	Olson	Snook
Bowman	Goodwin	Perkins	Stoddard
Brookhart	Hale	Price	Thurston
Brookins	Haskell	Reed	Tuck
Browne	Holdoegel	Rees	White
Buser	Horchem	Romkey	Wichman
Campbell	Johnston	Schmedika	

Nays, none.

Absent or not voting, 7.

Caldwell	Hartman	Mantz	Shinn
Dutcher	McIntosh	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 Cessna House 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 twenty-two (1222) and twelve hundred twenty-six (1226) of the compiled code of Iowa and section twelve hundred nineteen (1219) of the supplement to said code, relating to the practice of professional engineering and land surveying, 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 seven (7) by adding to the last line thereof, following the word "duties", the words "but in no event shall the state be chargeable with any expense incurred under the provisions of this act."

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	Scott
Adams	Cessna	Kimberly	Shaff
Baird	Darting	Mead	Shane
Banta	Ethell	Nelson	Shinn
Bergman	Fulton	Newberry	Slosson
Bowman	Gilchrist	Olson	Smith
Brookhart	Goodwin	Perkins	Snook
Brookins	Hale	Price	Stoddard
Browne	Haskell	Reed	Thurston
Buser	Holdoegel	Rees	White
Caldwell	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 6.

Dutcher	McIntosh	Romkey
Hartman	Mantz	Tuck

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 Cessna Senate File No. 58 was withdrawn from further consideration.

On motion of Senator Cessna 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, 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 inserting the word "immediately", after the comma (,) in line 1 of section 1.

Senator Buser offered the following amendment to the amendment and moved its adoption:

Amend by striking the word "immediately", and inserting in lieu thereof the words "within ten days".

The amendment to the amendment was adopted.

The amendment was 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	Campbell	Kimberly	Shaff
Adams	Cessna	Mead	Shane
Baird	Darting	Nelson	Shinn
Banta	Ethell	Newberry	Slosson
Bergman	Fulton	Olson	Smith
Bowman	Gilchrist	Perkins	Snook
Brookhart	Goodwin	Price	Stoddard
Brookins	Hale	Reed	Thurston
Browne	Haskell	Romkey	Tuck
Buser	Horchem	Schmedika	White
Caldwell	Johnston	Scott	Wichman

Nays, none.

Absent or not voting, 6.

Dutcher	Holdoegel	Mantz
Hartman	McIntosh	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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 286, a bill for an act to legalize the acts of the board of directors of the Independent School District of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors.

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 legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 286, a bill for an act to legalize the acts of the board of directors of the independent school district of Waterloo, Iowa, in estimating the amount required for the general fund for

the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 284, a bill for an act to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 278, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes.

Read first and second time and referred to committee on judiciary No. 1.

On motion of Senator Cessna 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 of the supplement to said code, relating to the state fire marshal and the prevention and investigation of fires, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend the title by striking out the period at the end of the last line and substituting a semi-colon (;) therefor, and by adding the following: "to provide the method of procedure in affecting appeals; also to provide a penalty for a violation thereof".

Amend section three (3), line two (2) by striking out the words and figure "and two (2) assistant deputies".

Strike out the words "actual and" and the comma (,) following "hotel" and the words "other expenses" in section five (5), line two (2).

Strike out the word "deputies" wherever it appears in the bill and substitute the word "deputy" therefor.

Strike out all after the words "Des Moines" in section five (5), line three (3), and substitute the following therefor: "The fire marshal may contract other necessary expenses in the performance of his official duties, but shall not exceed the amount appropriated for the support of his department."

Strike out the words "expedient or" in section seven (7), line two (2).

Strike out the first sentence of section six (6), commencing with the word "The" in line one (1), and ending with the period (.) after the

word "state" in line four (4), and inserting in lieu thereof the following: "The state fire marshal, his deputy or inspectors either by themselves or other persons as in this chapter provided, shall immediately investigate the cause, origin, and circumstances of every fire occurring within the state, when so requested in writing by any official mentioned in this section."

Strike out of line two (2) of section seven (7), the words "whenever he deems it expedient or necessary" and substitute therefor the words "when notified as above provided".

Insert after the word "testify" in line one (1) section twelve (12) the following: "except as otherwise provided by law,".

Strike out all of section thirteen (13).

Strike out of line three (3), section fifteen (15) the words "at all times, day or night," also the comma following "night."

Strike out of line three (3), section sixteen (16), the words "or for any cause"; also the comma following the word "cause".

Insert after the word "such" in line ten (10), section sixteen (16), the word "reasonable".

Strike out of lines one (1) and two (2), in section seventeen (17) the words and figures "forty-eight (48) hours" and substitute therefor the words and figures "five (5) days".

Strike out the period (.) following the word "address" in line eight (8) of section twenty-seven (27), substitute a comma (,) therefor, and add the following: "or by service upon his duly appointed agent."

Strike out the period (.) at the end of section twenty-eight (28), line eighteen (18), and add thereto the following: "provided, however, that the funds received from the material or property salvaged shall first be applied towards the payment of the expenses and penalty hereinbefore mentioned and any surplus shall then be paid to the owner of the property."

Strike out all of section thirty-one (31).

Insert after the word "department" in line one (1) of section thirty-three (33) the words "except in cities of the first class,".

Renumber the following sections after striking out sections thirteen (13) and thirty one (31).

On the question "Shall the amendment referring to section 3 be adopted?" the vote was:

Ayes, 27.

Abben	Campbell	Mead	Shinn
Baird	Cessna	Nelson	Slosson
Bergman	Darting	Olson	Snook
Brookhart	Fulton	Price	Thurston
Brookins	Goodwin	Rees	Tuck
Browne	Hale	Schmedika	White
Buser	Johnston	Shane	

Nays, 14.

Adams	Gilchrist	Newberry	Stoddard
Banta	Haskell	Reed	Wichman
Bowman	Horchem	Scott	
Caldwell	Kimberly	Smith	

Absent or not voting, 9.

Dutcher	Holdoegel	Perkins
Ethell	McIntosh	Romkey
Hartman	Mantz	Shaff

The amendment was adopted.

The amendment striking out the word "deputies" and inserting in lieu thereof the word "deputy" was adopted.

Senator Thurston offered the following substitute amendment for the third committee amendment and moved its adoption:

Amend by striking out the first sentence of section 5 and inserting in lieu thereof the following:

"The fire marshal, and his deputy and assistants, shall be entitled to their necessary traveling and hotel expenses while away from the city of Des Moines".

The substitution was made and the amendment was adopted.

The fifth committee amendment (being the second with reference to section 5), was adopted.

The amendment striking out the words "expedient or" in section 7 was adopted.

Senator Campbell offered the following amendment to the committee amendments and moved its adoption:

Amend by striking the words "in writing" from the last line of paragraph 7.

The amendment to the amendment was adopted.

Senator Fulton offered the following amendment to the pending amendment (paragraph 7) and moved its adoption:

Amend by striking the words "either by themselves or other persons as in this chapter provided" and the comma (,) following same.

The amendment to the amendment was adopted.

The amendment with reference to section 6 was adopted.

The amendment with reference to section 7 was adopted.

The amendments with reference to sections 12 and 13 were adopted.

On motion of Senator Thurston the vote by which the amendments to sections 12 and 13 were adopted was reconsidered.

The amendment to section 12 was adopted.

The amendment to section 13 was adopted.

The amendment with reference to section 15 was adopted.

The amendment with reference to line 3 of section 16 was adopted.

The amendment with reference to line 10 of section 16 was adopted.

The amendment with reference to section 17 was adopted.

The amendment with reference to section 27 was adopted.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

Consideration of Senate File No. 53 was resumed.

By unanimous consent Senator Thurston withdrew the committee amendment with reference to section 28.

Senator Thurston offered the following amendment and moved its adoption:

Amend section 28 by adding after the word "situated" in line 10 the following:

"That notice of the reasonableness and amount of assessment shall be given in a manner as provided for giving notice in ordinary actions by the marshal or his deputy to the property owner, also notifying the property owner that a hearing thereon shall be had before the auditor of said county on a day not less than 10 or more than 15 days from the date of completed service of notice upon the property owner and if no appeal is taken therefrom to the district court, at the time fixed in said notice the auditor shall hear and determine the matter.

Any person aggrieved by the order and determination of the auditor may appeal therefrom to the district court of the county, by serving notice within twenty days thereafter upon said auditor; and such appeal shall be heard and determined by the court as in cases of appeals from orders of the fire marshal as provided in this act.

The amendment was adopted.

Senator Newberry offered the following substitute for the committee amendment referring to section 31 and moved its adoption:
Amend by striking out all after the period (.) in line 7 of section 31.

The substitute amendment was lost.

Senator Ethell offered the following substitute amendment for the committee amendment referring to section 31 and moved its adoption:

Amend by striking out all of section 31 after line 4.

The substitution was made.

The amendment was adopted.

By unanimous consent on request of Senator Brookhart the comma (,) at the end of line four was changed to a period (.).

The amendment referring to section 33 was adopted.

The reference to section 31 in the last committee amendment was struck out and the amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting after the comma (,) following the word "buildings" in line 5 of section 15 the words "where any fire has occurred."

Senator Buser withdrew his amendment.

Senator Newberry offered the following amendment and moved its adoption:

Amend section 6 by striking the period (.) after the word "section" in the committee amendment and inserting the following: "or the sheriff, deputy sheriff or county attorney of any county."

The amendment was adopted.

The committee amendment to the title was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out all of section 34.

Senator Brookhart offered the following substitute amendment for the amendment offered by Senator Buser and moved its adoption:

Amend by adding after the word "annually" in section 34 the words "until July 4, 1925".

On the question "Shall the substitution be made?" the vote was .

Ayes, 35.

Abben	Campbell	Mead	Shinn
Adams	Cessna	Nelson	Slosson
Banta	Darting	Newberry	Smith
Bergman	Ethell	Price	Snook
Bowman	Gilchrist	Reed	Thurston
Brookhart	Goodwin	Rees	Tuck
Brookins	Haskell	Schmedika	White
Buser	Johnston	Scott	Wichman
Caldwell	Kimberly	Shane	

Nays, 4.

Fulton	Hale	Horchem	Stoddard
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Absent or not voting, 11.

Baird	Hartman	Mantz	Ramkey
Browne	Holdoegel	Olson	Shaff
Dutcher	McIntosh	Perkins	

The motion prevailed and the substitution was made.

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

Ayes, 29.

Abben	Cessna	Nelson	Smith
Adams	Darting	Price	Snook
Bergman	Ethell	Rees	Thurston
Brookhart	Fulton	Schmedika	Tuck
Brookins	Gilchrist	Scott	White
Buser	Goodwin	Shane	
Caldwell	Johnston	Shinn	
Campbell	Mead	Slosson	

Nays, 8.

Banta	Hale	Horchem	Stoddard
Bowman	Haskell	Newberry	Wichman

Absent or not voting, 13.

Baird	Holdoegel	Olson	Shaff
Browne	Kimberly	Perkins	
Dutcher	McIntosh	Reed	
Hartman	Mantz	Romkey	

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.

Senator Haskell invoked rule 8.

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

Ayes, 36.

Abben	Caldwell	Horchem	Scott
Adams	Campbell	Johnston	Shane
Baird	Cessna	Kimberly	Shinn
Banta	Darting	Mead	Slosson
Bergman	Ethell	Nelson	Snook
Brookhart	Fulton	Newberry	Thurston
Brookins	Gilchrist	Price	Tuck
Browne	Goodwin	Rees	White
Buser	Hale	Schmedika	Wichman

Nays, 5.

Bowman	Reed	Smith	Stoddard
Haskell			

Absent or not voting, 9.

Dutcher	McIntosh	Olson	Romkey
Hartman	Mantz	Perkins	Shaff
Holdoegel			

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 Bowman House File No. 286, a bill for an act to legalize the acts of the board of directors of the independent school district of Waterloo, Iowa, in estimating the amount required for the general fund for the school year 1923-1924, and the certification thereof to the board of supervisors of Black Hawk county, Iowa, and the levy thereof by said board of supervisors, was taken up and considered, having been substituted for Senate File No. 288.

The bill was read for information.

Senator Bowman 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	Bowman	Campbell	Goodwin
Adams	Brookhart	Cessna	Hale
Baird	Brookins	Ethell	Horchem
Banta	Browne	Fulton	Johnston
Bergman	Caldwell	Gilchrist	Mead

Nelson	Schmedika	Smith	Wichman
Newberry	Scott	Stoddard	
Price	Shane	Thurston	
Reed	Slosson	White	

Nays, 3.

Buser	Haskell	Rees
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Absent or not voting, 14.

Darting	Kimberly	Perkins	Snook
Dutcher	McIntosh	Romkey	Tuck
Hartman	Mantz	Shaff	
Holdoegel	Olson	Shinn	

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.

By unanimous consent on request of Senator Bowman Senate File No. 288 was withdrawn from further consideration.

On motion of Senator Baird House File No. 284, a bill for an act to legalize an election held in the incorporated town of Oakland, Iowa, and the issuance and sale of bonds by said town pursuant thereto, was taken up and considered, the rules having been suspended.

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	Caldwell	Horchem	Shane
Adams	Campbell	Johnston	Slosson
Baird	Cessna	Mead	Smith
Banta	Dutcher	Nelson	Stoddard
Bergman	Ethell	Newberry	Thurston
Bowman	Fulton	Price	White
Brookhart	Gilchrist	Reed	Wichman
Brookins	Goodwin	Rees	
Buser	Hale	Scott	

Nays, none.

Absent or not voting, 16.

Browne	Holdoegel	Olson	Shaff
Darting	Kimberly	Perkins	Shinn
Hartman	McIntosh	Romkey	Snook
Haskell	Mantz	Schmedika	Tuck

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

AMENDMENT WITHDRAWN

Senator Buser withdrew his amendment to Senate File No. 9 striking out sections 3, 4 and 5.

AMENDMENT TO SENATE FILE NO. 9 FILED

Senator Buser filed the following amendment to Senate File No. 9:

1. Strike from the bill the three (3) lines immediately preceding section three (3).
2. Strike from the bill all of sections three (3), four (4), and five (5).
3. Strike out the three (3) lines immediately preceding section 6 and in lieu insert the following:

"That sections one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled code of Iowa are amended, revised and codified to read as follows:"

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 twentieth day of December, sent to the governor for his approval, Senate File No. 239, a bill for an act to amend, revise, and codify sections seven thousand nine hundred four (7904) and seven thousand nine hundred ten (7910) of the compiled code of Iowa, relating to the distribution of intestate property.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

PROOF OF PUBLICATION OF HOUSE FILE NO. 284

I hereby certify, that there has been filed with the secretary of the Senate, the proof of publication of a proposed bill for the legalization of certain election, and the issuance and sale of bonds by the incorporated town of Oakland, Iowa.

L. W. AINSWORTH, *Secretary of the Senate.*

Senator Reed moved that former Lieutenant Governor Moore be invited to address the Senate.

The motion prevailed and the President appointed Senator Reed to escort Mr. Moore to the desk.

Mr. Moore addressed the Senate briefly.

The Journal of December 19th was corrected and approved.

Senator Buser moved that the Senate adjourn until 9 a. m. Friday.

Senator Gilchrist moved to amend by making the hour 10 a. m.

Senator Campbell invoked rule 8.

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

Ayes, 25.

Adams	Dutcher	Mead	Smith
Bergman	Fulton	Newberry	Stoddard
Bowman	Gilchrist	Reed	Thurston
Brookhart	Goodwin	Rees	Wichman
Brookins	Haskell	Scott	
Browne	Horchem	Shane	
Caldwell	Johnston	Slosson	

Nays, 12.

Abben	Buser	Ethell	Price
Baird	Campbell	Hale	Schmedika
Banta	Cessna	Nelson	White

Absent or not voting, 13.

Darting	McIntosh	Perkins	Shinn
Hartman	Mantz	Romkey	Snook
Holdoegel	Olson	Shaff	Tuck
Kimberly			

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 21, 1923.

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

Prayer was offered by Rev. A. W. Armstrong, Perry, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hale for the day, on request of Senator Haskell; Senator Browne for the day, on request of Senator Nelson; Senator Perkins for the day, on request of Senator Shane; On request of Senator Stoddard, all other Senators not present were excused for the day.

PETITIONS AND MEMORIALS

The following petitions protesting fraternal insurance legislation were presented and referred to the committee on insurance:

By Senator Newberry, from Cottonwood Camp No. 3004, of Garnavillo; by Senator Snook from Santa Fe Camp No. 1600, of Fort Madison.

Senator Shane moved that rule 33 be suspended for the day.

Senator Stoddard asked for a roll call.

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

Ayes, 24.

Banta	Ethell	Nelson	Slosson
Bowman	Fulton	Newberry	Smith
Brookins	Gilchrist	Olson	Stoddard
Buser	Haskell	Price	Thurston
Campbell	Horchem	Shane	White
Cessna	Kimberly	Shinn	Wichman

Nays, 4.

Goodwin	Johnston	Schmedika	Snook
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Absent or not voting, 22.

Abben	Caldwell	McIntosh	Romkey
Adams	Darting	Mantz	Scott
Baird	Dutcher	Mead	Shaff
Bergman	Hale	Perkins	Tuck
Brookhart	Hartman	Reed	
Browne	Holdoegel	Rees	

The motion prevailed and rule 33 was suspended.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 164, a bill for an act relating to municipal corporations—city hall, 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. 258, a bill for an act relating to municipal corporations—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 section 25, line 15 thereof, by striking out the word "or" and inserting the words "and are" in lieu thereof.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 156, a bill for an act relating to municipal corporations—ordinances, 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. 163, a bill for an act relating to municipal corporations—juvenile playgrounds, 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 1-a1 by re-numbering as section 1-a2.

Add the following paragraph as section 1-a1:

"Playground Commission—Appointment and duties. On nomination of the mayor, the council of any city which establishes any playground as provided by law, may by ordinance create a playground commission consisting of not fewer than five (5) nor more than nine (9) members, all of whom shall be qualified electors of such city and shall serve without compensation. The full term of office of each member of the commission shall be three years but those first appointed may be for shorter periods. The council may confer on such commission all or any part of its powers in relation to the equipment, maintenance and the conduct of playgrounds.

Amend section 2 by inserting after the word "council" in the first line thereof, the words, "or commission where one exists."

Amend section 3 by inserting after the word "council" in the first line thereof the words "or commission".

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Banta submitted the following report:

MR. PRESIDENT: Your committee on printing to which was referred Senate File No. 263, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE S. BANTA, *Chairman.*

Ordered passed on file.

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 247, a bill for an act to amend, revise, and codify section eighty-five hundred eighty-two (8582) of the compiled code of Iowa, relating to carrying dangerous weapons and permits 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 section 1 by striking out all of lines four (4), five (5) and six (6) to and including the word "same" in line seven (7) thereof, and by inserting after the word "permit" in line seven (7) the following words, "to carry concealed weapons and firearms."

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 275, a bill for an act to amend, revise, and codify chapter twenty-five-a (25-a) of title four (4) of the supplement to the com-

piled code of Iowa, relating to the sale of public 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 Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 151, 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 sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township 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. 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, 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.

MESSAGES FROM 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. 158, a bill for an act to amend, revise, and codify sections three thousand five hundred ninety-two (3592), etc., 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. 282, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes.

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 held in the independent school district of Council Bluffs, Iowa.

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 legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Council Bluffs, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 282, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 158, 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.

HOUSE CONCURRENT RESOLUTION NO. 4 CONSIDERED

Senator Olson called up for consideration the following House concurrent resolution and moved its adoption:

Proposing to memorialize the Congress of the United States to initiate and to pass such legislation as will result in the general prohibition of the issuance of tax-free securities by the United States and the several states.

Whereas, There has been issued from time to time by the government of the United States and the several states respectively, and by the various political subdivisions of the respective states, securities wholly or partially exempt from taxation; and,

Whereas, The exemption from taxation of such securities is of benefit to but a few of the citizens of the United States, has contributed to the economical unrest throughout the country, and has resulted in depriving the respective taxing districts in the state of Iowa and over the United States of a considerable amount of taxes on property within such taxing districts; therefore,

Be It Resolved by the General Assembly of the State of Iowa: That we, the General Assembly of the state of Iowa, in special session assembled, do hereby call upon and request the Congress of the United States to immediately initiate and adopt such legislation as will result in the prohibition and curtailment of the issuance of tax-free or partially tax-free securities by the United States, any state or political subdivision of the United States or any state.

Be It Further Resolved: That a copy of this resolution be sent to the secretary of the Senate and the chief clerk of the House of Representatives of the Congress of the United States and to the respective members thereof from Iowa.

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

Ayes, 30.

Adams	Dutcher	Nelson	Smith
Fanta	Ethell	Newberry	Snook
Bergman	Gilchrist	Olson	Stoddard
Bowman	Goodwin	Price	Thurston
Brookins	Horchem	Schmedika	White
Buser	Johnston	Shane	Wichman
Caldwell	Kimberly	Shinn	
Cessna	Mead	Slosson	

Nays, none.

Absent or not voting, 20.

Abben	Darting	Holdoegel	Rees
Baird	Fulton	McIntosh	Romkey
Brookhart	Hale	Mantz	Scott
Frowne	Hartman	Perkins	Shaff
Campbell	Haskell	Reed	Tuck

The resolution was 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. 284 and 286.

The Journal of December 20th was corrected and approved.

Senator Gilchrist moved that the Senate adjourn until 10 a. m. Saturday.

Senator Campbell moved to amend the motion by making the hour 8 a. m.

Senator Haskell moved as a substitute amendment to make the hour 7 a. m.

Senator Campbell withdrew his amendment.

Senator Haskell's amendment was adopted.

Senator Price moved that the vote by which the amendment was adopted be reconsidered.

On the question "Shall the motion prevail and the vote be reconsidered?" the vote was:

Ayes, 15.

Bergman	Ethell	Johnston	Slosson
Bowman	Fulton	Kimberly	Snook
Buser	Gilchrist	Price	Wichman
Caldwell	Horchem	Shane	

Nays, 17.

Adams	Dutcher	Olson	Thurston
Baird	Goodwin	Rees	White
Brookins	Haskell	Schmedika	
Campbell	Mead	Shinn	
Cessna	Nelson	Stoddard	

Absent or not voting, 18.

Abben	Hale	Newberry	Shaff
Santa	Hartman	Perkins	Smith
Brookhart	Holdoegel	Reed	Tuck
Browne	McIntosh	Romkey	
Darting	Mantz	Scott	

The motion was lost.

Senator Price moved that the motion to adjourn be laid on the table.

The President held the motion out of order.

Senator Stoddard moved that the motion to adjourn be amended making the hour 9:15 a. m.

Senator Price raised the point of order that in a parliamentary proposition of time or amount the most distant time must be put first and the earliest put last.

The President held the point of order not well taken.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 9:15 a. m. Saturday morning.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 22, 1923.

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

Prayer was offered by Rev. De Witt Foster, pastor of the First Friends Church, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Newberry for the day, on request of Senator Buser; Senator Hartman for the day, on request of Senator Buser; Senator Browne for the day, on request of Senator Buser; Senator Schmedika for the day, on request of Senator White; Senator Shane for the day, on request of Senator Fulton; Senator Perkins for the day, on request of Senator Fulton.

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. 286 and 284.

F. C. GILCHRIST, *Chairman Senate Committee.*

FRED S. HIMEBAUCH, *Acting 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. 284.

Senate File No. 286.

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 twenty-second day of December, sent to the Governor for his approval:

Senate File No. 286, a bill for an act to legalize an election held in the independent school district of Council Bluffs, in the county of Pottawattamie, state of Iowa, and the issuance and sale of bonds by said school district pursuant thereto.

Senate File No. 284, 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.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that he had signed

Senate File No. 239.

The Journal of December 21st was corrected and approved.

On motion of Senator Price the Senate adjourned, as per concurrent resolution of December 13th, until 10 a. m., Thursday, December 27th.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 27, 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 Haskell 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 Haskell; Senator Gilchrist for the remainder of the week and Monday, on request of Senator Goodwin.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on December 22, 1923, he had signed,

Senate File No. 284.

Senate File No. 286.

The roll was called to ascertain whether there was a quorum present.

The roll call failed to reveal the presence of a quorum.

Senator Ethell moved that the Senate adjourn until 1:30 p. m.

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

Ayes, 14.

Bergman	Ethell	Olson	Slosson
Bowman	Horchem	Reed	Smith
Caldwell	Mantz	Schmedika	Tuck
Campbell	Mead	Shane	

Nays, 7.

Brookins	Haskell	Kimberly	White
Goodwin	Johnston	Rees	

Absent or not voting, 29.

Abben	Darting	Nelson	Snook
Adams	Dutcher	Newberry	Stoddard
Baird	Fulton	Perkins	Thurston
Banta	Gilchrist	Price	Wichman
Brookhart	Hale	Romkey	
Browne	Hartman	Scott	
Buser	Holdoegel	Shaff	
Cessna	McIntosh	Shinn	

The motion prevailed and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

On motion of Senator Shane, the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 28, 1923.

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

Prayer was offered by Rev. George Woodall, pastor of the Methodist Episcopal church of Grundy Center, Iowa.

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 Buser; Senator Holdoegel for the day on request of Senator Tuck; Senator Price for the day, on request of Senator Tuck; Senator Browne for the day, on request of Senator Nelson; Senator Perkins for the day, on request of Senator Bergman; Senator Stoddard for the day, on request of Senator Bergman; Senator Rees for the day, on request of Senator Ethell; Senator Baird for the day, on request of Senator Horchem; Senator Hale for the day, on request of Senator Reed; Senator Brookhart for the day on request of Senator Johnston; Senator Fulton for the day, on request of Senator Buser; Senator Gilchrist for the day, on request of Senator Wichman; Senator Banta for the day, on request of Senator Mantz; Senator Romkey for the day, on request of Senator Tuck.

THIRD READING OF BILLS

On motion of Senator Wichman House File No. 272, a bill for an act to amend, revise, and codify section eighty-nine hundred two (8902) of the compiled code of Iowa, relating to corruption in elections, 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, 26.

Adams	Ethell	Nelson	Slosson
Bergman	Harfman	Olson	Snook
Brookins	Horchem	Reed	Tuck
Buser	Johnston	Schmedika	White
Caldwell	McIntosh	Scott	Wichman
Campbell	Mantz	Shane	
Cessna	Mead	Shinn	

Nays, 1.

Kimberly

Absent or not voting, 23.

Abben	Darting	Haskell	Romkey
Baird	Dutcher	Holdoegel	Shaff
Banta	Fulton	Newberry	Smith
Bowman	Gilchrist	Perkins	Stoddard
Brookhart	Goodwin	Price	Thurston
Browne	Hale	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 Wichman withdrew Senate File No. 272 from further consideration.

On motion of Senator Reed Senate File No. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred and forty-two (2942) of the code and chapter one hundred seventy-three of the acts of the Thirty-seventh General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 26.

Adams	Hartman	Olson	Snook
Bergman	Horchem	Reed	Thurston
Bowman	Kimberly	Schmedika	Tuck
Brookins	McIntosh	Scott	White
Caldwell	Mantz	Shane	Wichman
Campbell	Mead	Shinn	
Cessna	Nelson	Slosson	

Nays, none.

Absent or not voting, 24.

Abben	Darting	Hale	Price
Baird	Dutcher	Haskell	Rees
Banta	Ethell	Holdoegel	Romkey
Brookhart	Fulton	Johnston	Shaff
Browne	Gilchrist	Newberry	Smith
Buser	Goodwin	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 Slosson Senate File No. 163, a bill for an act to amend, revise, and codify sections thirty-seven hundred thirty-eight (3738) and thirty-seven hundred thirty-nine (3739) of the compiled code of Iowa, and sections thirty-seven hundred thirty-four (3734) and thirty-seven hundred thirty-seven-a one (3737-a1) of the supplement to said code, relating to juvenile playgrounds, 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 section 1-a1 by re-numbering as section 1-a2.

Add the following paragraph as section 1-a1:

"Playground Commission—Appointment and duties. On nomination of the mayor, the council of any city which establishes any playground as provided by law, may by ordinance create a playground commission consisting of not fewer than five (5) nor more than nine (9) members, all of whom shall be qualified electors of such city and shall serve without compensation. The full term of office of each member of the commission shall be three years but those first appointed may be for shorter periods. The council may confer on such commission all or any part of its powers in relation to the equipment, maintenance and the conduct of playgrounds."

Amend section 2 by inserting after the word "council" in the first line thereof, the words, "or commission where one exists."

Amend section 3 by inserting after the word "council" in the first line thereof the words "or commission".

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, 29.

Adams	Brookins	Campbell	Hartman
Bergman	Buser	Cessna	Horchem
Bowman	Caldwell	Ethell	Johnston

Kimberley	Olson	Shinn	White
McIntosh	Reed	Slosson	Wichman
Mantz	Schmedika	Snook	
Mead	Scott	Thurston	
Nelson	Shane	Tuck	

Nays, none.

Absent or not voting, 21.

Abben	Dutcher	Holdoegel	Shaff
Baird	Fulton	Newberry	Smith
Banta	Gilchrist	Perkins	Stoddard
Brookhart	Goodwin	Price	
Browne	Hale	Rees	
Darting	Haskell	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 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Reed invoked rule 8.

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

Ayes, 26.

Adams	Ethell	Nelson	Snook
Bergman	Hartman	Olson	Thurston
Brookins	Horchem	Reed	Tuck
Buser	Johnston	Schmedika	White
Caldwell	Kimberly	Shane	Wichman
Campbell	Mantz	Shinn	
Cessna	Mead	Slosson	

Nays, 2.

Bowman	McIntosh
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Absent or not voting, 22.

Abben	Dutcher	Holdoegel	Scott
Baird	Fulton	Newberry	Shaff
Banta	Gilchrist	Perkins	Smith
Brookhart	Goodwin	Price	Stoddard
Browne	Hale	Rees	
Darting	Haskell	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 Kimberly withdrew Senate File No. 156 from further consideration.

On motion of Senator Reed House File No. 164, 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, 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, 26.

Adams	Cessna	Mead	Snook
Bergman	Hartman	Nelson	Thurston
Bowman	Horchem	Reed	Tuck
Brookins	Johnston	Schmedika	White
Buser	Kimberly	Shane	Wichman
Caldwell	McIntosh	Shinn	
Campbell	Mantz	Slosson	

Nays, none.

Absent or not voting, 24.

Abben	Dutcher	Haskell	Rees
Baird	Ethell	Holdoegel	Romkey
Banta	Fulton	Newberry	Scott
Brookhart	Gilchrist	Olson	Shaff
Browne	Goodwin	Perkins	Smith
Darting	Hale	Price	Stoddard

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. 164 from further consideration.

On motion of Senator Ethell 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), in-

clusive, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wichman offered the following amendments and moved their adoption:

Amend by inserting after the word "building" in line 3 of section 6 the words "or monument". Also amend by inserting the words "or monument" after the word "building" in line 1 of section 8 and in line 5 of section 8.

The amendments were adopted.

Senator White offered the following amendments and moved their adoption:

Amend by adding after the word "thereof" in line five (5) of section two (2) the words "as shown by the preceding general election". Also by adding after the word "thereof" in line ten (10) of section two (2) the words "as shown by the last preceding general election in such city or town".

The amendments were adopted.

Senator Ethell offered the following amendment and moved its adoption:

Amend by striking out the semi-colon (;) following the words "provided by law" in line five (5) of section six (6), and adding "relative to general county and city bonds;"

The amendment was adopted.

Senator Buser offered the following amendments and moved their adoption:

Amend by striking from line 1 of section 4 the word "two" and the numeral "2" and inserting in lieu thereof the word "one" and the numeral "1".

Also amend by striking from line 2 of section 4 the word "newspapers" and inserting in lieu thereof the word "newspaper".

The amendments were 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, 27.

Adams	Cessna	Mantz	Slosson
Bergman	Ethell	Mead	Snook
Bowman	Hartman	Nelson	Thurston
Brookins	Horchem	Reed	Tuck
Buser	Johnston	Schmedika	White
Caldwell	Kimberly	Shane	Wichman
Campbell	McIntosh	Shinn	

Nays, none.

Absent or not voting, 23.

Abben	Dutcher	Holdoegel	Romkey
Baird	Fulton	Newberry	Scott
Banta	Gilchrist	Olson	Shaff
Brookhart	Goodwin	Perkins	Smith
Browne	Hale	Price	Stoddard
Darting	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 Bergman Senate File No. 247, a bill for an act to amend, revise, and codify section eighty-five hundred eighty-two (8582) of the compiled code of Iowa, relating to carrying dangerous weapons and permits therefor, 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 section 1 by striking out all of lines four (4), five (5) and six (6) to and including the word "same" in line seven (7) thereof, and by inserting after the word "permit" in line seven (7) the following words, "to carry concealed weapons and firearms."

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, 26.

Adams	Cessna	Mantz	Slosson
Bergman	Ethell	Mead	Snook
Bowman	Hartman	Nelson	Tuck
Brookins	Horchem	Reed	White
Buser	Johnston	Schmedika	Wichman
Caldwell	Kimberly	Shane	
Campbell	McIntosh	Shinn	

Nays, none.

Absent or not voting, 24.

Abben	Dutcher	Holdoegel	Romkey
Baird	Fulton	Newberry	Scott
Banta	Gilchrist	Olson	Shaff
Brookhart	Goodwin	Perkins	Smith
Browne	Hale	Price	Stoddard
Darting	Haskell	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 Kimberly action on House File No. 258 was deferred.

On motion of Senator Caldwell Senate File No. 263, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, 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 Caldwell further action was deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution No. 3 providing for the publication of House Joint Resolution No. 2.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 173, a bill for an act to amend, revise, and codify sections three thousand nine hundred eighty-seven (3987) 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. 126, a bill for an act to amend, revise, and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa

and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks.

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. 276, a bill for an act to amend, revise, and codify chapter twenty-four-a (24-a) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys.

Read first and second times and referred to committee on county and township affairs.

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 times and referred to committee on railroads.

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 and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks.

Read first and second times and referred to committee on highways.

House Joint Resolution No. 3, joint resolution authorizing the secretary of state to make House joint resolution No. 2, passed by the extraordinary session of the Fortieth General Assembly, effective immediately by publication.

Read first and second times.

THIRD READING OF BILLS

On motion of Senator Reed House Joint Resolution No. 3, joint resolution authorizing the secretary of state to make House joint resolution No. 2, passed by the extraordinary session of the Fortieth General Assembly, effective immediately by publication, was taken up and considered, the rules having been suspended.

The resolution was read for information.

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

Senator Reed invoked rule 8.

On the question "Shall the resolution pass?" the vote was:

Ayes, 27.

Adams	Cessna	Mantz	Slosson
Bergman	Ethell	Mead	Snook
Bowman	Hartman	Nelson	Thurston
Brookins	Horchem	Reed	Tuck
Buser	Johnston	Schmedika	White
Caldwell	Kimberly	Shane	Wichman
Campbell	McIntosh	Shinn	

Nays, none.

Absent or not voting, 23.

Abben	Dutcher	Holdoegel	Romkey
Baird	Fulton	Newberry	Scott
Banta	Gilchrist	Olson	Shaff
Brookhart	Goodwin	Perkins	Smith
Browne	Hale	Price	Stoddard
Darting	Haskell	Rees	

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

AMENDMENT FILED

I move to amend Senate File No. 275, by striking out the period at the end of section five (5) and inserting in lieu thereof a comma, and adding to said section after the comma, the following: "the expense of printing

the bonds and of obtaining a legal opinion as to their validity. Such expense for legal opinion not to exceed \$300 for any one issue."

J. E. WICHMAN.

In observance of the seventy-seventh anniversary of the admission of the state of Iowa into the Union the Senate devoted a half hour to exercises appropriate to the occasion. Senator Tuck spoke on the agricultural growth of the state; Senator Bergman, industries; Senator Mantz, schools; Senators Horchem, Reed, Snook, and Dr. Lowery, chief doorkeeper, also spoke.

Col. L. W. Ainsworth, secretary of the Senate, read a short historical review from the Iowa Red Book.

The Journal of December 28th was corrected and approved.

On motion of Senator Shinn the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 29, 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 Shane rule 33 was suspended for the day.

The roll call revealed the presence of a quorum.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Newberry for the day, on request of Senator Buser; Senator Perkins for the day, on request of Senator Buser; Senator Browne for the day, on request of Senator Buser; Senator Baird for the day, on request of Senator Buser; Senator Bergman for the day, on request of Senator Cessna; Senator Stoddard for the day, on request of Senator Cessna; Senator Abben for the day, on request of Senator Cessna; Senator Dutcher for the day on request of Senator Cessna; Senator Brookhart for the day, on request of Senator Tuck; Senator Darting for the day, on request of Senator Brookins; Senator Price for the day, on request of Senator Tuck; Senator Romkey for the day, on request of Senator Tuck; Senator Gilchrist for the day, on request of Senator Tuck; Senator Smith for the day, on request of Senator Goodwin; Senator Banta for the day, on request of Senator Mantz; Senator Olson for the day, on request of Senator Mantz; Senator Scott for the day, on request of Senator Mantz; Senator Haskell for the day, on request of Senator White; Senator Hale for the day on request of Senator Reed.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 275, as follows:

Amend by striking out all of section two and inserting in lieu thereof the following:

"Sealed bids may be received at any time prior to the calling for open bids. After the sealed bids are all filed, the official or officials shall call for open bids and shall make a record in the minutes of all such open bids. After the open bids are recorded in the minutes the official or officials shall open the sealed bids and make a record thereof in the minutes."

Amend section 3 by striking the period after the word "sale" in line 3 thereof and adding the following "at a price not less than the best price bid considering the amount in relation to par and the interest rate thereon."

J. A. McINTOSH.

The Journal of December 28th was corrected and approved.

On motion of Senator Shinn the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, DECEMBER 31, 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 Price rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Baird for the day, on request of Senator Buser; Senator Browne for the day, on request of Senator Buser; Senator Newberry for the day, on request of Senator Buser; Senator Hartman for the day, on request of Senator Buser.

Senator Mead moved that the roll be called and all Senators absent be excused for the day.

The motion prevailed and the following Senators were excused:

Abben	Fulton	Olson	Shaff
Bergman	Gilchrist	Perkins	Shane
Brookhart	Hale	Romkey	Slosson
Darting	Haskell	Schmedika	Smith
Dutcher	Holdoegel	Scott	

PETITIONS AND MEMORIALS

The following petitions of the Modern Woodmen of America were presented, and referred to the committee on insurance:

By Senator Banta, from Camp No. 1801, Brandon; by Senator Banta, from Camp No. 2605; by Senator Brookins, from Camp No. 242, New Hampton; by Senator Schmedika, from Camp No. 3554, Rudd; and by Senator Ethell, from Camp No. 3553, Centerville.

SENATE CONCURRENT RESOLUTION NO. 7

Senator Buser offered the following Senate concurrent resolution:
Whereas, the fundamental principle underlying a budget system is directly antagonistic to that of standing appropriations, and

Whereas, there are numerous sections of the law of Iowa providing standing appropriations for various purposes, and

Whereas, the code commissioners' bills treat only a few of said sections, and

Whereas, according to the provisions of the resolution regulating the introduction of bills during the extraordinary session of the Fortieth General Assembly, a bill amending the sections of law above alluded to, introduced by an individual member, would be a violation of said resolution, therefore

Be It Resolved by the Senate, the House concurring: That the code commissioners, Mr. Mabry, Mr. Trewin, and Mr. Whitney, are hereby instructed to prepare and submit, as code commissioners' bill No. 284, a bill amending all the sections of the law authorizing standing or annual appropriations, not treated by other code commissioners' bills, in such manner that the authorization therein contained providing for such standing or annual appropriations shall terminate July 1, 1925.

The resolution was laid over under the rules.

THIRD READING OF BILLS

On motion of Senator Caldwell Senate File No. 263, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, was taken up and considered, the report of the committee having been previously adopted.

Senator Banta offered the following amendments and moved their adoption:

Amend by adding the following: "That section one hundred one-a one (101-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 7. Iowa Official Register. The superintendent of printing shall, in odd-numbered years, compile for publication the Iowa official register which shall contain historical, political and other statistics of general value, but nothing of a partisan character."

Also amend by inserting after the word "sections" in the first line of the title the following: "one hundred one-a one (101-a1)."

The amendments were adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out subsection 5 of section 6, being line 11, and renumbering the following subsections.

Senator Bowman moved that further action be deferred until a larger percentage of Senators is present.

Senator Price moved to amend the motion by making the time Thursday of this week.

The amendment was adopted.

The motion prevailed and further action on Senate File No. 263 was deferred until Thursday.

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.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Reed called up for consideration Senate File No. 227, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out of line 3, the following: "improvement," after the word "highway" as inserted by the Senate amendment.

Amend by striking out of line 3, the words inserted by the Senate amendment "or for any breach of".

Amend line 5 by striking out the words "work thereof" and inserting in lieu thereof the following: "contract or work thereunder".

Senator Price invoked rule 8.

On the question "Shall the Senate concur?" the vote was:

Ayes, 27.

Adams	Cessna	Mantz	Snook
Banta	Ethell	Mead	Stoddard
Bowman	Goodwin	Nelson	Thurston
Brookins	Horchem	Price	Tuck
Buser	Johnston	Reed	White
Caldwell	Kimberly	Rees	Wichman
Campbell	McIntosh	Shinn	

Nays, none.

Absent or not voting, 23.

Abben	Dutcher	Holdoegel	Scott
Baird	Fulton	Newberry	Shaff
Bergman	Gilchrist	Olson	Shane
Brookhart	Hale	Perkins	Slosson
Browne	Hartman	Romkey	Smith
Darting	Haskell	Schmedika	

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 Goodwin House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), 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, 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 25, line 15 thereof, by striking out the word "or" and inserting the words "and are" in lieu thereof.

Senator Horchem offered the following amendment and moved its adoption:

Amend by adding after section 1, the following:

"Sec. 1-a1. Population defined.

The population in the sections of this chapter referred to shall be the population as shown by the last preceding state or national census excepting where such census of any such city shows a less population than at the time the voters of such city adopted the plan of government in this chapter provided for, in which case the population shown by the census immediately preceding such adoption shall govern."

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, 26.

Adams	Cessna	Mead	Stoddard
Eanta	Ethell	Nelson	Thurston
Bowman	Goodwin	Price	Tuck
Brookins	Horchem	Reed	White
Buser	Johnston	Rees	Wichman
Caldwell	Kimberly	Shinn	
Campbell	McIntosh	Snook	

Nays, none.

Absent or not voting, 24.

Abben	Dutcher	Holdoegel	Schmedika
Baird	Fulton	Mantz	Scott
Bergman	Gilchrist	Newberry	Shaff
Brookhart	Hale	Olson	Shane
Browne	Hartman	Perkins	Slosson
Darting	Haskell	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 Senator Goodwin withdrew Senate File No. 258 from further consideration.

Senator Price moved that the rules committee be instructed to prepare a rule by which one or more Senators may make a motion that a bill be referred out of the committee under rule 31 and authorizing some one to withdraw bills from further consideration, which motion prevailed.

Senator Buser moved that the vote by which House File No. 258 passed the Senate be reconsidered which motion prevailed.

Senator Buser moved that the vote by which House File No. 258 went to its third reading be reconsidered, which motion prevailed.

Senator Buser moved that the vote by which Senator Horchem's amendment was adopted be reconsidered, which motion prevailed.

Senator Horchem withdrew his amendment.

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

Ayes, 26.

Adams	Cessna	Mead	Stoddard
Banta	Ethell	Nelson	Thurston
Bowman	Goodwin	Price	Tuck
Brookins	Horchem	Reed	White
Buser	Johnston	Rees	Wichman
Caldwell	Kimberly	Shinn	
Campbell	McIntosh	Snook	

Nays, none.

Absent or not voting, 24.

Abben	Dutcher	Holdoegel	Schmedika
Baird	Fulton	Mantz	Scott
Bergman	Gilchrist	Newberry	Shaff
Brookhart	Hale	Olson	Shane
Browne	Hartman	Perkins	Slosson
Darting	Haskell	Romkey	Smith

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

STATE OF IOWA
DEPARTMENT OF JUSTICE

DES MOINES, DECEMBER 29, 1923.

HON. B. M. STODDARD, Chairman,
Appropriation Committee,
Senate Chamber
Building.

Dear Sir: This department is in receipt of your letter dated December 13, 1923, in which you request the opinion of this department. Your letter states the request in detail and is in words as follows:

"A joint resolution which passed the Senate this morning provided for the vacation of this extra session of the legislature beginning December 22nd and ending December 27th.

Will you please give me your opinion as to the question of the pay of members of the legislature during the time of this recess? Are the members of the legislature entitled to pay for the four days intervening between the above dates, or not?"

Section 25 of Article III of the Constitution of Iowa provides as follows:

"Each member of the first general assembly under this constitution shall receive three dollars per diem while in session; and the further sum of three dollars for every twenty miles traveled in going to and returning from the place where such session is held, by the nearest traveled route; after which they shall receive such compensation as shall be fixed by law; but no general assembly shall have the power to increase the compensation of its members. And when convened in extra session they shall receive the same mileage and per diem compensation as fixed by law for the regular session, and none other."

Section 12 of the code supplement, 1913, provides as follows:

"The compensation of the members of the general assembly shall be: To every member, for each full regular session one thousand dollars, and for each extra session the same compensation per day while in session, to be ascertained by the rate per day of the compensation of the members of the general assembly at the preceding regular session; and in going to and returning from the place where the general assembly is held, five cents per mile, by the nearest traveled route; but in no case shall the

compensation for any extra session exceed ten dollars per day, exclusive of mileage. When a vacancy occurs during the session of the general assembly, and by reason thereof the term of office of any member does not cover the entire session, such members shall be paid as follows: To members whose term of office covers fifteen session days, or less, three hundred dollars; to members whose term of office covers more than fifteen session days, and less than thirty-one such days, five hundred dollars; to members whose term of office covers more than thirty session days, and less than fifty-one such days, seven hundred dollars; and to members whose term of office covers more than fifty session days, one thousand dollars."

The recess to which you refer was the result of the adoption of Senate Concurrent Resolution No. 4 (Senate Journal 114). This concurrent resolution as originally introduced provided for an adjournment from Friday, December 21, 1923, to Monday, January 7, 1924. It further provided, "*Be It Further Resolved*, that there be no per diem allowed members for the sixteen clear days of the vacation." The Senate (Senate Journal 114) finally adopted a substitute in words as follows:

"Resolved by the Senate, the House concurring: That this General Assembly adjourn Saturday, December 22, 1923, to reconvene on Thursday, December 27, 1923, at 10:00 A. M."

This substitute was acted upon by the House (House Journal 128-129) and finally adopted with an amendment substituting for the word "adjourned" the word "recess", so that when finally adopted the resolution provided simply for a recess from Saturday, December 22, 1923, to Thursday, December 27, 1923.

The constitutional provision referred to has never been construed by the Supreme Court of Iowa. We must, therefore, turn to the ordinary rules of constitutional construction to determine the true meaning of the constitutional provision in question. It is fundamental that if the meaning of the language used in the constitution is doubtful, a legislative construction will be given serious if not controlling consideration by the courts. *McCulloch v. Maryland*, 4 Wheat (U. S.) 316; 4 L. Ed. 579; *People v. Olson*, 245 Ill. 288; 92 N. E. 157; *Smith v. Auditor*, 165 Mich. 140; 130 N. W. 557; *Cutance v. People*, 11 Wend. (N. Y.) 511; *Booth v. Miller*, 237 Pa. 297. This not alone as a matter of policy, but also because it is presumed to represent the true intent of the instrument. *Hovey v. State*, 119 Ind. 386; 21 N. E. 890; *Johnson v. Great Falls*, 38 Mont. 369; 16 Ann. Cases 974; *McPherson v. State*, 92 Mich 377; 16 L. R. A. 475; *United States v. Realty Co.*, 163 U. S. 427. The rule is well stated in *Cook County v. Healy*, 222 Ill. 310, where the court says:

"Even if we assume, for the sake of argument, that the language of the amendment of 1908 is ambiguous, the construction of said amendment and the interpretation of the language thereof by the General Assembly, as shown by the terms of the act of 1915, are entitled to consideration. It was the legislative department that framed the language of the amendment and adopted the resolution providing for submitting it to a vote of the people. The amendment so framed and submitted was adopted by the

vote of the people. The act in question was passed by the same department of the government that framed the amendment, and the language of the amendment was interpreted by that department in the passage of the act in question. The construction and interpretation of the legislature are entitled to weight."

It is likewise fundamental that where a constitutional provision is susceptible of two constructions the action of the legislature in adopting one of those constructions and in enacting a statute to carry it into effect as thus construed is almost, if not, conclusive. *Fargo v. Powers*, 220 Fed. 697. In this connection see the following decisions by the Supreme Court of Iowa; *State v. Fairmont Creamery Co.*, 153 Iowa 706; *City of Des Moines v. Manhattan Oil Co.* (Iowa) 184 U. S. 431.

In determining your question, we have caused to be made a search of the precedents as established by the legislature. We find that it has been a uniform practice from the very beginning for members of the General Assembly to receive a per diem for service during extra session, which per diem is determined by taking the total number of days, Sundays and recesses included, commencing with the day the regular session convenes and ending the day the regular session adjourns and dividing such number of days into the salary for such regular session.

We cannot bring ourselves to a conclusion which will result in using similar periods of time to determine the rate of compensation and not allow the compensation for like periods of time.

We further find that during all extra sessions of the General Assembly it has been the custom and practice to allow the regular per diem for ordinary and usual recesses and to deny it for arbitrary adjournments for long periods of time. This precedent cannot be more clearly pointed out than by calling attention to the short adjournment of March 1st by the extra session of the Twenty-sixth General Assembly for which the members received compensation and the long adjournment from May to July 1, 1897, when the members did not receive compensation.

The precedents thus established by the General Assembly of Iowa are in conformity to the general rule, that where the legislature recesses in conformity to a usual practice and custom for a short period of time there is in fact no break in the session and such adjournment or recess is an adjournment or recess from day to day. Blackstone points out the distinction, 1 Blackstone's Commentaries, 186, wherein it is said that there is no discontinuance of the session when Parliament recesses for limited periods of time, "as at Christmas or Easter or upon other particular occasions." In this connection see also Jefferson's Manual 108; Cushing Law and Practice of Legislative Assemblies, 2nd Edition, 1866. See also *People v. Fancher*, 50 N. Y. 288. In this latter case the Court of Appeals of New York holds that wherein an adjournment is for a long period of time and is not a recess usual and customary with legislative bodies, the assembly cannot be considered as being in session. On the other hand, where the recess is for a limited period of time and in conformity to a time honored custom, the session continues adjourned from day to day. The language used by the court is ingenious and is submitted as representing the possibilities:

"While the session substantially continues adjourned from day to day, or over holidays, or with brief and usual recesses, so that the session is practically continuous, the body might possibly be regarded as practically in session during such recesses."

It is to be noted that the General Assembly has, by its own act, found that the members are entitled to a per diem for the period of time in question. This is shown by the act of the legislature in striking out the provision in the resolution that no compensation is to be paid. This finding by the legislature is in conformity to every precedent and to the action of every General Assembly of this state. It is to be noted further that the recess is in conformity to a custom of legislative bodies existent from time immemorial and is not an unusual or arbitrary recess or adjournment for a long period of time.

Applying the rules of construction as laid down by the courts giving consideration to the precedents established by legislative bodies, we cannot reach any other conclusion than that the members of the General Assembly are entitled to compensation and per diem for the days of the recess in question.

Respectfully submitted,

BEN J. GIBSON, *Attorney General.*

The Journal of December 29th was corrected and approved.

Senator Price moved that the Senate adjourn until 2:00 p. m. Wednesday.

Senator Price invoked rule 8.

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

Ayes, 13.

Adams	Horchem	Mead	Tuck
Banta	Johnston	Price	
Bowman	Kimberly	Rees	
Goodwin	McIntosh	Snook	

Nays, 13.

Brookins	Cessna	Shinn	Wichman
Buser	Ethell	Stoddard	
Caldwell	Nelson	Thurston	
Campbell	Reed	White	

Absent or not voting, 24.

Abben	Dutcher	Holdoegel	Schmedika
Baird	Fulton	Mantz	Scott
Bergman	Gilchrist	Newberry	Shaff
Brookhart	Hale	Olson	Shane
Browne	Hartman	Perkins	Slosson
Darting	Haskell	Romkey	Smith

The motion was lost.

Senator Campbell moved that the Senate adjourn until 8 a. m. Tuesday.

Senator Price moved to amend the motion by making the hour 1:30 p. m. Wednesday.

Senator Price invoked rule 8.

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

Ayes, 14.

Adams	Horchem	Price	Stoddard
Banta	Johnston	Reed	Tuck
Brookins	Kimberly	Rees	
Goodwin	McIntosh	Snook	

Nays, 12.

Bowman	Campbell	Mead	Thurston
Buser	Cessna	Nelson	White
Caldwell	Ethell	Shinn	Wichman

Absent or not voting, 24.

Abben	Dutcher	Foldoegel	Schmedika
Baird	Fulton	Mantz	Scott
Bergman	Gilchrist	Newberry	Shaff
Brookhart	Hale	Olson	Shane
Browne	Hartman	Perkins	Slosson
Darting	Haskell	Romkey	Smith

The amendment was adopted.

Senator Thurston moved as a substitute that the Senate adjourn until 10:00 a. m. Tuesday.

Senator Thurston withdrew his amendment.

Senator Campbell asked for a verification of the roll call.

Senator Price raised the point of order that the roll call could not be verified after the result had been announced.

The President held the point well taken.

On the question "Shall the Senate adjourn until 1:30 p. m. Wednesday?" the vote was:

Ayes, 12.

Adams	Goodwin	Kimberly	Reed
Banta	Horchem	McIntosh	Rees
Brookins	Johnston	Price	Snook

Nays, 10.

Campbell	Mead	Stoddard	Wichman
Cessna	Nelson	Thurston	
Ethell	Shinn	White	

Absent or not voting, 28.

Abben	Caldwell	Haskell	Schmedika
Baird	Darting	Holdoegel	Scott
Bergman	Dutcher	Mantz	Shaff
Bowman	Fulton	Newberry	Shane
Brookhart	Gilchrist	Olson	Slosson
Browne	Hale	Perkins	Smith
Buser	Hartman	Romkey	Tuck

The motion prevailed and the Senate adjourned until 1:30 p. m.
Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 2, 1924.

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 McIntosh for the day, on request of Senator Tuck.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committee: By Senator Brookhart, from Iowa Rural Letter Carriers Association, protesting gasoline tax bill. Ways and Means.

By Senator Schmedika from Camp No. 3554, M. W. A., Rudd, protesting fraternal insurance legislation. Insurance.

Petitions of Royal Neighbors of America protesting fraternal insurance were presented as follows, and referred to committee on insurance.

By Senator Schmedika from Camps at Blairsburg and Williams.

By Senator Shinn from camps at Mapleton, Woodbine and Missouri Valley.

By Senator Wichman from camps at Garner and Clear Lake.

By Senator Brookins from camps at Nashua, Ionia and Powersville.

By Senator Brookhart from camps at Buffalo and Davenport.

By Senator Tuck from camps at Nodaway and Corning.

By Senator Buser from camps at Columbus Junction and Conesville.

By Senator Bergman from camp at Prairie City.

RESIGNATION OF DOORKEEPER

W. A. Granquist tendered his resignation as doorkeeper to take effect immediately. The resignation was accepted.

Senator Bowman offered the following resolution:

SENATE CONCURRENT RESOLUTION NO. 8

Whereas, the great basic industry of this country is agriculture,

Whereas, there can be no permanent prosperity until the agricultural industry is on an economic basis comparable with other industries, and,

Whereas, the great heart of agriculture (the middle west) has for three years been laboring faithfully, although seriously handicapped and maimed by unjust differences in the prices it has received for its products in comparison with the prices it has been compelled to pay for the commodities it is compelled to purchase, and

Whereas, at this time the Iowa farmer is receiving less for the products of the farm than a year ago, and

Whereas, in times of stress the government has deemed it wise to take the farmers' crops at a price which netted the government treasury some fifty millions of dollars, and

Whereas, there has been many appeals from the agricultural district desiring action upon the part of the government that would help to adjust the present economic inequalities between agriculture and practically all the other great industries of this country, and

Whereas, any political party seeking the support and patronage of the great middle west must have as its leaders those who are in sympathy with, and have a clear understanding of middle west conditions, and

Whereas, all the conferences and proposed remedies upon the part of those in authority have been of little benefit in adjusting these economic inequalities in the great agricultural middle west; therefore,

Be It Resolved by the Senate of Iowa, the House concurring: That the President of the United States, the Cabinet Officers, and the Executive Officers of the great Republican party be and are hereby requested to give prompt and careful concern to the matters herein mentioned that there may result some measure of relief, that the love, respect, and abiding confidence of the great middle west for that grand old party of Lincoln, of McKinley, of Roosevelt, and of Harding, may thereby be the more firmly cemented to the end that it may more easily weather any storm threatening its power and authority.

The resolution was laid over under the rules.

The Journal of December 31st was corrected and approved.

On motion of Senator Stoddard the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

On motion of Senator Stoddard the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 3, 1924.

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

Prayer was offered by Rev. David J. Shenton, pastor of the Methodist Episcopal church of Winterset, Iowa.

On motion of Senator Brookins rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mantz for the day, on request of Senator Abben; Senator Olsen for the day on request of Senator Brookins.

PETITIONS AND MEMORIALS

Petition protesting fraternal insurance legislation was presented by Senator Hartman from camps of Royal Neighbors of America at Clermont and Rockford. Referred to committee on insurance.

THIRD READING OF BILLS

On motion of Senator Ethell Senate File No. 151, 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 sections thirty-four hundred forty-five-a one (3445-a1) and thirty-four hundred forty-five-a two (3445-a2) of the supplement to said code, relating to townships and township officers, 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 by striking from line 4 of section 30 the following "four dollars (\$4.00)" and inserting in lieu thereof the following: "three dollars (\$3.00)".

Also amend by striking from line 4 of section 31 the following: "four dollars (\$4.00)" and inserting in lieu thereof the following, "three and one-half dollars (\$3.50)".

The first amendment by Senator Buser was adopted.

On the question "Shall the second amendment offered by Senator Buser be adopted?" the vote was:

Ayes, 42.

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

Nays, 3.

Caldwell	Romkey	Schmedika
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Absent or not voting, 5.

Mantz	Nelson	Olson	Smith
Mead			

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking from lines 3 and 4 of section 29 the words and figures "two per cent (2%)" and inserting in lieu thereof the words and figures "two and one-half per cent (2½%)".

The amendment was adopted.

Senator Banta offered the following amendment and moved its adoption:

Amend section 16 by inserting in line 5 of said section, immediately following the comma after the word "April" the following: "June, September,".

By unanimous consent on request of Senator Banta the word

“June” was stricken from the amendment and the word “May” inserted in lieu thereof.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 14.

Adams	Fulton	Mead	Shaff
Baird	Gilchrist	Newberry	Smith
Banta	Holdoegel	Perkins	Wichman
Dutcher	Horchem		

Nays, 31.

Abben	Cessna	Kimberly	Shinn
Bergman	Darting	McIntosh	Slosson
Brookhart	Ethell	Nelson	Snook
Brookins	Goodwin	Price	Stoddard
Browne	Hale	Reed	Thurston
Buser	Hartman	Romkey	Tuck
Caldwell	Haskell	Schmedika	White
Campbell	Johnston	Shane	

Absent or not voting, 5.

Bowman	Olson	Rees	Scott
Mantz			

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by adding after the period (.) following the word “assessor” in line 6 of section 31 the following: “Provided, however, in townships having a population of thirty thousand (30,000) or over and situated entirely within the limits of a city acting under special charter, such compensation shall be four dollars (\$4.00) per day.”.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 31.

Abben	Cessna	Holdoegel	Reed
Adams	Dutcher	Horchem	Scott
Baird	Fulton	Johnston	Shaff
Bergman	Gilchrist	Kimberly	Shane
Bowman	Goodwin	McIntosh	Snook
Brookhart	Hale	Nelson	Stoddard
Brookins	Hartman	Newberry	Wichman
Buser	Haskell	Perkins	

Nays, 14.

Banta	Darting	Romkey	Thurston
Browne	Ethell	Schmedika	Tuck
Caldwell	Mead	Smith	White
Campbell	Price		

Absent or not voting, 5.

Mantz	Rees	Shinn	Slosson
Olson			

The amendment was 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, 42.

Abben	Darting	Mead	Shinn
Adams	Dutcher	Nelson	Slosson
Laird	Ethell	Newberry	Smith
Banta	Fulton	Perkins	Snook
Bergman	Gilchrist	Price	Stoddard
Brookhart	Goodwin	Reed	Thurston
Brookins	Hale	Romkey	Tuck
Browne	Holdoegel	Schmedika	White
Buser	Johnston	Scott	Wichman
Campbell	Kimberly	Shaff	
Cessna	McIntosh	Shane	

Nays, 1.

Caldwell

Absent or not voting, 7.

Bozman	Haskell	Mantz	Rees
Hartman	Horchem	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 Banta Senate File No. 263, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, was taken up and considered the report of the committee having been previously adopted.

The following amendment by Senator Price was considered:

Amend by striking out subsection 5 of section 6, being line 11, and renumbering the following subsections.

Senator Newberry moved that this bill be referred to the com-

mittee on public schools with instructions to return same within two days.

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

Ayes, 25.

Abben	Buser	Horchem	Snook
Adams	Caldwell	Kimberly	Stoddard
Baird	Dutcher	Newberry	White
Banta	Gilchrist	Perkins	Wichman
Bergman	Goodwin	Reed	
Brookhart	Haskell	Scott	
Brookins	Holdoegel	Shaff	

Nays, 15.

Browne	Hartman	Price	Shinn
Campbell	Johnston	Romkey	Thurston
Cessna	McIntosh	Schmedika	Tuck
Ethell	Nelson	Shane	

Absent or not voting, 10.

Bowman	Hale	Olson	Smith
Darting	Mantz	Rees	
Fulton	Mead	Slosson	

The motion prevailed and the bill was referred to the committee on public schools.

On motion of Senator Brookhart Senate File No. 275, a bill for an act to amend, revise, and codify chapter twenty-five-A (25-A) of title four (4) of the supplement to the compiled code of Iowa, relating to the sale of public bonds, 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 the period at the end of section five (5) and inserting in lieu thereof a comma, and adding to said section after the comma, the following: "the expense of printing the bonds and of obtaining a legal opinion as to their validity. Such expense for legal opinion not to exceed \$300 for any one issue."

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

Ayes, 10.

Adams	Holdoegel	Romkey	Wichman
Baird	Kimberly	Shaff	
Banta	Reed	Stoddard	

Nays, 35.

Abben	Ethell	McIntosh	Shane
Bergman	Fulton	Mead	Shinn
Brookhart	Gilchrist	Nelson	Slosson
Brookins	Goodwin	Newberry	Smith
Browne	Hale	Perkins	Snook
Buser	Hartman	Price	Thurston
Campbell	Haskell	Rees	Tuck
Cessna	Horchem	Schmedika	White
Dutcher	Johnston	Scott	

Absent or not voting, 5.

Bowman	Darting	Olson
Caldwell	Mantz	

The amendment was lost.

Senator McIntosh offered the following amendment and moved its adoption:

Amend by striking out all of section two and inserting in lieu thereof the following:

"Sealed bids may be received at any time prior to the calling for open bids. After the sealed bids are all filed, the official or officials shall call for open bids and shall make a record in the minutes of all such open bids. After the open bids are recorded in the minutes the official or officials shall open the sealed bids and make a record thereof in the minutes."

Amend section 3 by striking the period after the word "sale" in line 3 thereof and adding the following "at a price not less than the best price bid, considering the amount in relation to par and the interest rate thereon."

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 275.

Senator Gilchrist offered the following amendment to the amendment offered by Senator McIntosh and moved its adoption:

Amend by inserting a period after the word "bids" where it appears for the first time in line three of the printed amendment, and by striking therefrom all of the remainder of the amendment; and by inserting in lieu thereof the following:

"After all of the open bids have been received the substance of the best

open bid shall be noted in the minutes. The official or officials shall then open any sealed bids that may have been filed and they shall note in the minutes the substance of the best sealed bid".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend section 3 by striking the period after the word "sale" in line 3 thereof and adding the following: "at a price not less than the best price bid, considering the amount in relation to par and the interest rate thereon."

Senator Ethell offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting a period (.) and quotation marks (") after the word "bid" and striking out everything following.

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking from lines 1 and 2 of section 1 the words and figures "in the sum of twenty-five thousand dollars (\$25,000.00) or more".

The amendment was adopted.

Senator Romkey offered the following amendment and moved its adoption:

Amend by changing the period (.) at the end of line 4 of section 5 to a comma (,) and adding the following: "except in case of drainage bonds, a fee not to exceed three hundred dollars (\$300.00)".

Senator Price offered the following amendment to the amendment and asked unanimous consent that it be adopted:

Amend by striking the words "a fee" from the amendment and inserting in lieu thereof the words "an examination fee".

Consent was granted and the amendment to the amendment was adopted.

Senator Shinn raised the point of order that this matter had been disposed of once.

The President held the point, not well taken.

On the question "Shall the amendment offered by Senator Romkey be adopted?" the vote was:

Ayes, 9.

Adams	Brookhart	Newberry
Banta	Caldwell	Romkey
Bowman	McIntosh	Wichman

Nays, 24.

Abben	Ethell	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Brookins	Gilchrist	Price	Stoddard
Buser	Haskell	Schmedika	Thurston
Campbell	Horchem	Shaff	Tuck
Cessna	Johnston	Shane	White

Absent or not voting, 17.

Bergman	Hale	Olson	Smith
Browne	Hartman	Perkins	Snook
Darting	Holdoegel	Reed	
Dutcher	Kimberly	Rees	
Goodwin	Mantz	Scott	

The amendment was lost.

The bill was read for information.

Senator Shinn moved 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	McIntosh	Shaff
Adams	Campbell	Mead	Shane
Baird	Ethell	Nelson	Shinn
Banta	Fulton	Newberry	Slosson
Bergman	Gilchrist	Perkins	Smith
Bowman	Hartman	Price	Stoddard
Brookhart	Haskell	Reed	Thurston
Brookins	Holdoegel	Romkey	Tuck
Browne	Horchem	Schmedika	White
Buser	Johnston	Scott	Wichman

Nays, none.

Absent or not voting, 10.

Cessna	Goodwin	Mantz	Snook
Darting	Hale	Olson	
Dutcher	Kimberly	Rees	

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

Senator Bowman called up the following resolution for consideration and moved its adoption:

Whereas, the great basic industry of this country is agriculture,

Whereas, there can be no permanent prosperity until the agricultural industry is on an economic basis comparable with other industries, and

Whereas, the great heart of agriculture (the middle west) has for three years been laboring faithfully, although seriously handicapped and maimed by unjust differences in the prices it has received for its products in comparison with the prices it has been compelled to pay for the commodities it is compelled to purchase, and

Whereas, at this time the Iowa farmer is receiving less for the products of the farm than a year ago, and

Whereas, in times of stress the government has deemed it wise to take the farmers' crops at a price which netted the government treasury some fifty millions of dollars, and

Whereas, there has been many appeals from the agricultural district desiring action upon the part of the government that would help to adjust the present economic inequalities between agriculture and practically all the other great industries of this country, and

Whereas, any political party seeking the support and patronage of the great middle west must have as its leaders those who are in sympathy with, and have a clear understanding of middle west conditions, and

Whereas, all the conferences and proposed remedies upon the part of those in authority have been of little benefit in adjusting these economic inequalities in the great agricultural middle west; therefore,

Be It Resolved by the Senate of Iowa, the House concurring: That the President of the United States, the Cabinet Officers, and the Executive Officers of the great Republican party be and are hereby requested to give prompt and careful concern of the matters herein mentioned that there may result some measure of relief, that the love, respect, and abiding confidence of the great middle west for that grand old party of Lincoln, of McKinley, of Roosevelt, and of Harding, may thereby be the more firmly cemented to the end that it may more easily weather any storm threatening its power and authority.

Senator Price moved the previous question.

On the question "Shall the main question be now put?" the vote was:

Ayes, 6.

Gilchrist
Perkins

Price
Reed

Romkey

Shinn

Nays, 32.

Abben	Buser	Haskell	Shaff
Adams	Caldwell	Holdoegel	Shane
Baird	Campbell	Horchem	Slosson
Banta	Cessna	Johnston	Smith
Bergman	Dutcher	Mead	Stoddard
Brookhart	Fulton	Nelson	Thurston
Brookins	Goodwin	Newberry	Tuck
Browne	Hartman	Scott	Wichman

Absent or not voting, 12.

Bowman	Hale	Mantz	Schmedika
Darting	Kimberly	Olson	Snook
Ethell	McIntosh	Rees	White

The motion for the previous question was lost.

Senator Abben moved that the resolution be laid on the table.

On the question "Shall the resolution be laid on the table?" the vote was:

Ayes, 8.

Abben	Perkins	Scott	Tuck
Dutcher	Reed	Smith	Wichman

Nays, 20.

Adams	Caldwell	Haskell	Shane
Baird	Campbell	Johnston	Slosson
Banta	Cessna	Mead	Stoddard
Bergman	Goodwin	Nelson	Thurston
Bowman	Hartman	Romkey	White

Absent or not voting, 22.

Brookhart	Fulton	McIntosh	Schmedika
Brookins	Gilchrist	Mantz	Shaff
Browne	Hale	Newberry	Shinn
Buser	Holdoegel	Olson	Snook
Darting	Horchem	Price	
Ethell	Kimberly	Rees	

The motion was lost.

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

Amend by striking from the last paragraph of the resolution the words "and the executive officers of the great Republican party be and" and inserting the words "and the Congress of the United States" in lieu thereof.

Also amend by striking out all following the word "relief" in line 5 of the last paragraph.

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

Ayes, 31.

Abben	Campbell	Johnston	Shane
Adams	Cessna	Mead	Shinn
Banta	Ethell	Nelson	Slosson
Brookhart	Fulton	Newberry	Stoddard
Brookins	Gilchrist	Price	Thurston
Browne	Goodwin	Reed	Tuck
Buser	Hartman	Schmedika	Wichman
Caldwell	Horchem	Scott	

Nays, 9.

Baird	Haskell	Romkey
Bowman	Holdoegel	Smith
Dutcher	Perkins	White

Absent or not voting, 10.

Bergman	Kimberly	Olson	Snook
Darting	McIntosh	Rees	
Hale	Mantz	Shaff	

The amendment was adopted.

Senator Ethell offered the following amendment and moved its adoption.

Amend by striking therefrom all of paragraph five.

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

Ayes, 10.

Browne	Haskell	Shane	Thurston
Ethell	Mead	Slosson	
Goodwin	Newberry	Stoddard	

Nays, 24.

Adams	Brookins	Gilchrist	Shaff
Baird	Buser	Horchem	Shinn
Banta	Caldwell	Johnston	Smith
Bergman	Campbell	Nelson	Tuck
Bowman	Cessna	Perkins	White
Brookhart	Fulton	Romkey	Wichman

Absent or not voting, 16.

Abben	Hartman	Mantz	Rees
Darting	Holdoegel	Olson	Schmedika
Dutcher	Kimberly	Price	Scott
Hale	McIntosh	Reed	Snook

The amendment was lost.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking therefrom all of paragraph 7.

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

Ayes, 8.

Abben	Goodwin	Reed	Stoddard
Banta	Haskell	Shane	Wichman

Nays, 24.

Baird	Buser	Mead	Shinn
Bergman	Caldwell	Nelson	Slosson
Bowman	Campbell	Perkins	Smith
Brookhart	Cessna	Price	Thurston
Brookins	Gilchrist	Romkey	Tuck
Browne	Johnston	Shaff	White

Absent or not voting, 18.

Adams	Hale	McIntosh	Schmedika
Darting	Hartman	Mantz	Scott
Dutcher	Holdoegel	Newberry	Snook
Ethell	Horchem	Olson	
Fulton	Kimberly	Rees	

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking therefrom all of paragraph 8.

Senator Caldwell moved the previous question, which motion prevailed.

Senator Fulton's amendment was lost.

Senator Price raised the point of order that any Senator had a constitutional right to submit an explanation of his vote in writing and have it printed in the Journal, but he could not explain it from the floor of the Senate.

The President held the point well taken.

Senator Baird invoked rule 8.

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

Ayes, 26.

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

McIntosh	Price	Stoddard	White
Mead	Romkey	Thurston	
Nelson	Shinn	Tuck	

Nays, 16.

Adams	Fulton	Perkins	Shaff
Bergman	Hartman	Reed	Shane
Buser	Haskell	Schmedika	Slosson
Dutcher	Newberry	Scott	Smith

Absent or not voting, 8.

Darting	Kimberly	Olson	Snook
Hale	Mantz	Rees	Wichman

The resolution having received a constitutional majority was declared to have passed the Senate.

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.

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. 173.

Senate File No. 227.

Also:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled:

House Files Nos. 156, 164, 272 and House Joint Resolution No. 3.

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. 173.

Senate File No. 227.

House File No. 156.

House File No. 164.

House File No. 272.

House Joint Resolution No. 3.

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 third day of January, sent to the governor for his approval:

Senate File No. 173, 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-eight (3988) of the supplement to said code, relating to municipal corporations.

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.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

The Journal of January 2d was corrected and approved.

On motion of Senator Newberry the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate advised, and confirmed the appointment of Robert L. Leach, of Dallas county, to the office of superintendent of banking, for the term ending July 1, 1925.

The Senate arose from executive session and resumed regular session.

On the motion of Senator Newberry the Senate adjourned until 4:30 p. m.

The Senate met pursuant to adjournment, President John Hammill presiding.

REPORTS OF COMMITTEES

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred Senate File No. 129, 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, 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 words "by resolution" after the word "motion"

in line five (5) of section two (2). Also by striking the word "members" from line twelve (12) of section two (2) and inserting the word "supervisors" in lieu thereof. Also by striking the word "voters" from line four (4) of section three (3) and inserting the word "electors" in lieu thereof. Also amend by striking section eight (8) from the bill and inserting C. C. 713 in lieu thereof.

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. 276, a bill for an act to amend, revise, and codify chapter twenty-four-a (24-a) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys, 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 transposing sections four (4) and five (5).

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 282, a bill for an act to amend, revise, and codify section 9427 of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes, 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. 187, a bill for an act to amend, revise and codify sections 4959 to 4961 inclusive, 4963 to 4965, inclusive, 4967, 4968, 4971 to 4976, inclusive, 4977 to 4981, inclusive, 4983 to 5001, inclusive, 5008 and 5011 of the compiled code of Iowa and sections 4959-a1, 4968-a1 and 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, 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. Amend by striking out all of subdivision four, section four.
2. Amend by striking out of section four, subdivision five, lines twenty-eight and twenty-nine the words, "When passing through enclosed lands," and insert in lieu thereof the words, "Along such highways". Also strike out of line twenty-nine and thirty the words, "on both sides thereof by the

condemnor and by his assignees." and insert the words "by the owner of the abutting property".

3. Amend section four, subdivision seven, line forty-three, by inserting after the word "cemetery" the following: "or cemetery".

4. Amend section six, line four by inserting after the period the following: "The term railway as used in this act shall include street railways and electric railways."

5. Amend by striking out all of section twenty-two.

6. Amend by striking out of section twenty-nine all after the period following the word "representative" in line two.

7. Amend by striking out all of section 46.

8. Amend by striking out of section 47 line three the words, "overflowed" and insert in lieu thereof the word "affected", also by adding the following to said section 47: "This section shall not apply to condemnation proceedings for drainage or levee improvements."

9. Amend by renumbering the sections of the bill to correspond with the amendments.

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred Senate File No. 9, a bill for an act to amend, revise and codify sections 144, 146 to 149 inclusive, 151, 153 to 160 inclusive, of the compiled code of Iowa, and section 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, 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:

1. Amend by striking from the bill the three lines immediately preceding section three.

2. Amend by striking from the bill all of sections three, four and five.

3. Amend by striking out the three lines immediately preceding section six, and in lieu insert the following:

"That sections one hundred fifty-three (153) to one hundred sixty (160) inclusive, of the compiled code of Iowa are amended, revised and codified to read as follows:"

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

AMENDMENT FILED

Amend section 4 of Senate File No. 263 by inserting immediately following line 4 the following paragraph:

"2. State fair board."

Renumber the following paragraphs as 3, 4, 5, 6, 7, and 8.

GEO S. BANTA.

On motion of Senator Ethell the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 4, 1924.

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 White rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stoddard for the day, on request of Senator Abben; Senator Olson for today and tomorrow, on request of Senator Hartman.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Fulton, from patrons of Independent district of Kilbourne No. 7, relative to ninth grade in schools. Public schools.

By Senator Gilchrist, from Camp No. 2939, M. W. A., protesting fraternal insurance legislation. Insurance.

RESIGNATION OF COMMITTEE CLERK

The resignation of Lillian Fisher as committee clerk was accepted.

Dorothy Hess was sworn in as clerk and assigned to Senator Abben.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to the following bill:

House File No. 58, a bill for an act to amend, revise, and codify sections twelve hundred fourteen (1214) of the compiled code of Iowa, relating to the practice of professional engineering and land surveying.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 139, a bill for an act to amend, revise, and codify chapter eleven (11) of title twelve (12) of the compiled code of Iowa and section thirty-two hundred sixty-one (3261) of the supplement to said code, relating to county bonds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 279, a bill for an act to amend, revise, and codify section thirty-two hundred twenty-nine (3229) of the compiled code of Iowa, and section thirty-two hundred twenty-eight (3228) of the supplement to said code, relating to the coroner.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 133, 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.

A. C. GUSTAFSON, *Chief Clerk.*

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senator Buser called up the following resolution for consideration and moved its adoption:

Whereas, the fundamental principle underlying a budget system is directly antagonistic to that of standing appropriations, and

Whereas, there are numerous sections of the law of Iowa providing standing appropriations for various purposes, and

Whereas, the code commissioners' bills treat only a few of said sections, and

Whereas, according to the provisions of the resolution regulating the introduction of bills during the extraordinary session of the Fortieth General Assembly, a bill amending the sections of law above alluded to, introduced by an individual member, would be a violation of said resolution, therefore

Be It Resolved by the Senate, the House concurring: That the code commissioners, Mr. Mabry, Mr. Trewin, and Mr. Whitney, are hereby instructed to prepare and submit, as code commissioners' bill No. 284, a bill amending all the sections of the law authorizing standing or annual appropriations, not treated by other code commissioners' bills, in such manner that the authorization therein contained providing for such standing or annual appropriations shall terminate July 1, 1925.

Senator Banta raised the point of order that this resolution was out of order for the reason that a resolution had been previously adopted under which no bills can be considered except the printed bills Nos. 1 to 283 inclusive, designated by the code editor as

code commissioners' bills, legalizing acts, bills providing for the editing, printing and publishing of the revised code and supplements thereto, and bills providing for salaries and expenses incident to the extraordinary session, and this resolution contemplated bills other than designated.

The President held the point not well taken, stating that while the Senate had adopted the resolution in relation to consideration of bills, any rule can be suspended by a two-thirds vote or by unanimous consent and the matter now before the Senate was the consideration of another resolution or rule and was in order.

Senator Wichman offered the following amendment and moved its adoption:

Amend by adding thereto the following paragraph:

Be It Further Resolved: That the said code commissioners in connection with the codifying of said sections provide for a comprehensive budget system to be used in making the appropriations for the state of Iowa, and report the same to this special session of the legislature as a part of said bill or as an additional code revision bill.

Senator Buser raised the point of order that the subject proposed in the amendment was not germane.

The President held the point not well taken.

Senator Banta offered the following as a substitute for the resolution by Senator Buser:

Be It Resolved by the Senate, the House concurring: That the Auditor of State be and he is hereby directed to submit to the members of the Forty-first General Assembly, within three days after the convening of the same, a financial account showing all annual appropriations provided by law, together with citations of the authority for them, and

Further, a recommendation of the Executive Council with respect to the change of amount, continuance, or discontinuance of any such said appropriations.

On the question "Shall the substitution be made?" the vote was:

Ayes, 14.

Abben
Adams
Baird
Banta

Bowman
Dutcher
Gilchrist
Hale

Holdoegel
Horchem
Kimberly
Mantz

Newberry
Perkins

Nays, 33.

Bergman	Ethell	Price	Smith
Brookhart	Fulton	Reed	Snook
Brookins	Goodwin	Romkey	Thurston
Browne	Hartman	Schmedika	Tuck
Buser	Haskell	Scott	White
Caldwell	Johnston	Shaff	Wichman
Campbell	McIntosh	Shane	
Cessna	Mead	Shinn	
Darting	Nelson	Slosson	

Absent or not voting, 3.

Olson Rees Stoddard

The motion was lost and the substitution was not made.

Senator Wichman invoked rule 8.

On the question "Shall the amendment offered by Senator Wichman be adopted?" the vote was:

Ayes, 26.

Abben	Gilchrist	Mantz	Shaff
Adams	Goodwin	Mead	Slosson
Baird	Hale	Newberry	Smith
Banta	Haskell	Perkins	White
Bowman	Holdoegel	Reed	Wichman
Caldwell	Horchem	Rees	
Darting	Kimberly	Scott	

Nays, 22.

Bergman	Cessna	McIntosh	Shinn
Brookhart	Dutcher	Nelson	Snook
Brookins	Ethell	Price	Thurston
Browne	Fulton	Romkey	Tuck
Buser	Hartman	Schmedika	
Campbell	Johnston	Shane	

Absent or not voting, 2.

Olson Stoddard

The amendment was adopted.

Senator Bowman offered the following amendment and moved its adoption:

Amend by inserting at the close of the resolution the following:

Be It Further Resolved by the Senate, the House concurring: That said commissioners are hereby also instructed to prepare and submit a bill amending and codifying the present primary road laws, whereby those counties which have voted, or shall hereafter vote, bonds for primary funds may be allowed to use the proceeds thereof for graveling as well as for hard surfacing primary roads.

Senator Holdoegel raised the point of order that the subject matter of the amendment did not in any way pertain to the matter under discussion.

The President held that the question whether the Senate is going to consider new matters is the real question and held the point not well taken in the face of that situation.

Senator Smith raised the point of order that the substitute by Senator Banta and the amendment by Senator Wichman were germane, but that the amendment by Senator Bowman was not.

Senator Price raised the point of order that no Senator shall proceed with his debate while the President is deciding on a point of order.

The President held the point not well taken.

The President held the point of order by Senator Smith not well taken.

Senator Price raised the point of order that Senator Bowman was not discussing the subject under consideration.

The President held the point well taken.

Senator Smith raised the point of order that under the rules no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

The President held the point well taken.

Senator Bowman withdrew his amendment.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting as an additional paragraph the following: "The code commissioners are hereby instructed to prepare a bill providing for a law creating a budget system in such manner that the creation of a state tax commission will not be necessary".

Senator Holdoegel raised the point of order that the previous question had been ordered and this amendment could not be introduced at this time.

The President held the point not well taken.

Senator Wichman raised the point of order that the amendment was not pertinent to the subject as there was no vital relationship between a budget system and a state tax commission.

The President held the point not well taken.

Senator Price moved the previous question which motion prevailed.

Senator Buser invoked rule 8.

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, 25.

Abben	Gilchrist	Mantz	Slosson
Adams	Goodwin	Mead	Smith
Baird	Hale	Newberry	White
Banta	Haskell	Perkins	Wichman
Caldwell	Holdoegel	Reed	
Darting	Horchem	Scott	
Dutcher	Kimberly	Shaff	

Absent or not voting, 3.

Bowman	Olson	Stoddard
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The amendment was lost.

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

Ayes, 12.

Caldwell	Hale	Reed	Smith
Darting	Haskell	Scott	White
Gilchrist	Mead	Shinn	Wichman

Nays, 34.

Abben	Campbell	Johnston	Schmedika
Adams	Cessna	Kimberly	Shaff
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Slosson
Bergman	Fulton	Nelson	Snook
Brookhart	Goodwin	Newberry	Thurston
Brookins	Hartman	Perkins	Tuck
Browne	Holdoegel	Price	
Buser	Horchem	Romkey	

Absent or not voting, 4.

Bowman	Olson	Rees	Stoddard
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The resolution having failed to receive a constitutional majority was declared to have failed to pass the Senate.

The Journal of January 3d was corrected and approved.

Senator Newberry moved that the Senate adjourn until 1:30 p. m.

Senator Brookhart moved to amend the motion by making the hour 4 p. m.

The amendment was adopted, the motion prevailed and the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Ethell called up for consideration Senate File No. 133, amended by the House, and moved that the Senate concur in the following amendments:

Amend section two (2) of Senate File No. 133 by adding thereto the following:

"Where not otherwise already required by law the recorder shall also enter in the index book the exact time of the filing of each instrument."

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Adams	Darting	Horchem	Scott
Baird	Dutcher	Johnston	Shinn
Banta	Ethell	McIntosh	Snook
Bowman	Fulton	Mead	Thurston
Brookhart	Gilchrist	Nelson	White
Brookins	Hale	Newberry	Wichman
Browne	Hartman	Perkins	
Buser	Haskell	Romkey	
Campbell	Holdoegel	Schmedika	

Nays, none.

Absent or not voting, 17.

Abben	Kimberly	Rees	Stoddard
Bergman	Mantz	Shaff	Tuck
Caldwell	Olson	Shane	
Cessna	Price	Slosson	
Goodwin	Reed	Smith	

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

Senator Ethell called up for consideration Senate File No. 279, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 279, a bill for an act to amend, revise and codify section three thousand two hundred and twenty-nine (3229) of the compiled code of Iowa, section three thousand two hundred and twenty-eight (3228) of the supplement of said code relating to the coroner, by adding section three to amend, revise and codify section three thousand two hundred and thirty (3230) of the compiled code of Iowa, to read as follows:

"Witnesses and jurors shall receive for each day's service or attendance two dollars; and for each mile traveled from his residence to the place of holding the inquest the sum of ten cents."

Also, that the title be amended by inserting after the words and figures "three thousand two hundred and twenty-nine (3229)" the word, "and", and the words and figures, "three thousand two hundred and thirty (3230)."

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Adams	Darting	Horchem	Scott
Baird	Dutcher	Johnston	Shinn
Banta	Ethell	McIntosh	Snook
Bowman	Fulton	Mead	Thurston
Brookhart	Gilchrist	Nelson	White
Brookins	Hale	Newberry	Wichman
Browne	Hartman	Perkins	
Buser	Haskell	Romkey	
Campbell	Holdoegel	Schmedika	

Nays, none.

Absent or not voting, 17.

Abben	Kimberly	Rees	Stoddard
Bergman	Mantz	Shaff	Tuck
Caldwell	Olson	Shane	
Cessna	Price	Slosson	
Goodwin	Reed	Smith	

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

Senator Ethell called up for consideration Senate File No. 139, amended by the House, and moved that the Senate concur in the following amendments:

Amend section eighteen (18), line three (3), by striking out the word "section" and inserting in lieu thereof the word "sections"; also by inserting after the said word "sections" the following: "thirty-two hundred forty-one-a one (3241-a1) and".

Amend Senate File No. 139 by adding after section 18 thereof the following:

Sec. 19. County not to become stockholder.

No county shall, in its corporate capacity, or by its supervisors or officers, directly or indirectly, subscribe for stock, or become interested as a partner, shareholder or otherwise, in any banking institution, plank road, turnpike, railway, or work of internal improvement; nor shall it issue any bonds, bills of credit, scrip, or other evidence of indebtedness, for any such purposes; and all such evidences of indebtedness for said purposes are hereby declared void, and no assignment of the same shall give them validity; but this section shall not be so construed as to prevent counties from lawfully erecting their necessary public buildings and bridges, laying off highways, streets, alleys and public grounds, or other local works in which such counties may be interested.

Sec. 20. Actions on bonds—county not estopped.

In all actions now pending, or hereafter brought, in any court in this state, on any bond or coupon issued, or purporting to be issued, by any county for the purposes prohibited in this chapter, a former recovery against such corporation on any one or more or any part of such bonds or coupons shall not bar or estop such corporation from setting up any defense it has made, or could have made, to such bonds or coupons in the action in which such former recovery was had, but the county may allege and prove any matter of defense in such action to the same extent, and with the same effect, as though no former action had been brought, or former recovery had.

Sec. 21. Breach of duty—misdemeanor.

Any officer of any county, or any deputy or employee of such officer, who violates any of the provisions of the two preceding sections, shall be guilty of a misdemeanor, and fined not less than one hundred dollars, nor more than five hundred dollars, for each offense.

Senator Banta offered the following amendment to the amendment and moved its adoption:

Amend by inserting in the second line from the last in section 19 between the words "or" and "other" the words "engaging in".

The amendment was lost.

On the question "Shall the Senate concur?" the vote was:

Ayes, 26.

Abben	Banta	Brookins	Darting
Adams	Bowman	Buser	Dutcher
Baird	Brookhart	Campbell	Ethell

Hale	Johnston	Newberry	Scott
Hartman	McIntosh	Perkins	Snook
Haskell	Mead	Price	
Horchem	Nelson	Schmedika	

Nays, 7.

Cessna	Gilchrist	Romkey	Wichman
Fulton	Holdoegel	Shinn	

Absent or not voting, 17.

Bergman	Mantz	Shane	Tuck
Browne	Olson	Slosson	White
Caldwell	Reed	Smith	
Goodwin	Rees	Stoddard	
Kimberly	Shaff	Thurston	

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

REPORTS OF COMMITTEES

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 29, a bill for an act relating to election expenses of candidates, 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 word and figures "ten (10)" as they occur in line 2 of section 1 and substituting in lieu thereof the word and figures "thirty (30)".

Also amend by striking the word and figure "ten (10)" as they occur in line three of section 4 and substituting in lieu thereof the word and figures "thirty (30)".

J. E. WICHMAN, *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. 263, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, begs leave to report it has had the same under consideration and recommends that the amendment offered by the Senator from Monroe to said Senate File No. 263 striking out of said bill the provision for printing at state expense the proceedings of the State Teachers' Association be not adopted, and that the bill do pass without such amendment.

BYRON W. NEWBERRY, *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. 173 and 227.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 129 as follows:

Insert after the word "session" as it occurs in line two of section 10 the words "and committee."

Strike the word and figures "thirty (30)" as they occur in line five of section 10 and insert in lieu thereof the word and figures "sixty (60)."

Strike the word and figures "forty-five (45)" as they occur in line seven of section 10 and insert in lieu thereof the word and figures "ninety (90)."

Strike the word and figures "fifty-five (55)" as they occur in line nine of section 10 and insert in lieu thereof the words and figures "one hundred ten (110)."

Strike the word and figures "sixty-five (65)" as they occur in line eleven of section 10 and insert in lieu thereof the words and figures "one hundred thirty (130)."

Strike the word and figures "seventy-five (75)" as they occur in line thirteen of section 10 and insert in lieu thereof the words and figures "one hundred fifty (150)."

Strike the word and figures "ninety (90)" as they occur in line fifteen of section 10 and insert in lieu thereof the words and figures "one hundred eighty (180)."

Strike the words and figures "one hundred (100)" as they occur in line sixteen of section 10 and insert in lieu thereof the words and figures "two hundred (200)."

FRANK SHANE.

Senator Romkey moved that the House be requested to return House File No. 258 for further consideration, which motion prevailed.

Senator Baird moved that the Senate adjourn until 10 a. m. Saturday.

Senator Buser moved to amend by making the hour 9 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 5, 1924.

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

Prayer was offered by Rev. James E. Wolfe, pastor of Greenwood Congregational church, of Des Moines, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shaff for the day, on request of Senator Perkins.

PETITIONS AND MEMORIALS

Petition protesting fraternal insurance legislation was presented by Senator Newberry, from Camp No. 156, M. W. A., and 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. 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.

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 n'ety-nine (2599), inclusive, and two thousand six hundred one (2601) of the compiled code of Iowa, relating to education.

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: House File No. 58.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

HOUSE MESSAGES CONSIDERED

House 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 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.

THIRD READING OF BILLS

On motion of Senator Brookhart Senate File No. 187, 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, with report of committee recom-

mending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by striking out all of subdivision four, section four.
2. Amend by striking out of section four, subdivision five, lines twenty-eight and twenty-nine the words, "When passing through enclosed lands," and insert in lieu thereof the words, "Along such highways". Also strike out of line twenty-nine and thirty the words, "on both sides thereof by the condemnor and by his assignees," and insert the words "by the owner of the abutting property".
3. Amend section four, subdivision seven, line forty-three, by inserting after the word "cemetery" the following: "or cemetery".
4. Amend section six, line four by inserting after the period the following: "The term railway as used in this act shall include street railways and electric railways."
5. Amend by striking out all of section twenty-two.
6. Amend by striking out of section twenty-nine all after the period following the word "representative" in line two.
7. Amend by striking out all of section 46.
8. Amend by striking out of section 47 line three the words, "overflowed" and insert in lieu thereof the word "affected", also by adding the following to said section 47: "This section shall not apply to condemnation proceedings for drainage or levee improvements."
9. Amend by renumbering the sections of the bill to correspond with the amendments.

Amendment No. 1 was adopted.

Senator Buser offered the following substitute amendment for amendment No. 2.

Amend subdivision 5 of section 4 by striking therefrom the following: "such roads shall constitute a part of the township road system".

The substitution was made.

The amendment was adopted.

Amendment No. 3 was adopted.

Senator Cessna offered the following amendment to amendment No. 4 and moved its adoption:

Amend the amendment by striking out the following: "The term railway as used in this act shall include street railways and electric railways;" and inserting in lieu thereof the following: "The term railway as used in this act shall include steam, electric, and street railways."

Senator Price moved that the bill be rereferred to the committee.

Senator Price withdrew his motion.

Senator Cessna withdrew his amendment.

Amendment No. 4 was lost.

Amendment No. 5 was adopted.

Amendment No. 6 was adopted.

Amendment No. 7 was adopted.

Amendment No. 8 was adopted.

Action on amendment No. 9 was deferred.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 40 (subsection six) of section 4 the word "lawful".

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 187.

The amendment offered by Senator Buser was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out the word "reasonably" in line three of section one.

Also by striking out the word "reasonably" in line seven (subsection two) of section four.

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out the word "state" in line five of section twenty-five and substituting in lieu thereof the word "county".

Also amend by striking out the sentence commencing with the word

"No" in line six of section twenty-five and ending with the word "county." in line seven.

The amendments were lost.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding after the period at the close of section one (1), the following: "That the necessity for the taking of private property for public use shall be a question of fact and shall be determined as in ordinary actions at law except as to property sought to be condemned by the state or any subdivision thereof. Provided, however, if the property owner does not file a petition in the district court contesting the necessity of such condemnation within twenty (20) days after notice of condemnation proceedings has been served upon him, then he will not be entitled to object as to the taking of such property."

Senator Campbell invoked rule 8.

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

Ayes, 18.

Adams	Cessna	Romkey	Snook
Brookhart	Johnston	Schmedika	Thurston
Browne	Kimberly	Shane	Tuck
Buser	McIntosh	Shinn	
Campbell	Nelson	Slosson	

Nays, 22.

Abben	Darting	Holdoegel	Price
Baird	Fulton	Horchem	Scott
Banta	Gilchrist	Mantz	White
Eowman	Goodwin	Mead	Wichman
Prookins	Hale	Newberry	
Ca'dwell	Hartman	Perkins	

Absent or not-voting, 10.

Bergman	Haskell	Rees	Stoddard
Dutcher	Olson	Shaff	
Ethell	Reed	Smith	

The amendment was lost.

Senator Wichman offered the following amendment and moved its adoption:

Amend by inserting in section 53 after the word "shall" in line two thereof the following words: "in case of condemnation for use of individuals or private corporations organized for pecuniary profit".

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

Ayes, 18.

Abben	Goodwin	Mantz	Scott
Adams	Hale	Mead	Shane
Bowman	Holdoegel	Newberry	Wichman
Brookins	Horchem	Perkins	
Gilchrist	Kimberly	Reed	

Nays, 22.

Banta	Darting	Nelson	Snook
Brookhart	Ethell	Price	Thurston
Browne	Fulton	Romkey	Tuck
Buser	Hartman	Schmedika	White
Campbell	Johnston	Shinn	
Cessna	McIntosh	Slosson	

Absent or not voting, 10.

Baird	Dutcher	Rees	Stoddard
Bergman	Haskell	Shaff	
Caldwell	Olson	Smith	

The amendment was lost.

Senator Cessna offered the following amendment and moved its adoption:

Amend section 6 by striking from line 7 the words "or beneath the surface of".

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out all of section 40.

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out all of section 41.

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting after the word "fences" in line 40 (subsection 6) of section 4 the words "as required by law."

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking from line 29 (subsection 5) of section 4 the words

"and maintained" and by striking from line 30 of said section the words "and by his assignees."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line two (2) of section forty (40) the following: "either party" and substituting in lieu thereof the following: "the owner".

Senator Buser withdrew his amendment.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from section 47 the following: "or of any land which will be overflowed by the construction of any improvement", and inserting in lieu thereof as subsection 2 of said section the matter contained in lines 1, 2, 3, 4, 5 and 6 of C. C. 4990, and by renumbering the first paragraph of section 47 as subsection 1.

By unanimous consent on request of Senator Buser the word "section" was inserted in the amendment immediately preceding the figures "4990."

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 4, (subsection 7), lines 46 and 52 the word "reasonably".

The amendment was adopted.

Committee amendment No. 9 was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by striking the words "or amendment thereto" from line 2 of section 27.

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking the last word from section 53 and inserting in lieu thereof the words: "tribunal from which the appeal was taken".

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out all of section 32.

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by renumbering the remaining sections.

The amendment was adopted.

By unanimous consent on request of Senator Buser the word "overflowed" was stricken from the last amendment to section 47 and the word "affected" inserted in lieu thereof.

Senator Banta offered the following amendment and moved its adoption:

Amend by striking the word "place" from line 8 of section 25 and inserting the word "places" in lieu thereof.

The amendment was adopted.

Further action was deferred.

On motion of Senator Ethell House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, pool and billiard rooms and bowling alleys, 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 transposing sections four (4) and five (5).

Senator Romkey offered the following amendment and moved its adoption:

Amend by inserting after the word "road house" in line four (4) of section (1) the words "eating house,".

Also, amend title by inserting following the word "road house", the words "eating houses".

Senator Price offered the following amendment to the amendment and moved its adoption:

Amend by inserting the word "public" before the word "eating".

The amendment to the amendment was lost.

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by striking the period (.) at the end of line 1 of section 2, inserting a comma (,) in lieu thereof and adding the following "but such license may be denied only for good cause."

The amendment was adopted.

Senator Buser moved that the vote by which the amendment was adopted be reconsidered.

On the question "Shall the motion prevail and the vote be reconsidered?" the vote was:

Ayes, 16.

Banta	Fulton	Mantz	Romkey
Bowman	Hartman	Mead	Scott
Brookins	Holdoegel	Newberry	Snook
Buser	McIntosh	Perkins	Wichman

Nays, 21.

Adams	Cessna	Johnston	Slosson
Baird	Darting	Kimberly	Tuck
Brookhart	Gilchrist	Price	White
Browne	Goodwin	Reed	
Caldwell	Hale	Schmedika	
Campbell	Horchem	Shane	

Absent or not voting, 13.

Abben	Haskell	Shaff	Thurston
Bergman	Nelson	Shinn	
Dutcher	Olson	Smith	
Ethell	Rees	Stoddard	

The motion to reconsider was lost.

Senator Price offered the following amendment and moved its adoption:

Amend by adding as section 6 the following:

"Sec. 6. Any person aggrieved by the action of the trustees in refusing to grant a license may appeal to the district court of the county by serving notice on the chairman of the board of trustees at least twenty (20) days after the final decision of the trustees in such matter."

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

Ayes, 23.

Adams	Ethell	Kimberly	Shane
Baird	Gilchrist	Mead	Shinn
Brookhart	Goodwin	Price	Slosson
Browne	Hale	Reed	White
Cessna	Horchem	Romkey	Wichman
Darting	Johnston	Schmedika	

Nays, 14.

Banta	Campbell	McIntosh	Scott
Brookins	Fulton	Mantz	Snook
Buser	Hartman	Newberry	
Caldwell	Holdoegel	Perkins	

Absent or not voting, 13.

Abben	Haskell	Shaff	Tuck
Bergman	Nelson	Smith	
Bowman	Olson	Stoddard	
Dutcher	Rees	Thurston	

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.

Senator Romkey invoked rule 8.

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

Ayes, 26.

Adams	Darting	Mantz	Shinn
Baird	Goodwin	Perkins	Slosson
Banta	Hartman	Price	Snook
Brookhart	Horchem	Reed	Tuck
Brookins	Johnston	Romkey	White
Browne	Kimberly	Schmedika	
Campbell	McIntosh	Scott	

Nays, 12.

Bowman	Cessna	Hale	Shane
Buser	Fulton	Holdoegel	Thurston
Caldwell	Gilchrist	Newberry	Wichman

Absent or not voting, 12.

Abben	Ethell	Nelson	Shaff
Bergman	Haskell	Olson	Smith
Dutcher	Mead	Rees	Stoddard

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.

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. 58.

MOTION TO RECONSIDER

I move to reconsider the vote by which the Senate concurred in the House amendment to Senate File No. 139.

J. D. BUSER.

The Journal of January 4th was corrected and approved.

On motion of Senator Brookhart the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, JANUARY 7, 1924.

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

Prayer was offered by Rev. Wm. Elges, pastor of the Presbyterian church, of Dexter, Iowa.

On motion of Senator Brookins rule 33 was suspended for the day.

LEAVES OF ABSENCE

Leave of absence was granted as follows: Senator Scott for the day, on request of Senator Perkins; Senator Nelson for the day, on request of Senator Browne; Senator Shinn for the day, on request of Senator Browne.

APPOINTMENT OF LIEUTENANT GOVERNOR'S CLERK

Elsie L. Dachroth was assigned as clerk for Lieutenant Governor Hammill, dating from January 4th.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House returns herewith as requested the following bill:

House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219) 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.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.

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

House File No. 28, a bill for an act to amend, revise, and codify sec

tion five hundred thirty-five (535) of the supplement to the compiled code of Iowa, relating to the election of presidential electors.

Also, 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 amend, revise, and codify section eighty-one hundred twenty-three (8123) of the compiled code of Iowa, relating to abstracts of title in partition proceedings.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House 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 times and referred to committee on elections.

THIRD READING OF BILLS

On motion of Senator Brookhart House File No. 282, a bill for an act to amend, revise, and codify section ninety-four hundred twenty-seven (9427) of the compiled code of Iowa, relating to peremptory challenges in the trial of criminal causes, 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	Dutcher	Mead	Shane
Adams	Ethell	Newberry	Slosson
Laird	Fulton	Perkins	Snook
Bergman	Gilchrist	Price	Stoddard
Brookhart	Holdoegel	Reed	Tuck
Brookins	Johnston	Rees	White
Buser	Kimberly	Schmedika	Wichman
Darting	McIntosh	Shaff	

Nays, 6.

Banta	Campbell	Hale
Caldwell	Cessna	Horchem

Absent or not voting, 13.

Bowman	Haskell	Romkey	Thurston
Browne	Mantz	Scott	
Goodwin	Nelson	Shinn	
Hartman	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 Ethell Senate File No. 129, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by inserting the words "by resolution" after the word "motion" in line five (5) of section two (2). Also by striking the word "members" from line twelve (12) of section two (2) and inserting the word "supervisors" in lieu thereof. Also by striking the word "voters" from line four (4) of section three (3) and inserting the word "electors" in lieu thereof. Also amend by striking section eight (8) from the bill and inserting C. C. 713 in lieu thereof.

By unanimous consent on request of Senator Buser the amendment striking the word "voters" and inserting in lieu thereof the word "electors" was withdrawn.

By unanimous consent on request of Senator Buser the word and figures "thirteen (13)" were inserted in the second amendment immediately following the word and figures "twelve (12)."

The first two committee amendments were adopted.

Senator Shane offered the following amendments and moved their adoption:

Insert after the word "session" as it occurs in line two of section 10 the words "and committee."

Strike the word and figures "thirty (30)" as they occur in line five of section 10 and insert in lieu thereof the word and figures "sixty (60)."

Strike the word and figures "forty-five (45)" as they occur in line seven of section 10 and insert in lieu thereof the word and figures "ninety (90)."

Strike the word and figures "fifty-five (55)" as they occur in line nine of section 10 and insert in lieu thereof the words and figures "one hundred ten (110)."

Strike the word and figures "sixty-five (65)" as they occur in line eleven of section 10 and insert in lieu thereof the words and figures "one hundred thirty (130)."

Strike the word and figures "seventy-five (75)" as they occur in line thirteen of section 10 and insert in lieu thereof the words and figures "one hundred fifty (150)."

Strike the word and figures "ninety (90)" as they occur in line fifteen of section 10 and insert in lieu thereof the words and figures "one hundred eighty (180)."

Strike the words and figures "one hundred (100)" as they occur in line sixteen of section 10 and insert in lieu thereof the words and figures "two hundred (200)."

Senator Tuck moved that action on the first amendment be deferred.

Senator Tuck withdrew his motion.

Further action was deferred on the amendments.

Senator Dutcher offered the following amendment as a substitute for the last committee amendment and moved its adoption:

Amend by inserting after the word "shall" in line two thereof, the following words, set off by commas, "before being audited or paid".

By unanimous consent on request of Senator Buser the last committee amendment was withdrawn.

The amendment by Senator Dutcher was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting after the word "day" in line 3 of section 9 the following: "of not less than eight hours actual service".

The amendment was lost.

Senator Buser moved that the bill be rereferred to the committee, together with pending amendments.

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

Ayes, 16.

Adams	Buser	McIntosh	Slosson
Bergman	Campbell	Price	Snook
Brookhart	Cessna	Schmedika	Tuck
Brookins	Fulton	Shane	White

Nays, 23.

Abben	Dutcher	Kimberly	Rees
Baird	Goodwin	Mantz	Shaff
Banta	Hale	Mead	Smith
Browne	Hartman	Newberry	Stoddard
Caldwell	Horchem	Perkins	Wichman
Darting	Johnston	Reed	

Absent or not voting, 11.

Bowman	Haskell	Olson	Shinn
Ethell	Holdoegel	Romkey	Thurston
Gilchrist	Nelson	Scott	

The motion was lost.

Senator Price moved the previous question, which motion prevailed.

Senator Shane withdrew his amendments.

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, 42.

Abben	Cessna	Johnston	Shaff
Adams	Darting	Kimberly	Shane
Baird	Dutcher	McIntosh	Slosson
Banta	Ethell	Mantz	Smith
Bergman	Fulton	Mead	Snook
Bowman	Gilchrist	Newberry	Stoddard
Ecrookins	Goodwin	Perkins	Tuck
Browne	Hale	Price	White
Buser	Hartman	Reed	Wichman
Caldwell	Holdoegel	Rees	
Campbell	Horchem	Schmedika	

Nays, none.

Absent or not voting, 8.

Brookhart	Olson	Shinn
Haskell	Romkey	Thurston
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 Brookhart 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by striking from the bill the three lines immediately preceding section three.

2. Amend by striking from the bill all of sections three, four and five.

3. Amend by striking out the three lines immediately preceding section six, and in lieu insert the following:

"That sections one hundred fifty-three (153) to one hundred sixty (160) inclusive, of the compiled code of Iowa are amended, revised and codified to read as follows:"

By unanimous consent on request of Senator Gilchrist the following amendment was included in the committee amendments:

Amend by renumbering the remaining sections.

The amendments were adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 10 of section 1 the words "any county treasurer" and inserting in lieu thereof the words "county treasurers".

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, 40.

Abben	Caldwell	Holdoegel	Reed
Adams	Campbell	Horchem	Schmedika
Baird	Cessna	Johnston	Shaff
Banta	Dutcher	Kimberly	Shane
Bergman	Ethell	McIntosh	Slosson
Bowman	Fulton	Mantz	Snook
Brookhart	Gilchrist	Mead	Stoddard
Brookins	Goodwin	Newberry	Tuck
Browne	Hale	Perkins	White
Buser	Hartman	Price	Wichman

Nays, none.

Absent or not voting, 10.

Darting	Olson	Scott	Thurston
Haskell	Rees	Shinn	
Nelson	Romkey	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. 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 by candidates for office, 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 word and figures "ten (10)" as they occur in line 2 of section 1 and substituting in lieu thereof the word and figures "thirty (30)".

Also amend by striking the word and figure "ten (10)" as they occur in line three of section 4 and substituting in lieu thereof the word and figures "thirty (30)".

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from lines 3 and 4 of section 1 the words "each and".

The amendment was adopted.

Senator Shane moved that the Senate adjourn until 1:30 p. m.

Senator Newberry moved to amend the motion by making the hour 4 p. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. John R. Price presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 29.

Senator Buser offered the following amendment and moved its adoption:

Amend by adding as paragraph two (2) of section seven (7) the following:

"It shall be unlawful for anyone who is a candidate for the office of state representative or state senator to expend in connection with any primary election campaign, or general election campaign more than fifty per cent (50%) of the salary of a member at one regular session of the General Assembly of Iowa."

The amendment was 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, 38.

Abben	Campbell	Kimberly	Shane
Adams	Cessna	McIntosh	Smith
Baird	Darting	Mantz	Snook
Banta	Dutcher	Mead	Stoddard
Bergman	Fulton	Newberry	Thurston
Brookhart	Gilchrist	Perkins	Tuck
Brookins	Goodwin	Price	White
Browne	Hartman	Reed	Wichman
Buser	Holdoegel	Schmedika	
Caldwell	Johnston	Shaff	

Nays, 1.

Hale

Absent or not voting, 11.

Bowman	Horchem	Rees	Shinn
Ethell	Nelson	Romkey	Slosson
Haskell	Olson	Scott	

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. 187.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding to sub-section 5 of section 4 (as amended) the following sentence:

"In giving the notices required in such cases, the applicant shall state whether a railway is to be constructed and maintained on the way sought to be established, and, if it be so stated, the jury shall consider that fact in the assessment of damages."

Senator Fulton offered the following amendment as a substitute amendment and moved its adoption:

Amend by adding to sub-section 5 of section 4 (as amended) the following: "The jury in the assessment of damages shall consider the fact that a railway is to be constructed thereon".

The substitution was made.

The amendment was adopted.

Senator Johnston offered the following amendment and moved its adoption:

Amend by inserting the word "gardens" in line 39 of section 4 (as amended) (sub-section 5) between the words "buildings" and "orchards".

The amendment was lost.

Senator Buser moved that the vote by which the amendment by Senator Brookhart to lines 29 and 30 of section 4 was adopted (see Senate Journal page 266) be reconsidered.

The motion prevailed.

The amendment by Senator Brookhart was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 29 (sub-section 4) of section 4 of the bill, (as amended), the words "fences shall be built" and inserting in lieu thereof the words "such roads shall be fenced".

The amendment was adopted.

By unanimous consent Senator Fulton withdrew the amendment and offered the following amendment as a substitute and moved its adoption:

Amend by striking from line 29 of section 4 (sub-section 4) (as amended) all after the word "lands" and inserting in lieu thereof the following: "such road shall be fenced on both sides thereof by the condemnor".

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, 21.

Abben	Dutcher	Mantz	Snook
Baird	Fulton	Newberry	Stoddard
Banta	Hartman	Perkins	White
Bergman	Holdoegel	Price	
Brookhart	Horchem	Shaff	
Buser	Kimberly	Slosson	

Nays, 18.

Bowman	Darting	McIntosh	Thurston
Brookins	Gilchrist	Mead	Tuck
Caldwell	Goodwin	Schmedika	Wichman
Campbell	Hale	Shane	
Cessna	Johnston	Smith	

Absent or not voting, 11.

Adams	Haskell	Reed	Scott
Browne	Nelson	Rees	Shinn
Ethell	Olson	Romkey	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

President Hammill took the chair at 2:55 p. m.

The Journal of December 6th 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. 133 and 279.

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. 133 and 279.

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 seventh day of January, sent to the Governor for his approval, Senate Files Nos. 133 and 279.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

Senator Gilchrist moved that the Senate adjourn until 4:30 p. m.

Senator Price moved to amend by making the time 10 a. m. Tuesday.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 8, 1924.

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 Slosson for the day, on request of Senator Shane; Senator Rees for the day, on request of Senator Thurston; Senator Adams for the day, on request of Senator Thurston; Senator Haskell for the day, on request of Senator Hale; Senator Baird for the day, on request of Senator Horchem.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hartman, from Royal Neighbors of America Camps at Arlington, Oelwein, West Union, Wadena and New Albion, protesting fraternal insurance legislation. Insurance.

By Senator Hartman, from citizens of Postville and Oelwein, relative to Senate File No. 42. Labor.

By Senator Hartman, from citizens of Postville and Oelwein, relative to Senate File No. 92. Educational institutions.

VOTE ON HOUSE FILE NO. 258 RECONSIDERED

By unanimous consent on request of Senator Romkey the vote by which House File No. 258 passed the Senate was reconsidered.

By unanimous consent on request of Senator Romkey the vote by which House File No. 258 passed to its third reading was reconsidered.

On motion of Senator Romkey House File No. 258 was referred to the committee on cities and towns.

VOTE ON SENATE FILE NO. 187 RECONSIDERED

On motion of Senator McIntosh the vote by which Senate File No. 187 failed to pass the Senate was reconsidered.

On motion of Senator McIntosh the vote by which Senate File No. 187 passed to its third reading was reconsidered.

Senator Abben moved that the bill be reprinted in its amended form.

Senator Price moved to amend the motion by adding that the Senate should not take action on same until the second legislative day after the reprinted bill had been placed on the Senators' desks.

The amendment was adopted.

The motion prevailed.

SENATE FILE NO. 282 WITHDRAWN

By unanimous consent Senator Brookhart withdrew Senate File No. 282 from further consideration.

MOTION TO RECONSIDER WITHDRAWN

By unanimous consent Senator Buser withdrew the motion to reconsider filed in relation to Senate File No. 139.

THIRD READING OF BILLS

On motion of Senator Newberry Senate File No. 263, a bill for an act to amend, revise, and codify sections two hundred forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, with report of committee recommending passage, was taken up, considered, and the following report of the committee considered:

Your committee on public schools to whom was referred Senate File No. 263, a bill for an act to amend, revise, and codify sections two hundred

forty-one-a four (241-a4), two hundred forty-one-a sixty-four-b (241-a64b), two hundred forty-one-a sixty-four-c (241-a64c), two hundred forty-one-a sixty-five (241-a65), and two hundred forty-one-a seventy-four (241-a74) of the supplement to the compiled code of Iowa, relating to the state printing board and to the public reports of various public offices, begs leave to report it has had the same under consideration and recommends that the amendment offered by the Senator from Monroe to said Senate File No. 263 striking out of said bill the provision for printing at state expense the proceedings of the State Teachers' Association be not adopted, and that the bill do pass without such amendment.

Senator Ethell moved the previous question.

Senator Price invoked rule 8.

On the question "Shall the main question be put?" the vote was:

Ayes, 15.

Abben	Dutcher	Horchem	Scott
Banta	Ethell	Mantz	White
Bowman	Gilchrist	Newberry	Wichman
Brookins	Holdoegel	Perkins	

Nays, 30.

Bergman	Fulton	Nelson	Shinn
Brookhart	Goodwin	Olson	Smith
Browne	Hale	Price	Snook
Buser	Hartman	Reed	Stoddard
Caldwell	Johnston	Romkey	Thurston
Campbell	Kimberly	Schmedika	Tuck
Cessna	McIntosh	Shaff	
Darting	Mead	Shane	

Absent or not voting, 5.

Adams	Haskell	Rees	Slosson
Baird			

The motion was lost.

Senator Price raised the point of order that no Senator could speak twice on the same subject.

The President held that the Senator from Monroe had spoken twice himself and that the point was not well taken.

Senator Ethell moved the previous question, which motion prevailed and the previous question was ordered.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 25.

Abben	Gilchrist	Newberry	Stoddard
Banta	Goodwin	Olson	Thurston
Bowman	Hale	Perkins	White
Brookins	Holdoegel	Reed	Wichman
Caldwell	Horchem	Scott	
Dutcher	Kimberly	Shaff	
Fulton	Mantz	Smith	

Nays, 19.

Bergman	Cessna	McIntosh	Shane
Brookhart	Darting	Nelson	Shinn
Browne	Ethell	Price	Snook
Buser	Hartman	Romkey	Tuck
Campbell	Johnston	Schmedika	

Absent or not voting, 6.

Adams	Haskell	Rees
Baird	Mead	Slosson

The motion prevailed and the report was adopted.

Senator Banta offered the following amendments and moved their adoption:

Amend section 4 of Senate File No. 263 by inserting immediately following line 4 the following paragraph:

"2. State fair board."

Renumber the following paragraphs as 3, 4, 5, 6, 7, and 8.

Senator Price invoked rule 8.

On the question "Shall the amendments be adopted?" the vote was:

yes, 22.

Banta	Gilchrist	Mead	Shaff
Bergman	Goodwin	Newberry	Stoddard
Bowman	Hale	Olson	Thurston
Brookins	Holdoegel	Perkins	Wichman
Caldwell	Horchem	Reed	
Campbell	Mantz	Scott	

Nays, 21.

Abben	Dutcher	Price	Snook
Brookhart	Hartman	Romkey	Tuck
Browne	Johnston	Schmedika	White
Buser	Kimberly	Shane	
Cessna	McIntosh	Shinn	
Darting	Nelson	Smith	

Absent or not voting, 7.

Adams	Ethell	Haskell	Slosson
Baird	Fulton	Rees	

The amendments were adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking from line 8 of section 3 the word "state" where it last appears and inserting in lieu thereof the words "the condition".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by adding to subsection 5 of section 6 the following: "No matter shall be printed as a part of the above proceedings which discloses an attempt to influence legislative enactment."

Senator Shane moved that the Senate adjourn until 1:30 p. m.

Senator Newberry moved to amend by making the hour 4 p. m.

The amendment was adopted.

On the question "Shall the motion prevail and the Senate adjourn until 4 p. m.?" the vote was:

Ayes, 10.

Brookhart	McIntosh	Romkey	Snook
Darting	Newberry	Shane	
Kimberly	Price	Shinn	

Nays, 30.

Banta	Cessna	Horchem	Schmedika
Bergman	Dutcher	Johnston	Shaff
Bowman	Ethell	Mantz	Smith
Brookins	Gilchrist	Mead	Stoddard
Browne	Goodwin	Nelson	White
Buser	Hale	Olson	Wichman
Caldwell	Hartman	Perkins	
Campbell	Holdoegel	Reed	

Absent or not voting, 10.

Abben	Fulton	Scott	Tuck
Adams	Haskell	Slosson	
Baird	Rees	Thurston	

The motion was lost.

Senator Price moved that the Senate adjourn until 3 p. m. The motion was lost.

On the question "Shall the amendment offered by Senator Buser be adopted?" the vote was:

Ayes, 22.

Bergman	Ethell	Nelson	Shinn
Brookhart	Fulton	Olson	Snook
Browne	Hartman	Price	Tuck
Buser	Johnston	Romkey	White
Campbell	McIntosh	Schmedika	
Cessna	Mead	Shane	

Nays, 22.

Abben	Gilchrist	Mantz	Smith
Banta	Goodwin	Newberry	Stoddard
Bowman	Hale	Perkins	Thurston
Brookins	Holdoegel	Reed	Wichman
Caldwell	Horchem	Scott	
Dutcher	Kimberly	Shaff	

Absent or not voting, 6.

Adams	Darting	Rees
Baird	Haskell	Slosson

The amendment was lost.

Senator Price moved that the Senate adjourn until 2:30 p. m.

The motion was lost.

Senator Bowman offered the following amendment and moved its adoption:

Amend section 6, line 7, by substituting a comma for the period following the word "biennially" and adding the following "leaving out all photographs".

Senator Smith moved that the amendment be tabled.

Senator Holdoegel raised the point of order that a motion to table would table the whole bill.

The President held the point of order not well taken, as the motion was made to apply to the amendment only.

Senator Bowman withdrew his amendment.

The bill was read for information.

Senator Caldwell 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, 24.

Abben	Dutcher	Kimberly	Scott
Banta	Fulton	Mantz	Shaff
Bergman	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Brookins	Holdoegel	Perkins	White
Caldwell	Horchem	Reed	Wichman

Nays, 18.

Brookhart	Ethell	Nelson	Shinn
Browne	Gilchrist	Price	Snook
Buser	Hartman	Romkey	Tuck
Campbell	Johnston	Schmedika	
Cessna	McIntosh	Shane	

Absent or not voting, 8.

Adams	Haskell	Slosson
Baird	Olson	Thurston
Darting	Rees	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Smith the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

SENATE CONCURRENT RESOLUTION NO. 9

Senator Stoddard offered the following:

Be It Resolved by the Senate, the House concurring, That the legislature recess from February 27, 1924, until October 8, 1924, and that no salaries be paid to members of the legislature or any of the extra help now employed by the legislature, except for so much of the services of the Secretary of the Senate and the Chief Clerk of the House, and one assistant for each during said recess as may be considered necessary by the committee on retrenchment and reform.

Laid over under the rules.

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House 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, 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 Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 109, a bill for an act to amend, revise, and codify sections 2641, 2643, and 2646 to 2648, inclusive, of the compiled code, and sections 2639, 2640, and 2642 of the supplement to the code, relating to school buildings and sites, 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 "state" in section 11, line 2, and insert in lieu of same the word "county".

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to whom was referred House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters, 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.

The Journal of January 7th was corrected and approved.

MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 263 failed to pass the Senate.

F. C. GILCREST.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 9, 1924.

The Senate met in regular session, Col. L. W. Ainsworth, secretary of the Senate, presiding in the absence of the President and the President pro tem.

Prayer was offered by Dr. A. Norrbom, pastor of the First Lutheran church, of Des Moines.

Senator Holdoegel moved that Senator Banta be elected temporary President of the Senate.

Senator Buser placed in nomination Senator Campbell.

Senator Abben placed in nomination Senator Stoddard.

Senator Hale placed in nomination Senator Haskell.

Senator Haskell declined the nomination.

Senator Mantz placed in nomination Senator Dutcher.

Senator Dutcher declined.

Senator Haskell placed in nomination Senator Hale.

Senator Hale declined the nomination.

Senator Holdoegel raised the point of order that his nomination had been made in the form of a motion, and other nominations were out of order.

Senator Buser raised the point of order that the presiding officer had announced that nominations were in order and all nominations were pending motions and were in order.

The chair held Senator Buser's point well taken.

Senator Campbell and Senator Stoddard withdrew.

Senator Brookhart moved that rule 33 be suspended for the day, which motion prevailed.

Senator Campbell moved that the rules be suspended and that Senator Banta be unanimously elected temporary President of the Senate, which motion prevailed and Senator Banta was unanimously elected, and took the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bowman for the day, on request of Senator McIntosh; Senator Rees for the day, on request of Senator Thurston.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Price, from citizens of Albia, relative to the reading of the Bible in public schools. Public schools.

By Senator Brookhart, from citizens of Washington, relative to the reading of the Bible in public schools. Public schools.

Petitions protesting fraternal insurance legislation, were presented by Senator Caldwell, from Royal Neighbors of America Camps at Oskaloosa, Lineville and Allerton, and by Senator Brown from Royal Neighbors of America Camp at Maquoketa, and 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. 270, a bill for an act to amend, revise, and codify section eighty-one hundred eighty-two (8182) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate .

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 34, a bill for an act to amend, 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.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581) of the compiled code of Iowa, relating to education.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-a (24-a) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House 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 times and referred to committee on elections.

House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581), two thousand five hundred eighty-two (2582) and two thousand five hundred eighty-three (2583) of the compiled code of Iowa, relating to education.

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

House File No. 270, a bill for an act to amend, revise, and codify sections eighty-one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate.

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 that it has examined and finds correctly enrolled Senate Files Nos 271 and 287.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

The Journal of January 8th was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 4 p. m.

Senator Stoddard asked unanimous consent to amend the motion by making the hour 3:30 p. m., which consent was refused.

Senator Bergman moved to amend by making the hour 3:30 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 3:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. John R. Price presiding.

On motion of Senator Adams Senate File No. 194 and House File No. 194 were withdrawn from the committee on railroads and referred to the committee on labor.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 153, a bill for an act relating to municipal corporations—incorporations, 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:

1st. Amend Sec. 5 by inserting after the word "newspaper" in line 8 the words "published in said city or town, if none so published then in one published in Iowa".

2nd. Amend by adding as Secs. 5a-1, 5a-2, 5a-3, 5a-4, the following new sections:

Sec. 5a-1. When any city or town shall desire to annex abutting and contiguous territory not within the limits of a city or town, the council may by ordinance describing by metes and bounds the territory proposed to be annexed submit at the regular municipal election or at a special election called for that purpose, the question of annexation to the qualified voters of such corporation and those living on the territory proposed to be annexed. The proposition to be submitted shall be: "shall the proposition to annex the territory described in the ordinance of (giving the date of its passage) be adopted?" The ballots shall be printed and the proposition submitted in the manner provided in section thirty-four hundred and seventy-three of this chapter and the election conducted and the vote canvassed in the usual manner of such elections.

Sec. 5a-2. If a majority of those voting at such election shall favor such proposition, then the council of such city or town shall present to the district court of the county in which the city or town is situated, or if in more than one county, the county in which the major part of such city or town is situated, a petition describing the territory to be annexed, and stating that the same was proposed to be annexed to said city or town, giving the name of each owner of real estate in such territory to be annexed, and the description of territory owned by each and attaching thereto a plat of such territory.

Sec. 5a-3. Notice of the filing of such petition shall be given by publication in a newspaper published in said city or town if one so published, or if none so published, then in one published in Iowa of general circulation therein, once each week for two consecutive weeks, and by posting in five public places in the territory desired to be annexed for the same period.

Sec. 5a-4. The corporation in such action shall be plaintiff, the owners defendants, and issue joined and the case tried as an action in equity, so far as applicable, (but no costs shall be taxed against any defendant). If the court finds the allegations of the petition true, and that justice requires the annexation of said territory or any part thereof, a decree shall be entered accordingly and from that time the territory described in such decree shall be included in said corporation and the same record and certified copies thereof shall be made and filed as provided in case of incorporation.

3rd. Amend Sec. 6 by striking from lines 10 and 11 the words "shall be published once in two newspapers of general circulation in both cities or towns" and by inserting in lieu thereof, "shall be published once in a newspaper, if any published in each of said cities or towns, when none so published in one or both of said cities or towns, then in a newspaper published in Iowa of general circulation in both cities or towns."

4th. Amend Sec. 9 by inserting after the word "newspaper" in line 9 thereof the words, "published in said city or town, if none so published then in one published in Iowa." Strike from lines 10 and 11 of said section all after the word "town" in line 10 and inserting after the word "town" a period.

5th. Amend the title by inserting after the last comma in line 4 thereof the words and figures "Thirty-four hundred eighty-four (3484)."

6th. By placing the sub-title found on page four of the bill to precede Sec. 5a-1 and amending the same by striking out the comma after the word "conclusive" in line 2 and inserting in lieu thereof the following words and figures, "Sec. Thirty-four hundred eighty-four (3484)."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 258, a bill for an act relating to municipal corpo-

rations—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 the following sections:

Section 30. The population in this act referred to shall be the population as shown by the last preceding state or national census excepting where such census of any such city shows a less population than at the time the voters of such city adopted the plan of government in this chapter provided for, in which case the population shown by the census immediately preceding such adoption shall govern.

Section 31. Publication Clause: This act being deemed of immediate importance shall take effect and be in full force and effect from and after its publication in the Des Moines Capital and in the Des Moines Register, newspapers printed in Des Moines, Iowa.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 229, 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, 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:

1st. Amend by striking out the word "request" in line 4 of Sec. 2 and inserting in lieu thereof the words "on motion".

2nd. Amend by striking out the word "application" in line 3 of Sec. 3 and inserting in lieu thereof the word "motion"; also by striking out the word "may" in line 3 of Sec. 3.

3rd. Amend Sec. 5 by striking out lines 2 and 3 and inserting in lieu thereof the following: "five (5) days thereafter unless the parties agree to a longer time or the court, before or after the expiration of said time, shall extend the same."

4th. Renumber Sec. 8 as section 9 and insert the following as section 8: "When any ground of demurrer or of motion to dismiss, as the case may be, does not appear on the face of the petition, cross petition, or counterclaim the issue may be raised by answer or reply."

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 278, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, re-

lating to escapes, 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. 215, a bill for an act to amend, revise, and codify section sixty-six hundred thirty (6630) of the compiled code of Iowa, and section sixty-six hundred twenty-nine (6629) of the supplement to said code, relating to divorce and the remarriage of divorced persons, begs 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.

Senator Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred 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 hundred fifteen (715) of said code, and section one hundred eighteen-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against 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:

1. Amend by substituting a semi-colon (;) for the period (.) following the word "drawn" in line five of section three, and by adding "provided, however, that no claim shall be allowed when the same will exceed the amount appropriated for any department, office, bureau, commission or institution, under the state government."

2. Amend section four (4) by striking the period (.) at the end thereof and by substituting a comma (,) therefor, and by adding "and no part of said claim has been paid."

3. Amend section seven-a one (7-a1) by substituting a period (.) for the comma (,) following the word "counsel" in line six (6) and by striking lines seven (7) and eight (8).

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 23, a bill for an act relating to nomination and election of supreme, district, and superior judges, 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:

1. Amend Sec. 4, line 2, by striking out the word "as" and substituting therefor the word "that".

2. Amend Sec. 6, line 2, by striking out the word "judges" and substituting therefor the word "judge" and by inserting between the words "and" and "transact" the word "may".

3. Amend Sec. 7, line 3, by striking the word "provided" and inserting therefor the word "except".

4. Amend Sec. 8, line 4, by striking the word "not" after "shall" and inserting the word "not" after the word "held".

5. Amend Sec. 11, line 2, by inserting after the word "specified" the words "for that county".

6. Amend Sec. 12, line 2, by striking the word "said" and inserting the word "such" and by striking from line 4 after the word "court" the words "in said district".

7. Amend Sec. 14, line 4, by striking the words "by law" and substituting the words "under existing law".

8. Amend Sec. 16 by striking from line 2 the words "same" and "as".

9. Amend Sec. 18 by striking lines 1, 2 and 3 and substituting therefor the following: "Judges of Superior Courts shall be nominated and elected in the manner provided by law for the nomination and election of other elective officers in the cities where such courts are located".

J. E. WICHMAN, *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 Senate File No. 139 and House File No. 282.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 276

Senator Ethell called up for consideration House File No. 276, the House having refused to concur in the Senate amendments thereto.

Senator Gilchrist moved that the Senate insist on its amendments, which motion prevailed.

President pro tem. Price appointed as conference committee on the part of the Senate on House File No. 276 Senators Gilchrist, Buser, Caldwell and Haskell.

SENATE FILE NO. 263 RECONSIDERED

Senator Gilchrist called up for consideration his motion to reconsider the vote by which Senate File No. 263 failed to pass the Senate.

The motion to reconsider prevailed.

Senator Gilchrist moved that the vote by which Senate File No. 263 passed to its third reading be reconsidered which motion prevailed.

On motion of Senator Banta, the vote was reconsidered by which the following amendments were adopted:

Amend section 4 of Senate File No. 263 by inserting immediately following line 4 the following paragraph:

"2. State fair board."

Renumber the following paragraphs as 3, 4, 5, 6, 7, and 8.

The motion prevailed.

The amendment was then considered and lost.

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, 44.

Abben	Darting	Kimberly	Scott
Adams	Ethell	McIntosh	Shaff
Baird	Fulton	Mead	Shane
Banta	Gilchrist	Nelson	Shinn
Bergman	Goodwin	Newberry	Slosson
Brookhart	Hale	Olson	Smith
Brookins	Hartman	Perkins	Snook
Browne	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Tuck
Campbell	Horchem	Romkey	White
Cessna	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 6.

Bowman	Dutcher	Rees
Buser	Mantz	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 Senate adjourn until 9 a. m. Thursday.

Senator Shane moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 10, 1924.

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

Prayer was offered by Rev. John A. Pritchard of Williamsburg, Iowa.

On motion of Senator Abben rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Brookins for the forenoon, on request of Senator Shane; Senator Rees indefinitely, on account of illness, on request of Senator Ethell.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on January 8th, 1924 he had signed Senate Files Nos. 133 and 279.

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. 139, 271 and 287; House File No. 282.

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 tenth day of January, sent to the Governor for his approval, Senate File No. 139, a bill for an act relating to county bonds. Senate File No. 271, a bill for an act relating to abstracts of title in partition proceedings. Senate File No. 287, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public, additional to section twenty-nine hundred forty-two (2492) of

the code and chapter one hundred seventy-three of the acts of the Thirty-seventh General Assembly.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

THIRD READING OF BILLS

On motion of Senator Brookhart, House 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, 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, 42.

Abben	Ethell	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Snook
Bergman	Hale	Olson	Stoddard
Bowman	Hartman	Perkins	Thurston
Brookhart	Haskell	Price	Tuck
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Romkey	Wichman
Cessna	Johnston	Schmedika	
Darting	Kimberly	Scott	

Nays, 4.

Browne	Buser	Nelson	Shinn
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Absent or not voting, 4.

Brookins	Dutcher	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.

On motion of Senator Newberry, Senate File No. 109, a bill for an act to amend, revise, and codify sections two thousand six hundred forty-one (2641), two thousand six hundred forty-three (2643), and two thousand six hundred forty-six (2646) to two thousand six hundred forty-eight (2648), inclusive, of the compiled code of Iowa, and sections two thousand six hundred thirty-nine (2639), two thousand six hundred forty (2640), and two

thousand six hundred forty-two (2642) of the supplement to said code, relating to 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 the word "state" in section 11, line 2, and inserting in lieu of same the word "county".

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking out all after the second word "the" in line 5 of section 14 and inserting in lieu thereof the words "district court".

Senator Ethell offered the following amendment as a substitute for the amendment offered by Senator Shinn and moved its adoption:

Amend by striking out all of section 14.

Senator Price offered the following amendment as a substitute for both pending amendments and moved its adoption:

Amend by striking from lines 5 and 6 of section 14 the words "county board of education" and inserting in lieu thereof the words "state superintendent," and by striking the word "board" from line 7 of section 14 and inserting in lieu thereof the words "state superintendent".

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting after the word "appropriated" in line 3 of section 8 the following: "and the damage caused by the taking thereof".

Senator Dutcher moved the previous question, which motion prevailed.

Senator Buser raised the point of order that Senator Price's amendment was out of order as it was an amendment to an amendment.

The President held the point well taken.

Senator Smith raised the point of order that Senator Price's remarks were out of order, as the previous question had been ordered.

The President held the point well taken.

Senator Price moved that the vote by which the main question had been ordered be reconsidered, which motion was lost.

On the question "Shall the amendment offered by Senator Ethell be substituted for the amendment offered by Senator Shinn?" the vote was:

Ayes, 33.

Abben	Dutcher	Kimberly	Slosson
Adams	Ethell	McIntosh	Smith
Baird	Fulton	Mead	Stoddard
Bowman	Goodwin	Nelson	Thurston
Browne	Hale	Perkins	Tuck
Buser	Hartman	Romkey	Wichman
Caldwell	Haskell	Schmedika	
Campbell	Holdoegel	Shane	
Cessna	Johnston	Shinn	

Nays, 14.

Banta	Gilchrist	Olson	Shaff
Bergman	Horchem	Price	Snook
Brookhart	Mantz	Reed	
Darting	Newberry	Scott	

Absent or not voting, 3.

Brookins	Rees	White
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The motion prevailed and the substitution was made.

The amendment by Senator Ethell was adopted.

The amendment by Senator Buser was adopted.

By unanimous consent, on request of Senator Gilchrist, Senator Wichman was allowed to speak on the bill.

By unanimous consent, on request of Senator Newberry, Senator Wichman was given permission to offer an amendment.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking out all of section 4 after the word "site" in line 2 and inserting in lieu thereof the following: "and any school corporation may acquire additional ground by donation."

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, 45.

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

Nays, none.

Absent or not voting, 5.

Dowman	Price	Shaff
Brookins	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 Ethell, House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Further action was deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 274, a bill for an act to amend, revise, and codify section ninety-two hundred eighty-seven (9287) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto.

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 section ten hundred twenty-eight (1028) 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. 170, a bill for an act to amend, revise, and codify section three thousand eight hundred sixty-one (3861) of the compiled code

of Iowa, and section three thousand nine hundred forty-four (3944) 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. 246, a bill for an act to amend, revise, and codify section seventy hundred thirty-two (7032) of the compiled code of Iowa, relating to procedure in the supreme court, and qualifications for admission to the bar.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 22, a bill for an act to 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.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 135, a bill for an act to amend, revise, and codify sections thirty-two hundred five (3205) of the compiled code of Iowa, and thirty-two hundred six (3206) of the supplement to said code, relating to the sheriff.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 163, a bill for an act to amend, revise, and codify section thirty-seven hundred thirty-eight (3738) of the compiled code of Iowa, and section thirty-seven hundred thirty-four (3734) of the supplement to said code, relating to juvenile playgrounds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 154, a bill for an act to amend, revise, and codify section three thousand five hundred eight (3508) of the compiled code of Iowa and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal corporations.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 274, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 154, 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 and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal corporations.

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

House 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 times and referred to committee on elections.

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 times and referred to committee on judiciary No. 1.

House File No. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), 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 times and referred to committee on judiciary No. 1.

House File No. 170, 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 fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) of the supplement to said code, relating to municipal corporations.

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

On motion of Senator Ethell the Senate adjourned until 1:15 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 138.

The bill was read for information.

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

Senator Tuck offered the following amendment, and moved its adoption:

Amend by striking "and local regulations thus established," from line 1 of section 10.

Senator Abben raised the point of order, that the bill had passed to its third reading and an amendment was, therefore, out of order.

The President held the point well taken.

On motion of Senator Price the vote by which the bill passed to its third reading was reconsidered.

The amendment by Senator Tuck was 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, 37.

Abben	Fulton	Mead	Shane
Adams	Gilchrist	Nelson	Shinn
Baird	Hale	Olson	Snook
Banta	Hartman	Perkins	Thurston
Bergman	Haskell	Price	Tuck
Brookhart	Holdoegel	Reed	White
Buser	Horchem	Romkey	Wichman
Campbell	Johnston	Schmedika	
Cessna	McIntosh	Scott	
Dutcher	Mantz	Shaff	

Nays, none.

Absent or not voting, 13.

Bowman	Darting	Newberry	Stoddard
Brookins	Ethell	Rees	
Browne	Goodwin	Slosson	
Caldwell	Kimberly	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 the request of Senator Haskell House File No. 258, a bill for an act to amend, revise, and codify sections forty-two hundred nineteen (4219), forty-two hundred nineteen-a one (4219-a1), 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, 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 adding the following sections to the bill:

Section 30. The population in this act referred to shall be the population as shown by the last preceding state or national census excepting where such census of any such city shows a less population than at the time the voters of such city adopted the plan of government in this chapter provided for, in which case the population shown by the census immediately preceding such adoption shall govern.

Section 31. Publication Clause: This act being deemed of immediate importance shall take effect and be in full force and effect from and after

its publication in the Des Moines Capital and in the Des Moines Register, newspapers printed in Des Moines, Iowa.

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	Darting	McIntosh	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Snook
Bergman	Gilchrist	Newberry	Thurston
Brookhart	Hale	Olson	Tuck
Browne	Hartman	Perkins	White
Buser	Haskell	Price	Wichman
Caldwell	Holdoegel	Reed	
Campbell	Horchem	Romkey	
Cessna	Johnston	Scott	

Nays, none.

Absent or not voting, 9.

Bowman	Kimberly	Slosson
Brookins	Rees	Smith
Goodwin	Schmedika	Stoddard

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

AMENDMENTS TO RULES FILED

Senator Thurston offered the following amendments to the rules:

I move to amend Rule 12 by striking the "." at the end of the section and substituting a ";" therefor; and by adding the following: "provided, however, any member who has had the floor on a pending measure or any amendment thereto, shall not be entitled to move the previous question or to vote thereon."

I also move to adopt the following as Rule No. —:

"Excepting the member in charge of a measure, no member shall be entitled to debate thereon more than five minutes, provided, however, that he may debate each amendment thereto for five minutes."

LLOYD THURSTON.

SENATE FILE NO. 74 WITHDRAWN

By unanimous consent Senator Brookhart withdrew Senate File No. 74 from further consideration.

SENATE FILE NO. 215 INDEFINITELY POSTPONED

On motion of Senator Reed the committee report recommending indefinite postponement on Senate File No. 215 was adopted and the bill was indefinitely postponed.

MOTION FILED TO RECONSIDER SENATE FILE NO. 109

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 109 passed the Senate.

FRANK SHANE.

On motion of Senator Hale the Senate adjourned until 4 p. m.

The Senate met pursuant to adjournment, President John Ham-mill presiding.

REPORTS OF COMMITTEES

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File No. 55, a bill for an act to amend, revise and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-three (1183), inclusive, of the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks, 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 striking therefrom the words and figures "eleven hundred eighty-three (1183)" and inserting in lieu thereof the words and figures "eleven hundred eighty-two (1182)".

Amend by striking from lines one (1) and two (2) following the enacting clause the words and figures "eleven hundred eighty-three (1183)" and inserting in lieu thereof the words and figures "eleven hundred eighty-two (1182)". Also insert a comma (,) and the word "inclusive" followed by a comma (,) after the figures "(1182)" in said line two (2).

Amend section three (3) by striking from line four (4) thereof the words "where the condition is" and substituting in lieu thereof the words "if the conditions are".

Amend section four (4) by adding at the end of same the following sentence: "Any unclaimed funds shall be used for park purposes."

A. T. BROOKINS, *Chairman.*

Ordered passed on file.

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to whom was referred House File No. 280, a bill for an act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled code of Iowa, relating to garnishment, 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 Newberry submitted the following report:

MR. PRESIDENT: Your committee on schools to which was referred Senate File No. 105, 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, 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 one (1), line four (4) thereof, by changing the word and figures "ten (10)" to the word and figure "five (5)", and the words and figures "twenty-five cents (25c)" to the words and figures "fifteen cents (15c)".

Also by striking out all of section three (3) and renumbering section four (4) as section three (3).

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools to which was referred 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, 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 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 be amended as follows; and when so amended the bill do pass:

Amend by inserting after the word "responsible" in line two (2) of section four (4) the words "upon their bond".

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 125, 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, 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 one (1) by striking out of lines two (2) and three (3) the words "and the lands adjacent thereto"; also strike out of line four (4) the word "the" and the words "adjacent thereto". Insert immediately preceding the word "lands" in said line four (4) the words "all private".

Also amend by striking out section ten (10).

Also amend by renumbering section eleven (11) as section ten (10).

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 127, 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, 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 in line six (6) of section one (1) the word "same" between the words "the" and "supervision", also by striking out the words "of the highway engineer" in the same line.

Also amend by striking out all following the period after the word "done" in line seven (7) of section one (1).

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED TO SENATE FILE NO. 187

Senator Wichman filed the following amendments:

Amend Senate File No. 187 as follows:

1. By striking out section 19 and by inserting the following in lieu thereof:

"Sec. 19. Procedure.

The procedure for the condemnation of private property for works of internal improvement, and for other public uses and purposes shall be in accordance with the provisions of this chapter, except that no provision of this chapter shall apply in those instances where the statutes have prescribed some other procedure under which to make condemnation."

2. By inserting immediately after Sec. 56 the following:

"Chapter —.
Reversion."

HOUSE AMENDMENTS CONSIDERED

Senator Ethell called up for consideration Senate File No. 135, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1), line one (1), by inserting between the word "and" and the word "collect" the following: "be entitled to".

Also amend by adding the following to subsection 11 of section 1 thereof:

"But the amount allowed a sheriff for lodging prisoners shall in no event exceed in the aggregate the sum of two hundred fifty dollars (\$250.00) for any calendar year."

Also amend paragraph four (4) of section one (1) by substituting therefor the following:

4. For summoning a grand or trial jury, all necessary and actual expenses incurred by him.

On the question "Shall the Senate concur?" the vote was:

Ayes, 29.

Abben	Gilchrist	Nelson	Smith
Bergman	Goodwin	Newberry	Stoddard
Brookhart	Hale	Olson	Thurston
Browne	Hartman	Perkins	Tuck
Buser	Holdoegel	Reed	Wichman
Cessna	Johnston	Schmedika	
Ethell	McIntosh	Shane	
Fulton	Mantz	Slosson	

Nays, 11.

Adams	Darting	Horchem	Shaff
Baird	Dutcher	Mead	White
Caldwell	Haskell	Romkey	

Absent or not voting, 10.

Banta	Campbell	Rees	Snook
Bowman	Kimberly	Scott	
Brookins	Price	Shinn	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Haskell moved that Senate File No. 163, as amended by the House, be referred to the committee on cities and towns. The motion prevailed.

The Journal of January 9th was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 9:30 a. m. Friday.

Senator Brookhart moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 11, 1924.

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

Prayer was offered by Rev. J. C. Austin, pastor of the Methodist Episcopal church, of Douds, Iowa.

On motion of Senator Shane rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cessna for the remainder of the week, on request of Senator Shane; Senator Tuck for the remainder of the week, on request of Senator Holdoegel; 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 Slosson, from Albert Camp No. 2767, M. W. A., McIntire, protesting fraternal insurance legislation. Insurance.

By Senator Haskell, from Iowa Citizens Committee, relative to reading of the Bible in public schools. Schools.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 245, a bill for an act to amend, revise, and codify section eight thousand four hundred seventy-eight (8478) of the compiled code of Iowa, relating to the clerk of the supreme court.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 75, a bill for an act to amend, revise, and codify sections sixty-three hundred seventeen (6317) of the compiled code of Iowa and

section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property.

Also: That the Speaker has appointed as a conference committee on the part of the House on House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys, Representatives Henderson, Carter, Edson and Vincent.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator McIntosh Senate File No. 187, 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, was taken up and considered, the vote by which it failed to pass the Senate having been reconsidered.

Senator Wichman offered the following amendments' and moved their adoption:

Amend Senate File No. 187 as follows:

1. By striking out section 19 and by inserting the following in lieu thereof:

"Sec. 19. Procedure.

The procedure for the condemnation of private property for works of internal improvement, and for other public uses and purposes shall be in accordance with the provisions of this chapter, except that no provision

of this chapter shall apply in those instances where the statutes have prescribed some other procedure under which to make condemnation."

2. By inserting immediately after Sec. 56 the following:

"Chapter —.
Reversion."

By unanimous consent on request of Senator Buser the words "statutes have" were stricken from line 8 of the amendment and the words "law has" were inserted in lieu thereof.

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, 44.

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

Nays, 2.

Brookins Thurston

Absent or not voting, 4.

Bowman Cessna 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 Reed House File No. 278, a bill for an act to amend, revise, and codify section nine thousand and one (9001) of the compiled code of Iowa, relating to escapes, 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, 43.

Abben	Ethell	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchris*	Mead	Shinn
Brookhart	Goodwin	Nelson	Slosson
Brookins	Hale	Newberry	Smith
Browne	Hartman	Olson	Snook
Buser	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Price	Thurston
Campbell	Horchem	Reed	White
Darting	Johnston	Schmedika	Wichman
Dutcher	Kimberly	Scott	

Nays, none.

Absent or not voting, 7.

Banta	Bowman	Rees	Tuck
Bergman	Cessna	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 Haskell Senate File No. 153, 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-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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1st. Amend Sec. 5 by inserting after the word "newspaper" in line 8 the words "published in said city or town, if none so published then in one published in Iowa".

2nd. Amend by adding as Secs. 5a-1, 5a-2, 5a-3, 5a-4, the following new sections:

Sec. 5a-1. When any city or town shall desire to annex abutting and contiguous territory not within the limits of a city or town, the council may by ordinance describing by metes and bounds the territory proposed to be annexed submit at the regular municipal election or at a special election called for that purpose, the question of annexation to the qualified voters of such corporation and those living on the territory proposed to be annexed. The proposition to be submitted shall be: "shall the proposi-

tion to annex the territory described in the ordinance of (giving the date of its passage) be adopted?" The ballots shall be printed and the proposition submitted in the manner provided in section thirty-four hundred and seventy-three of this chapter and the elect on conducted and the vote canvassed in the usual manner of such elections.

Sec. 5a-2. If a majority of those voting at such election shall favor such proposition, then the council of such city or town shall present to the district court of the county in which the city or town is situated, or if in more than one county, the county in which the major part of such city or town is situated, a petition describing the territory to be annexed, and stating that the same was proposed to be annexed to said city or town, giving the name of each owner of real estate in such territory to be annexed, and the description of territory owned by each and attaching thereto a plat of such territory.

Sec. 5a-3. Notice of the filing of such petition shall be given by publication in a newspaper published in said city or town if one so published, or if none so published, then in one published in Iowa of general circulation therein, once each week for two consecutive weeks, and by posting in five public places in the territory desired to be annexed for the same period.

Sec. 5a-4. The corporation in such action shall be plaintiff, the owners defendants, and issue joined and the case tried as an action in equity, so far as applicable, but no costs shall be taxed against any defendant. If the court finds the allegations of the petition true, and that justice requires the annexation of said territory or any part thereof, a decree shall be entered accordingly and from that time the territory described in such decree shall be included in said corporation and the same record and certified copies thereof shall be made and filed as provided in case of incorporation.

3rd. Amend Sec. 6 by striking from lines 10 and 11 the words "shall be published once in two newspapers of general circulation in both cities or towns" and by inserting in lieu thereof, "shall be published once in a newspaper, if any published in each of said cities or towns, when none so published in one or both of said cities or towns, then in a newspaper published in Iowa of general circulation in both cities or towns."

4th. Amend Sec. 9 by inserting after the word "newspaper" in line 9 thereof the words, "published in said city or town, if none so published then in one published in Iowa." Strike from lines 10 and 11 of said section all after the word "town" in line 10 and inserting after the word "town" a period.

5th. Amend the title by inserting after the last comma in line 4 thereof the words and figures "Thirty-four hundred eighty-four (3484)."

6th. By placing the sub-title found on page four of the bill to precede Sec. 5a-1 and amending the same by striking out the comma after the word "conclusive" in line 2 and inserting in lieu thereof the following words and figures, "Sec. Thirty-four hundred eighty-four (3484)."

By unanimous consent on request of Senator Fulton the following amendments were made to the committee amendments:

Amend by adding to the amendment in reference to section 5: Amend by striking from lines 8 and 9 of said section following the word "newspapers" the words "of general circulation within said city or town".

Amend by inserting in line 2 of the first amendment after the word "none" the word "be".

Amend the proposed section 5-a3 by inserting in line 2 after the word "one" the word "be". Also by inserting in line 3 after the word "none" the word "be".

Amend the third amendment by inserting after the word "any" in line 4 the word "be", and before the word "when" in the same line the word "but" and after the word "none" in the same line the word "be".

Amend the fourth amendment by inserting after the word "none" in line 2 the word "be". Also amend the fourth amendment by adding the following: Amend section 9 by striking from lines 9 and 10 after the word "newspapers" the words "of general circulation in said city or town".

Amend the proposed section 5-a3 by striking the words "for the same period" from the end of the sentence and inserting them after the word "posting".

Amend by striking from the fifth line of the third amendment the word "each" and inserting in lieu thereof the word "either".

By unanimous consent on request of Senator Smith the word "and" was inserted after the word "Iowa" in line 3 of section 5-a3, and also in the last line of the third amendment.

By unanimous consent on request of Senator Wichman the word "conclusive" was stricken from the next to the last line in the committee amendments and the word "inclusive" inserted in lieu thereof.

By unanimous consent on request of Senator Fulton the word "inserting" was stricken from the last line of the 4th amendment and the word "insert" inserted in lieu thereof.

By unanimous consent on request of Senator Haskell the abbreviation "Sec." was stricken from the last line of the amendment and the word "section" inserted in lieu thereof.

By unanimous consent on request of Senator Wichman the word "and" was inserted in the last line of the amendment between the first quotation marks (") and the word "section".

By unanimous consent on request of Senator Smith the words "published in Iowa" were stricken from the bill wherever they appeared and the words "published in the county or counties in

which said city or town is situated" were inserted in lieu thereof.

By unanimous consent on request of Senator Wichman the words "this chapter" were stricken from the next to last line of the proposed Sec. 5-a1 and the words "the compiled code" were inserted in lieu thereof.

The committee amendments as amended were 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, 40.

Abben	Dutcher	Mantz	Shaff
Adams	Ethell	Mead	Shane
Baird	Fulton	Nelson	Shinn
Banta	Gilchrist	Newberry	Slosson
Brookhart	Hale	Olson	Smith
Brookins	Hartman	Perkins	Snook
Browne	Haskell	Price	Stoddard
Duser	Holdoegel	Reed	Thurston
Campbell	Johnston	Schmedika	White
Darting	Kimberly	Scott	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Cessna	McIntosh	Tuck
Bowman	Goodwin	Rees	
Caldwell	Horchem	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. 229, 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, 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:

1st. Amend by striking out the word "request" in line 4 of Sec. 2 and inserting in lieu thereof the words "on motion".

2nd. Amend by striking out the word "application" in line 3 of Sec. 3 and inserting in lieu thereof the word "motion"; also by striking out the word "may" in line 3 of Sec. 3.

3rd. Amend Sec. 5 by striking out lines 2 and 3 and inserting in lieu thereof the following: "five (5) days thereafter unless the parties agree to a longer time or the court, before or after the expiration of said time, shall extend the same."

4th. Renumber Sec. 8 as section 9 and insert the following as section 8:

"When any ground of demurrer or of motion to dismiss, as the case may be, does not appear on the face of the petition, cross petition, or counterclaim the issue may be raised by answer or reply."

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	Shinn
Baird	Gilchrist	Mead	Smith
Banta	Goodwin	Newberry	Snook
Bergman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Thurston
Brookins	Haskell	Reed	White
Buser	Holdoegel	Schmedika	Wichman
Campbell	Horchem	Scott	
Darting	Johnston	Shaff	
Ethell	Kimberly	Shane	

Nays, 1.

Browne

Absent or not voting, 12.

Adams	Cessna	Nelson	Romkey
Bowman	Dutcher	Olson	Slosson
Caldwell	McIntosh	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 Thurston 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 hundred fifteen (715) of said code, and section one hundred eighteen-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against the state, with report of

committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by substituting a semi-colon (;) for the period (.) following the word "drawn" in line five of section three, and by adding "provided, however, that no claim shall be allowed when the same will exceed the amount appropriated for any department, office, bureau, commission or institution, under the state government."

2. Amend section four (4) by striking the period (.) at the end thereof and by substituting a comma (,) therefor, and by adding "and no part of said claim has been paid."

3. Amend section seven-a one (7-a1) by substituting a period (.) for the comma (,) following the word "counsel" in line six (6) and by striking lines seven (7) and eight (8).

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out all of section 7 and renumbering the following sections to correspond.

Senator Ethell moved that the Senate adjourn until 1:15 p. m.

The President held the motion out of order as Senator Horchem had the floor.

Senator Price raised the point of order that a motion to adjourn had precedence over everything else.

The President held the point not well taken.

SENATE FILE NO. 278 WITHDRAWN

By unanimous consent, Senator Reed withdrew Senate File No. 278 from further consideration.

REPORT OF COMMITTEE

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 163, a bill for an act relating to juvenile play-

grounds, begs leave to report it has had the same under consideration and recommends that the Senate concur in the House amendment.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Senator Ethell moved that the Senate adjourn until 1:15 p. m.

Senator Price moved to amend the motion by making the hour 1:30 p. m.

Senator Gilchrist offered as a substitute amendment for Senator Price's amendment that the hour be made 4 p. m.

The substitution was made.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

MOTION TO RECONSIDER S. F. 109 WITHDRAWN

Senator Shane withdrew his motion to reconsider the vote by which Senate File No. 109 passed the Senate.

MOTION FILED TO RECONSIDER S. F. 135

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in the House amendments to Senate File No. 135.

WILLIAM J. GOODWIN.

Senator Buser moved that further consideration on Senate File No. 15 be deferred until Monday.

Senator Stoddard moved as a substitute motion that action be deferred until Tuesday and that it be made a special order for 11 a. m. of that day.

The substitution was made.

The motion prevailed and Senate File No. 15 was made a special order for 11 a. m. Tuesday.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 245, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking from section one (1) the last sentence thereof.

Senator Thurston invoked rule 8.

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Adams	Goodwin	Newberry	Slosson
Brookhart	Hale	Price	Smith
Browne	Hartman	Reed	Snook
Buser	Haskell	Romkey	Stoddard
Caldwell	Horchem	Schmedika	Thurston
Campbell	Johnston	Scott	White
Fulton	Mead	Shane	Wichman
Gilchrist	Nelson	Shinn	

Nays, 7.

Abben	Banta	Ethell	Olson
Eaird	Bergman	Mantz	

Absent or not voting, 12.

Bowman	Darting	Kimberly	Rees
Brookins	Dutcher	McIntosh	Shaff
Cessna	Holdoegel	Perkins	Tuck

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

Senator Haskell called up for consideration Senate File No. 163, amended by the House, and moved that the Senate concur in the following amendments, the committee on cities and towns, to which same were referred, having recommended concurrence:

Amend by striking from lines 1 and 2 of section 1-a1 the following: "On nomination of the mayor,".

Also by striking the word "fewer" in line 4 of said section and inserting in lieu thereof the word "less".

Also by striking the comma (,) following the word "members" in line 4 of said section and inserting in lieu thereof the following: "who shall be appointed by the mayor with the approval of the council, and".

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Abben	Bergman	Browne	Campbell
Baird	Brookhart	Buser	Ethell
Banta	Brookins	Caldwell	Fulton

Goodwin	Nelson	Scott	Snook
Hale	Newberry	Shaff	Stoddard
Hartman	Olson	Shane	Thurston
Haskell	Reed	Shinn	White
Horchem	Romkey	Slosson	Wichman
Mead	Schmedka	Smith	

Nays, 2.

Gilchrist Johnston

Absent or not voting, 13.

Adams	Dutcher	Mantz	Tuck
Bowman	Holdoegel	Perkins	
Cessna	Kimberly	Price	
Darting	McIntosh	Rees	

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 Brookhart House File No. 280, a bill for an act to amend, revise, and codify section eighty hundred twenty (8020) of the compiled code of Iowa, relating to garnishment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted, the rules having been suspended.

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, 33.

Abben	Ethell	Mead	Shinn
Adams	Fulton	Nelson	Slosson
Daird	Gilchrist	Newberry	Smith
Banta	Goodwin	Olson	Snook
Bergman	Hale	Price	Stoddard
Brookhart	Hartman	Reed	Thurston
Brookins	Haskell	Schmedika	White
Browne	Horchem	Scott	Wichman
Buser	Johnston	Shaff	
Campbell	Mantz	Shane	

Nays, none.

Absent or not voting, 12.

Bowman	Darting	McIntosh	Rees
Caldwell	Dutcher	Perkins	Romkey
Cessna	Holdoegel	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 Wichman 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, 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:

1. Amend Sec. 4, line 2, by striking out the word "as" and substituting therefor the word "that".
2. Amend Sec. 6, line 2, by striking out the word "judges" and substituting therefor the word "judge" and by inserting between the words "and" and "transact" the word "may".
3. Amend Sec. 7, line 3, by striking the word "provided" and inserting therefor the word "except".
4. Amend Sec. 8, line 4, by striking the word "not" after "shall" and inserting the word "not" after the word "held".
5. Amend Sec. 11, line 2, by inserting after the word "specified" the words "for that county".
6. Amend Sec. 12, line 2, by striking the word "said" and inserting the word "such" and by striking from line 4 after the word "court" the words "in said district".
7. Amend Sec. 14, line 4, by striking the words "by law" and substituting the words "under existing law".
8. Amend Sec. 16 by striking from line 2 the words "same" and "as".
9. Amend Sec. 18 by striking lines 1, 2 and 3 and substituting therefor the following: "Judges of Superior Courts shall be nominated and elected in the manner provided by law for the nomination and election of other elective officers in the cities where such courts are located".

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 moved that the vote by which the bill passed to its third reading be reconsidered.

Senator Brookhart withdrew his motion.

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

Ayes, 36.

Abben	Brookhart	Campbell	Goodwin
Adams	Brookins	Ethell	Hale
Baird	Browne	Fulton	Hartman
Eanta	Buser	Gilchrist	Haskell

Horchem	Newberry	Scott	Snook
Johnston	Price	Shaff	Stoddard
Mantz	Reed	Shane	Thurston
Mead	Romkey	Shinn	White
Nelson	Schmedika	Smith	Wichman

Nays, none.

Absent or not voting, 14.

Bergman	Darting	McIntosh	Slosson
Bowman	Dutcher	Olson	Tuck
Caldwell	Holdoegel	Perkins	
Cessna	Kimberly	Rees	

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

Senator Newberry moved that Senate File No. 55 be rereferred to the committee on conservation, which motion prevailed.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files Nos. 139, 287 and 271.

REPORTS OF COMMITTEES

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 99, a bill for an act to amend, revise, and codify sections 2476 to 2480, inclusive, 2484, 2489, 2490, and 2500 to 2505, inclusive, of the compiled code of Iowa, and section 3231-a13 of the supplement to said code, relating to county superintendent of schools, 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:

1. Amend section 1 by inserting after the word "first" in line 3 thereof the word "secular".

2. Amend sub-section 2 of section 11 by inserting after the word "each" in line 7 the word "public" and by striking the words "public and private," in lines 7 and 8 thereof.

3. Amend section 13 by inserting after the word "lecturer" in line 6 thereof the following: "outside of his own county".

4. Amend by striking out all of section 16 and renumbering the sections accordingly.

5. Amend section 19 by striking out the words and figures "two hundred fifty (250)" in line 4 and by substituting in lieu thereof the words and figures "one hundred fifty (150)". Also by striking the words and figures "three hundred (300)" in line 8 and by substituting in lieu thereof the words and figures "two hundred (200)".

6. Amend section 30 by striking all following the second word "for" in line 5 thereof and by substituting in lieu thereof the following: "his actual and necessary expenses incurred in the performance of his duties within his county shall not exceed four hundred dollars (\$400.00)".

7. Amend section 30 by adding after the word "year" in line 5 thereof the words "of the superintendent's term".

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 102, a bill for an act to amend, revise, and codify sections 2581, 2582, and 2583, of the compiled code of Iowa, relating to evening schools, 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 "shall" appearing in line 5 of section 4 thereof, and inserting in lieu thereof the word "may".

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

COMMUNICATION FROM THE GOVERNOR

STATE OF IOWA—EXECUTIVE DEPARTMENT

January 11, 1924.

To the Senate and House of Representatives of the Fortieth General Assembly:

On the 21st day of November, 1923 acting upon my own initiative, I appointed a voluntary Child Welfare Commission to investigate and return to the Governor and the General Assembly of the State:

(a) The reports and recommendations of like commissions in the 32 States in which they have been appointed since 1911, and the various statutes enacted pursuant to the recommendations of such Commissions in so far as pertinent to like problems arising within the State of Iowa.

(b) To examine the statutes of our own State and inquire into the best standards in the various States in the handling of problems affecting child life such as the following:

Children born out of wedlock.

The feeble-minded.

Child-helping, child-placing and child-caring institutions.

Adoption.

Delinquency, dependency, and neglect.

Juvenile courts.

Mothers' aid.

(c) To submit in the form of a printed report the recommendations

of the Commission, based on its investigations and upon public hearings to be held throughout the State during the year, as to changes deemed wise in the laws of the State in relation to child problems.

The subjects to be considered by the Commission not only involve questions of vital import from a humane standpoint, but are far-reaching from an economic point of view, in the prevention of abuse of the agencies provided by the State for social and economic betterment. It is only in the light of experience of the various States that proper safeguards can be applied for the protection of society. I cannot but believe that a nominal sum expended in a study of the problems from both a humane and economic standpoint will be well spent.

The labor on the part of the Commission involved in the program outlined above is very great. It cannot be done in a hurry. It will require a year of hard and unremitting application. The members of the Commission serve, and are glad to serve, without compensation, but an executive secretary with stenographic assistance is imperative.

There is also the incidental necessity of stationery, postage, printing, actual traveling expenses, and the like. A careful estimate by the Commission of the amount necessary to cover its actual overhead for the year, confirmed by the experience of Commissions in other States, is \$5,000. The Commission is not a continuing one, and the outlay mentioned represents the total expense to the State. Although the Commission is but very recently organized, the members are convinced from their investigations thus far not only that the State's duty to its children should prompt full provision for the work of the Commission, but that sound considerations of economy should impel action to the same end. The child is a special object of interest and concern to the State, by reason of the contribution to society which he is expected to make upon arriving at his maturity. I feel deeply that it is a paramount duty of the Commonwealth to assure that every dependent, neglected, delinquent or defective child is receiving such adequate care, protection and instruction as will permit his development into an intelligent and worthy American citizen.

I very earnestly recommend that the sum of \$5,000.00, or so much thereof as may be necessary, be appropriated to defray the actual expenses of the Commission aforesaid.

Respectfully submitted,

N. E. KENDALL,
Governor.

The communication was read and ordered printed in the Journal.

The Journal of January 10th was corrected and approved.

On motion of Senator Abben the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 12, 1924.

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 Brookins rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Dutcher for the day, on request of Senator Abben; Senator Shane for the day, on request of Senator Ethell; Senator Bergman for the day, on request of Senator Mantz; Senator Perkins for the day, on request of Senator Fulton; Senator Holdoegel for the day, on request of Senator Reed; all other absent senators for the day, on request of Senator Stoddard.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Holdoegel, from the several churches of Gowrie, Iowa, relating to reading of the Bible in public schools. Public schools.

By Senator Brookhart, from citizens of Washington, relating to reading of the Bible in public schools. Public schools.

By Senator Campbell, from citizens of Washta, relating to reading of the Bible in public schools. Public schools.

SENATE CONCURRENT RESOLUTION NO. 10

Senator Smith offered the following resolution and moved its adoption:

Whereas, The Honorable Wm. A. Hough, Chairman of the Indiana Tax Board, is to be in Des Moines on January 15th; therefore,

Be It Resolved by the Senate the House concurring, that Judge Hough be invited to address the members of the General Assembly at 3:30 P. M. on Tuesday, January 15th.

By unanimous consent the resolution was considered.

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

Ayes, 30.

Abben	Campbell	Mantz	Smith
Adams	Ethell	Nelson	Snook
Baird	Fulton	Newberry	Stoddard
Banta	Gilchrist	Olson	Thurston
Bowman	Goodwin	Reed	White
Brookhart	Hale	Scott	Wichman
Brookins	Haskell	Shaff	
Caldwell	Horchem	Slosson	

Nays, none.

Absent or not voting, 20.

Bergman	Dutcher	McIntosh	Romkey
Browne	Hartman	Mead	Schmedika
Buser	Holdoegel	Perkins	Shane
Cessna	Johnston	Price	Shinn
Darting	Kimberly	Rees	Tuck

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

SENATE FILE NO. 280 WITHDRAWN

By unanimous consent Senator Brookhart withdrew Senate File No. 280 from further consideration.

Senator Newberry moved that consideration of Senate File No. 105 be deferred, 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. 167, 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.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 8, a bill for an act to amend, revise, and codify subsection seven (7) of section one hundred eighteen (118) of the compiled code of Iowa and sections one hundred thirty-two (132) 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.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 208, a bill for an act to amend, revise, and codify sections five thousand seven hundred forty-one (5741) of the compiled code of Iowa, relating to the banking department.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 264, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 100, a bill for an act to amend, revise, and codify sections twenty-five hundred eight (2508) of the compiled code of Iowa, and sections twenty-five hundred twenty-four-a one (2524-a1) of the supplement to said code, relating to education.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 208, 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-five (5745), five thousand seven hundred forty-nine (5749) and five thousand seven hundred fifty-two (5752) of the compiled code of Iowa, relating to the banking department.

Read first and second times and referred to committee on banks.

House File No. 264, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney.

Read first and second times and referred to committee on county and township affairs.

House 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), two hundred seventy-four (274) and seven hundred twenty-five (725) 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 times and referred to committee on departmental affairs.

House File No. 100, 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 times and referred to committee on public schools.

THIRD READING OF BILLS

On motion of Senator Newberry 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, 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 the words "in the corporation, male or female, of school age," from lines 4 and 5 of section 2 and inserting in lieu thereof the following: "of school age in the corporation, distinguishing the sexes,".

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, 33.

Abben	Fulton	Mantz	Shaff
Adams	Gilchrist	Nelson	Slosson
Baird	Goodwin	Newberry	Smith
Banta	Hale	Olson	Snook
Brookhart	Hartman	Price	Stoddard
Brookins	Haskell	Reed	Thurston
Caldwell	Horchem	Schmedika	White
Campbell	Johnston	Scott	Wichman
Ethell			

Nays, none.

Absent or not voting, 17.

Bergman	Darting	McIntosh	Romkey
Bowman	Dutcher	Mead	Shane
Browne	Holdoegel	Perkins	Shinn
Buser	Kimberly	Rees	Tuck
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 Stoddard 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, 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 after the word "responsible" in line two (2) of section four (4) the words "upon their bond".

Senator Price moved that further action be deferred.

Senator Price withdrew his motion.

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	Banta	Brookins	Caldwell
Adams	Bowman	Browne	Campbell
Baird	Brookhart	Buser	Ethell

Fulton	Johnston	Price	Slosson
Gilchrist	Mantz	Reed	Smith
Goodwin	Mead	Schmedika	Snook
Hartman	Nelson	Scott	Stoddard
Haskell	Newberry	Shaff	White
Herchem	Olson	Shinn	Wichman

Nays, 2.

Hale Thurston

Absent or not voting, 12.

Bergman	Dutcher	McIntosh	Romkey
Cessna	Holdoegel	Perkins	Shane
Darting	Kimberly	Rees	Tuck

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

President pro tem. John R. Price took the chair at 10:40 a. m.

On motion of Senator Shaff Senate File No. 125, 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, 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 section one (1) by striking out of lines two (2) and three (3) the words "and the lands adjacent thereto"; also strike out of line four (4) the word "the" and the words "adjacent thereto". Insert immediately preceding the word "lands" in said line four (4) the words "all private".

Also amend by striking out section ten (10).

Also amend by renumbering section eleven (11) as section ten (10).

Senator Shinn offered the following amendment and moved its adoption:

Amend section two (2) by striking therefrom all of line nine (9).

By unanimous consent on request of Senator Brookhart the following amendment was substituted for Senator Shinn's amendment:

Amend by changing the comma (,) at the end of line 8 of section 2 to a period (.) and striking out the remainder of the section.

Senator Ethell raised the point of order that the Senators were discussing matters not before the Senate.

President pro tem. Price held the point well taken.

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

Ayes, 9.

Baird	Fulton	Romkey
Brookins	Johnston	Shinn
Ethell	Olson	Snook

Nays, 24.

Abben	Campbell	Mead	Scott
Adams	Goodwin	Nelson	Slosson
Banta	Hale	Newberry	Smith
Bowman	Haskell	Price	Stoddard
Buser	Horchem	Reed	White
Caldwell	Mantz	Schmedika	Wichman

Absent or not voting, 17.

Bergman	Dutcher	McIntosh	Thurston
Brookhart	Gilchrist	Perkins	Tuck
Browne	Hartman	Rees	
Cessna	Holdoegel	Shaff	
Darting	Kimberly	Shane	

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting in line 1 of section 3 after the word "person" the words "and corporation".

Senator Buser withdrew his amendment.

By unanimous consent on request of Senator Stoddard the committee amendment was amended as follows:

Amend by inserting the word "first" after the words "line four (4) the" in the first amendment.

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	Horchem	Romkey
Adams	Campbell	Johnston	Schmedika
Baird	Fulton	Mantz	Slosson
Banta	Gilchrist	Mead	Smith
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Price	White
Browne	Haskell	Reed	Wichman

Nays, 1.

Shinn

Absent or not voting, 17.

Bergman	Ethell	Perkins	Thurston
Buser	Holdoegel	Rees	Tuck
Cessna	Kimberly	Scott	
Darting	McIntosh	Shaff	
Dutcher	Olson	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 Johnston Senate File No. 127, 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, 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 inserting in line six (6) of section one (1) the word "same" between the words "the" and "supervision", also by striking out the words "of the highway engineer" in the same line.

Also amend by striking out all following the period after the word "done" in line seven (7) of section one (1).

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	Campbell	Johnston	Scott
Adams	Ethell	Mantz	Shinn
Baird	Fulton	Mead	Slosson
Banta	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Olson	Stoddard
Browne	Hartman	Price	Thurston
Buser	Haskell	Reed	White
Caldwell	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 14.

Bergman	Dutcher	Perkins	Shane
Bowman	Holdoegel	Rees	Tuck
Cessna	Kimberly	Romkey	
Darting	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 December 11th was corrected and approved.

On motion of Senator Haskell the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 14, 1924.

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

Prayer was offered by Rev. C. William Bast, pastor of the First Congregational church, Perry, Iowa.

On motion of Senator Mead 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 Mead; Senator Dutcher for the day, on request of Senator Stoddard; Senator Perkins for the day, on request of Senator Stoddard; Senator McIntosh for the day, on request of Senator Price; Senator Gilchrist for the day, on request of Senator Price; Senator Romkey for the day, on request of Senator Price.

PETITIONS AND MEMORIALS

Senator Tuck presented a petition from the citizens of Taylor county, relative to reading of the Bible in public schools. Referred to the committee on public schools.

INTRODUCTION OF BILLS

Senate File No. 289, by Senator Price, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenths (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922.

Read first and second times and referred to committee on judiciary No. 2.

On motion of Senator Newberry, action on Senate File No. 99 was deferred.

SENATE FILE NO. 122 WITHDRAWN

By unanimous consent Senator Holdoegel withdrew Senate File No. 122 from further consideration.

THIRD READING OF BILLS

On motion of Senator Newberry Senate File No. 105, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend section one (1), line four (4) thereof, by changing the word and figures "ten (10)" to the word and figure "five (5)", and the words and figures "twenty-five cents (25c)" to the words and figures "fifteen cents (15c)".

Also by striking out all of section three (3) and renumbering section four (4) as section three (3).

The first amendment was adopted.

The second amendment was 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, 37.

Abben	Cessna	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Bergman	Hale	Newberry	Snook
Bowman	Hartman	Olson	Stoddard
Brookhart	Haskell	Price	Thurston
Brookins	Holdoegel	Reed	Tuck
Browne	Horchem	Schmedika	White
Buser	Johnston	Scott	Wichman
Campbell			

Nays, none.

Absent or not voting, 13.

Adams	Gilchrist	McIntosh	Romkey
Caldwell	Goodwin	Perkins	Shaff
Darting	Kimberly	Rees	Smith
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 Newberry House File No. 102, 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, 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 word "shall" appearing in line 5 of section 4 thereof, and inserting in lieu thereof the word "may".

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	Campbell	Mantz	Shinn
Adams	Cessna	Mead	Slosson
Baird	Ethell	Nelson	Snook
Banta	Fulton	Newberry	Stoddard
Bergman	Hale	Olson	Thurston
Bowman	Hartman	Reed	Tuck
Brookhart	Haskell	Schmedika	White
Brookins	Holdoegel	Scott	Wichman
Browne	Horchem	Shaff	
Buser	Johnston	Shane	

Nays, none.

Absent or not voting, 12.

Caldwell	Gilchrist	McIntosh	Rees
Darting	Goodwin	Perkins	Romkey
Dutcher	Kimberly	Price	Smith

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

SENATE FILES NOS. 102 AND 104 WITHDRAWN

By unanimous consent Senator Newberry withdrew Senate Files Nos. 102 and 104 from further consideration.

The Journal of January 12th was corrected and approved.

On motion of Senator Stoddard, the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. John R. Price presiding.

REPORTS OF COMMITTEES

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred Senate File No. 189, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and of the supplement to said code, relating to commerce counsel, 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 which was referred Senate File No. 193, a bill for an 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, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. C. ADAMS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on railroads to which was referred Senate 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 employes, 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 which was referred Senate File No. 197, 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, 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 which was referred Senate File No. 265, a bill for an act to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom, 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 Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 274, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto, 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. 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, 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.

AMENDMENTS FILED TO SENATE FILE NO. 99.

Senator Fulton filed the following amendments to Senate File No. 99:

Amend by changing the semi-colon (;) in line 4 of section 7 to a period (.) and striking out the remainder of the section.

Also amend by striking from line 3 of section 11 the words "of the department".

Senator Buser filed the following amendment to Senate File No. 99:

Amend subsection five (5) of section eleven (11) by inserting a period after the word "auditor" in line forty (40) and striking the remainder of subsection five (5).

Senator Browne offered the following amendment to Senate File No. 99:

Amend by striking out all of sections three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), and ten (10), inserting the following as section three (3), and renumbering the remaining sections:

Sec. 3. Election of county superintendent.

The office of county superintendent is hereby made elective and the election of said officer shall be submitted to the qualified voters of the respective counties of Iowa at the general election of 1924 and every two years thereafter. The term of such officer so elected shall commence on the second secular day of January, 1925, and shall continue until his successor is elected and qualified.

AMENDMENT FILED TO SENATE FILE NO. 15

MR. PRESIDENT: I move to amend Senate File No. 15 by offering a substitute amendment to the amendment offered by Senator Buser, as follows:

Amend Senate File No. 15 by striking out section 7 and inserting in lieu thereof the following:

"Sec. 7. Exceptions.

This chapter shall apply to the presentation and payment of claims arising from the operation and maintenance of the institutions under the government and control of the state board of control and the state board of education, except:

1. Claims payable out of funds in the hands of the treasurers of the several institutions under the control of the state board of education shall be presented, audited, and paid under such rules and regulations as said board may adopt and make of record.

2. Claims for all articles and supplies needed at the several institutions under the state board of control and the monthly payrolls for said institutions shall be presented, audited, and paid in the manner provided in the title relative to the government and maintenance of said institutions.

B. M. STODDARD.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 75, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend section three (3) by striking therefrom all of lines 7, 8, and 9, and inserting in lieu thereof the following: "where the holder of the property resides. But if the holder be a nonresident of the state, then such instrumnts shall be filed with the recorder of the county where the property is situated."

Amend section eight (8) by adding after the word "of" in line 7 thereof, the word "each", and by adding the words "or vendor" after the word "mortgagor".

Amend section eight (8) by adding after the word "of" in line 8 thereof, the word "each", and by adding the words "or vendee" after the words "or actions".

Amend section thirteen (13) by striking from line 3 thereof the words "or actions".

Amend section seventeen (17) by striking from lines 3 and 4 thereof the words "mortgage, bill of sale, extension agreement, release of mortgage or other".

Amend section eighteen (18) by striking from line 7 thereof the words "in the manner required by this chapter" and substituting in lieu thereof the words "as a chattel mortgage".

Amend section six (6) by striking from line 2 thereof the words "or assignment or release thereof,".

Amend section seven (7) by striking from line 2 thereof the words "exact time" and substituting in lieu thereof the word "hour".

Amend section three (3) by striking from line 5 thereof the words "or a true copy thereof".

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 36.

Abben	Ethell	Mead	Shane
Baird	Fulton	Nelson	Shinn
Bergman	Goodwin	Newberry	Slosson
Brookhart	Hale	Olson	Smith
Brookins	Hartman	Price	Snook
Browne	Haskell	Reed	Stoddard
Buser	Horchem	Schmedika	Thurston
Campbell	Johnston	Scott	White
Cessna	Mantz	Shaff	Wichman

Absent or not voting, 14.

Adams	Darting	Kimberly	Romkey
Banta	Dutcher	McIntosh	Tuck
Bowman	Gilchrist	Perkins	
Caldwell	Holdoegel	Rees	

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 Johnston the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 15, 1924.

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 Darting for the day, on request of Senator Price; Senator Kimberly for the day, on request of Senator Price; Senator Snook for the day, on request of Senator Price.

PETITIONS AND MEMORIALS

Petitions relating to the reading of the Bible in all public schools, were presented by Senator Holdoegel, from citizens of Lake City; by Senator Wichman, from citizens of Britt; by Senator Scott, from citizens of Marshall county, and were referred to the committee on public schools.

Petition protesting fraternal insurance legislation, was presented by Senator Browne, from Camp No. 293, R. N. A., Monmouth, and referred to the committee on insurance.

INTRODUCTION OF BILLS

Senator Stoddard asked unanimous consent to introduce a bill, which consent was refused.

Senator Reed moved that the rules be suspended and the chairman of the committee on appropriations be allowed to introduce a bill.

Senator Brookins invoked rule 8.

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

Ayes, 30.

Abben	Cessna	Mead	Smith
Adams	Fulton	Newberry	Stoddard
Baird	Gilchrist	Perkins	Thurston
Banta	Goodwin	Reed	Tuck
Bowman	Hale	Scott	White
Brookins	Holdoegel	Shaff	Wichman
Caldwell	Horchem	Shane	
Campbell	Mantz	Slosson	

Nays, 14.

Brookhart	Hartman	Nelson	Shinn
Browne	Haskell	Price	Snook
Buser	Johnston	Romkey	
Dutcher	McIntosh	Schmedika	

Absent or not voting, 6.

Bergman	Ethell	Olson
Darting	Kimberly	Rees

The roll call revealed the presence of the following Senators:

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

The motion having received a two-thirds vote of those present was declared to have prevailed.

EXPLANATION OF VOTE

In explanation of my vote upon the motion to receive the bill for the appropriation of \$5000 pursuant to the request of the Governor, dated January 11, 1924, I beg to say that my vote was cast against the receiving of the bill for the reason that I have stood from the beginning for a program of confining this special session to the consideration of code revision, and having so stood consistently from the beginning, and believing that the session should be confined exclusively to code revision work and that all other things can wait for the few months until the next regular assembly convenes, I cast my vote against the motion to receive.

CHAS. M. DUTCHER.

Senate File No. 290, by committee on appropriations, a bill for

an act to provide to pay the expenses of the Iowa Child Welfare Commission appointed by the Governor.

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

REPORT OF COMMITTEE ON RULES

Senator Bowman submitted the following report:

MR. PRESIDENT: Your committee on rules recommends the adoption of the following amendment:

Amend Rule 12 by striking the "." at the end of the section and substituting a ";" therefor; and by adding the following: "provided, however, any member who has had the floor on a pending measure or any amendment thereto, shall not be entitled to move the previous question."

M. L. BOWMAN, *Chairman.*

The report was adopted.

On the question "Shall the rule be adopted?" the vote was:

Ayes, 37.

Abben	Cessna	Johnston	Shaff
Adams	Dutcher	McIntosh	Slosson
Baird	Ethell	Mantz	Stoddard
Banta	Fulton	Mead	Thurston
Bowman	Gilchrist	Nelson	Tuck
Brookhart	Goodwin	Newberry	White
Brookins	Hale	Olson	Wichman
Buser	Haskell	Perkins	
Caldwell	Holdoegel	Schmedika	
Campbell	Horchem	Scott	

Nays, 8.

Browne	Reed	Shane	Smith
Price	Romkey	Shinn	Snook

Absent or not voting, 5.

Bergman	Hartman	Rees
Darting	Kimberly	

The rule was adopted.

THIRD READING OF BILLS

On motion of Senator Newberry Senate File No. 99, a bill for an act to amend, revise, and codify sections two thousand four hundred seventy-eight (2478) to two thousand four hundred eighty (2580), 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, and section three thousand two hundred thirty-one-a thirteen (3231-a13) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section 1 by inserting after the word "first" in line 3 thereof the word "secular".
2. Amend sub-section 2 of section 11 by inserting after the word "each" in line 7 the word "public" and by striking the words "public and private," in lines 7 and 8 thereof.
3. Amend section 13 by inserting after the word "lecturer" in line 6 thereof the following: "outside of his own county".
4. Amend by striking out all of section 16 and renumbering the sections accordingly.
5. Amend section 19 by striking out the words and figures "two hundred fifty (250)" in line 4 and by substituting in lieu thereof the words and figures "one hundred fifty (150)". Also by striking the words and figures "three hundred (300)" in line 8 and by substituting in lieu thereof the words and figures "two hundred (200)".
6. Amend section 30 by striking all following the second word "for" in line 5 thereof and by substituting in lieu thereof the following: "his actual and necessary expenses incurred in the performance of his duties within his county shall not exceed four hundred dollars (\$400.00)".
7. Amend section 30 by adding after the word "year" in line 5 thereof the words "of the superintendent's term".

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

The sixth amendment was adopted.

The seventh amendment was adopted.

Senator Browne withdrew his amendment found on page 346 of the Senate Journal.

Senator Fulton offered the following amendment and moved its adoption:

Amend by changing the semi-colon (;) in line 4 of section 7 to a period (.) and striking out the remainder of the section.

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Also amend by striking from line 3 of section 11 the words "of the department".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend subsection five (5) of section eleven (11) by inserting a period after the word "auditor" in line forty (40) and striking the remainder of subsection five (5).

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

Ayes, 33.

Abben	Cessna	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Bowman	Gilchrist	Olson	Snook
Brookhart	Goodwin	Price	Stoddard
Brookins	Hale	Reed	Thurston
Browne	Hartman	Romkey	Tuck
Buser	Haskell	Schmedika	
Caldwell	Johnston	Scott	
Campbell	McIntosh	Shane	

Nays, 9.

Baird	Mantz	Shaff
Bergman	Newberry	White
Horchem	Perkins	Wichman

Absent or not voting, 8.

Adams	Ethell	Rees
Darting	Holdoegel	Smith
Dutcher	Kimberly	

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 4 of section 11 the words "such department" and inserting in lieu thereof the words "the department of public instruction".

The amendment was adopted.

Senator Buser moved that the vote by which the third committee amendment (amending section 13) was adopted, be reconsidered.

The motion was lost.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting after the word "necessary" in line 39 of section 11 the words "for this purpose".

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, 29.

Abben	Caldwell	Horchem	Smith
Adams	Dutcher	Mantz	Snook
Baird	Gilchrist	Mead	Stoddard
Banta	Goodwin	Newberry	White
Bergman	Hale	Perkins	Wichman
Bowman	Hartman	Reed	
Brookhart	Haskell	Shaff	
Brookins	Holdoegel	Slosson	

Nays, 9.

Browne	Johnston	Shinn
Campbell	Olson	Thurston
Cessna	Schmedika	Tuck

Absent or not voting, 12.

Buser	Fulton	Nelson	Romkey
Darting	Kimberly	Price	Scott
Ethell	McIntosh	Rees	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 Cessna 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 hundred fifteen (715) of said code, and section one hundred eight een-a one (118-a1) of the supplement to said code, relating to the filing and auditing of claims against the state, was taken up

and considered, the report of the committee having been previously adopted.

The following amendment by Senator Buser was considered:

Amend by striking out all of section 7 and renumbering the following sections to correspond.

Senator Stoddard offered the following substitute amendment for the amendment offered by Senator Buser and moved its adoption:

Amend Senate File No. 15 by striking out section 7 and inserting in lieu thereof the following:

"Sec. 7. Exceptions.

This chapter shall apply to the presentation and payment of claims arising from the operation and maintenance of the institutions under the government and control of the state board of control and the state board of education, except:

1. Claims payable out of funds in the hands of the treasurers of the several institutions under the control of the state board of education shall be presented, audited, and paid under such rules and regulations as said board may adopt and make of record.

2. Claims for all articles and supplies needed at the several institutions under the state board of control and the monthly payrolls for said institutions shall be presented, audited, and paid in the manner provided in the title relative to the government and maintenance of said institutions.

Senator Shaff moved the previous question.

Senator Thurston raised the point of order that under the rule adopted, a Senator who had had the floor could not move the previous question.

The President held the point well taken.

Senator Abben moved the previous question.

On the question "Shall the main question be now ordered?" the vote was:

Ayes, 23.

Abben	Dutcher	Newberry	Slosson
Adams	Hale	Olson	Smith
Baird	Haskell	Perkins	Stoddard
Banta	Holdoegel	Reed	White
Bergman	Horchem	Scott	Wichman
Brookins	Mantz	Shaff	

Nays, 23.

Bowman	Cessna	Johnston	Shane
Brookhart	Ethell	McIntosh	Shinn
Browne	Fulton	Nelson	Snook
Buser	Gilchrist	Price	Thurston
Caldwell	Goodwin	Romkey	Tuck
Campbell	Hartman	Schmedika	

Absent or not voting, 4.

Darting	Kimberly	Mead	Rees
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The motion was lost.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to the following bill:

House File No. 104, a bill for an act to amend, revise, and codify section two thousand five hundred ninety-seven (2597) of the compiled code of Iowa, relating to education.

Also: That the House has concurred in Senate amendments to the following bill:

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 concurred in Senate amendment to the following bill:

House File No. 138, a bill for an act to amend, revise, and codify chapter ten (10) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to the submission of questions to voters.

Also: That the House has concurred in Senate amendment to the following bill:

House File No. 258, a bill for an act to amend, revise, and codify section forty-two hundred nineteen (4219) 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.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 10 inviting Judge Hough to address the members of the General Assembly at 3:30 p. m. on Tuesday, January 15th.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 241, a bill for an act to amend, revise, and codify section eight thousand one hundred sixty (8160) of the compiled code of Iowa, relating to foreclosure and release of mortgages, and sales under pledge.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House 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.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 32, a bill for an act to amend, revise, and codify chapter nineteen (19) of title four (4) of the compiled code of Iowa and of the supplement to said code, relating to the bonds of public officers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 40, a bill for an act to amend, revise, and codify sections seven hundred six (706) 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.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House 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 times and referred to committee on elections.

House 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 times and referred to committee on elections.

House 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 times and referred to committee on judiciary No. 2.

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

AFTERNOON SESSION

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

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 15.

Senator Banta raised the point of order that Senator Price's remarks were not germane.

The President advised Senator Price to keep to the subject.

Senator Thurston offered the following amendment and moved its adoption:

Amend by inserting a ":" at the end of section seven, and by adding thereto: "provided, however, that said boards shall submit quarterly, all claims paid together with vouchers therefor, to the state board of audit at the seat of government, for audit, said data to be furnished within thirty (30) days from the end of said quarter."

Senator Buser raised the point of order that consideration of Senator Thurston's amendment was out of order, as the Senate was considering and was about to vote on a pending amendment to which there were no amendments filed.

The President held the point well taken.

Senator Abben invoked rule 8.

On the question "Shall the amendment offered by Senator Stoddard be substituted for Senator Buser's amendment?" the vote was:

Ayes, 19.

Abben	Gilchrist	Mantz	Scott
Baird	Hale	Newberry	Shaff
Banta	Haskell	Olson	Stoddard
Bowman	Holdoegel	Perkins	Wichman
Dutcher	Horchem	Reed	

Nays, 27.

Adams	Campbell	McIntosh	Shinn
Bergman	Cessna	Mead	Slosson
Brookhart	Ethell	Nelson	Smith
Brookins	Fulton	Price	Thurston
Browne	Goodwin	Romkey	Tuck
Buser	Hartman	Schmedika	White
Caldwell	Johnston	Shane	

Absent or not voting, 4.

Darting	Kimberly	Rees	Snook
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The motion was lost and the substitution was not made.

Senator Thurston now offered the following amendment as a substitute for Senator Buser's amendment and moved its adoption:

Amend by inserting a ";" at the end of section seven, and by adding thereto: "provided, however, that said boards shall submit quarterly, all claims paid together with vouchers therefor, to the state board of audit at the seat of government, for audit, said data to be furnished within thirty (30) days from the end of said quarter."

Senator Holdoegel invoked rule 8.

On the question "Shall the amendment offered by Senator Thurston be substituted for Senator Buser's amendment?" the vote was:

Ayes, 39.

Abben	Cessna	Johnston	Shane
Adams	Dutcher	Mantz	Shinn
Baird	Fulton	Mead	Slosson
Banta	Gilchrist	Newberry	Smith
Bergman	Goodwin	Olson	Stoddard
Bowman	Hale	Perkins	Thurston
Brookhart	Hartman	Reed	Tuck
Brookins	Haskell	Schmedika	White
Caldwell	Holdoegel	Scott	Wichman
Campbell	Horchem	Shaff	

Nays, 7.

Browne	Ethell	Nelson	Romkey
Buser	McIntosh	Price	

Absent or not voting, 4.

Darting	Kimberly	Rees	Snook
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The motion prevailed and the substitution was made.

By unanimous consent on request of Senator Gilchrist the

comma (,) following the word "quarterly" was stricken from the amendment.

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, 43.

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

Nays, none.

Absent or not voting, 7.

Banta	Darting	Kimberly	Snook
Cessna	Dutcher	Rees	

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.

HOUSE AMENDMENTS CONSIDERED

Senator Campbell called up for consideration Senate File No. 241, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 3 by striking out all of said section after the word "debt" in line 6 thereof.

Amend section 4 by striking out all of the first six lines and inserting in lieu thereof the following:

"The notice shall be served upon the pledgor if in the county in which the property is held and shall be posted for ten (10) days in three (3) public places in the township of the pledgor's residence. Such notice shall contain a full and complete description of the property to be sold.

the day and hour when, and the place at which the same will be sold. If the pledgor is not a resident of the county where the property is held, such notice shall be posted for ten (10) days in three (3) public places of such county."

Amend the committee amendments to Senate File No. 241 as follows:

Amend line one (1) of section four (4) by inserting at the beginning of said line the words: "Unless otherwise agreed in writing".

Senator Campbell offered the following amendment to the House amendments and moved its adoption:

Amend by striking therefrom the first 5 words of the amendment to section four (4), "unless otherwise agreed in writing".

Further action was deferred.

On motion of Senator Shaff the Senate recessed until 3:30 p. m. The Senate reconvened.

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 convention 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 Smith of Madison moved that a committee of three be appointed to notify Judge Hough that the joint convention was ready to receive him, and to escort him to the speaker's station.

Motion prevailed and the President appointed as such committee, Senator Smith of Madison, Representatives Moen of Lyon and Slemmons of Buchanan.

The President requested the above named committee to invite the Hon. N. E. Kendall, Governor, to attend.

The committee reported and announced the arrival of Judge Wm. A. Hough of the Indiana tax commission and Hon. N. E. Kendall, Governor of Iowa.

Judge Hough and Governor Kendall were escorted to the Speaker's station.

Lieutenant-governor Hammill then presented Governor Kendall who in turn introduced Judge Hough who addressed the joint convention.

Ontjes of Grundy moved that the remarks of Judge Hough be printed in the Journal.

Motion prevailed.

Senator Haskell of Linn moved that the joint convention be now dissolved.

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 House File No. 74.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

PROOF OF PUBLICATION OF SENATE FILE NO. 289

I hereby certify, that there has been filed with the Secretary of the Senate, proof of publication of a proposed bill for the legalization of certain levies and collections of a cemetery tax by the board of supervisors of Monroe county, Iowa, for the year 1922.

L. W. AINSWORTH, *Secretary.*

The Journal of January 14th was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 16, 1924.

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

Prayer was offered by Rev. Wm. P. Webb, pastor of the Methodist Episcopal church, of Hinton, Iowa.

On motion of Senator Shane rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cessna for the day, on request of Senator Shane; Senator Campbell for the day, on request of Senator Shane; Senator Shinn for the day, on request of Senator Shane; Senator Bowman for the day, on request of Senator McIntosh.

PETITIONS AND MEMORIALS

Petitions urging a law making it compulsory to read the Bible daily in all public schools, were presented by Senator McIntosh, from members of Methodist Episcopal church, Diagonal, from citizens of Van Wert, from the members of the Methodist Episcopal church, Allerton, and from citizens of Diagonal; by Senator Haskell, from the Kenwood Presbyterian church, Cedar Rapids, from the W. C. T. U., Cedar Rapids, from the W. C. T. U., East Side Cedar Rapids, from the members of Evangelical church, Center Point, and members of the Methodist church, Center Point; by Senator Gilchrist, from citizens of Pocahontas; by Senator Abben from citizens of Ocheyedan; and by Senator Brookhart, from Sunday School class of the Methodist church, Washington, all of which were referred to the committee on public schools.

Petitions protesting fraternal insurance were presented by Senator Gilchrist from Camp No. 3589, M. W. A., Humboldt; by Senator Browne, from Camps Nos. 2071 and 552, R. N. A.; and by Senator Olson from Camp No. 458, M. W. A., Ames, all of which were referred to the committee on insurance.

MESSAGES FROM THE HOUSE

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

House Concurrent Resolution No. 8, extending an invitation to Hon. L. J. Dickinson to address a joint convention at 11:30 today.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 102, a bill for an act to amend, revise, and codify sections two thousand five hundred eighty-one (2581) of the compiled code of Iowa, relating to education.

Also: 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 to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 267, a bill for an act to repeal paragraphs twenty-three (23) and twenty-four (24) of section sixty-nine hundred eighty-two (6982) of the supplement to the compiled code of Iowa, relating to the fees chargeable by the clerk of the district court.

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. 213, a bill for an act to amend, revise, and codify sections sixty-five hundred eighty-nine (6589) of the compiled code of Iowa, and sections sixty-six hundred thirty-seven (6637) 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. 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.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 92, a bill for an act to amend, 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.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

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 sections sixty-six hundred thirty-seven (6637) and eight-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 92, 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 times and referred to committee on educational institutions.

House 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 the laws taking effect by publication.

Read first and second times 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 times and referred to committee on judiciary No. 2.

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. 74.

SENATE FILE 193 INDEFINITELY POSTPONED

On motion of Senator Adams Senate File No. 193 was indefinitely postponed, in accordance with the report of the committee on railroads.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 8.

On motion of Senator Adams the rules were suspended and the following resolution was taken up and considered:

Whereas, the Hon. L. J. Dickinson, congressman from the Tenth Congressional district, is in the city of Des Moines; Be It Resolved by the House, the Senate concurring, the Hon. L. J. Dickinson be invited to address the members of the General Assembly at 11:30 a. m. today.

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Abben	Fulton	Mantz	Smith
Adams	Gilchrist	Mead	Snook
Baird	Goodwin	Nelson	Stoddard
Bergman	Hale	Newberry	Thurston
Brookhart	Hartman	Reed	Tuck
Brookins	Haskell	Scott	Wichman
Browne	Holdoegel	Shaff	
Buser	Horchem	Shane	
Caldwell	McIntosh	Slosson	

Nays, 5.

Johnston	Romkey	White
Price	Schmedika	

Absent or not voting, 12.

Banta	Cessna	Ethell	Perkins
Bowman	Darting	Kimberly	Rees
Campbell	Dutcher	Olson	Shinn

The resolution having received a constitutional majority was declared to have passed the Senate.

THIRD READING OF BILLS

On motion of Senator Reed 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, 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, 35.

Abben	Ethell	Johnston	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Slosson
Bergman	Goodwin	Nelson	Smith
Brookhart	Hale	Newberry	Snook
Brookins	Hartman	Price	Thurston
Browne	Haskell	Reed	Tuck
Buser	Holdoegel	Romkey	Wichman
Caldwell	Horchem	Scott	

Nays, none.

Absent or not voting, 15.

Banta	Darting	Olson	Shinn
Bowman	Dutcher	Perkins	Stoddard
Campbell	Kimberly	Rees	White
Cessna	McIntosh	Schmedika	

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. 52 from further consideration.

On motion of Senator Adams Senate File No. 197, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton offered the following amendments and moved their adoption:

Amend by inserting after the word "officer" in line 36 of section 6 the words "within the limits of any city".

Also amend by striking the word "any" from line 37 of section 6 and inserting in lieu thereof the word "such" and by inserting in line 38 a period (.) after the word "office" and striking out the remainder of the sentence.

The amendment was adopted.

Senator Brookins offered the following amendment and moved its adoption:

Amend by inserting following the word "public" in line 46 of section 6 the following: ", private".

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 Fulton moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

Senator Fulton moved that the vote by which his amendment to section 6 was adopted be reconsidered, which motion prevailed.

Senator Fulton withdrew his amendment.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 6 by striking therefrom paragraph 12 and inserting in lieu thereof the following:

"12. Mail carriers and firemen, and all peace officers, (except state policemen and agents of the department of justice) of any city within the limits of such city, while wearing the insignia of their office."

The amendment was adopted.

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.

Adams	Fulton	Mead	Slosson
Baird	Gilchrist	Newberry	Snook
Banta	Goodwin	Olson	Stoddard
Brookhart	Hale	Price	Thurston
Brookins	Hartman	Reed	Tuck
Browne	Haskell	Romkey	White
Buser	Holdoegel	Schmedika	Wichman
Caldwell	Horchem	Scott	
Ethell	McIntosh	Shane	

Nays, none.

Absent or not voting, 16.

Abben	Cessna	Kimberly	Rees
Bergman	Darting	Mantz	Shaff
Bowman	Dutcher	Nelson	Shinn
Campbell	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 Adams Senate File No. 189, a bill for an act to amend, revise, and codify chapter two (2) of title sixteen (16) of the compiled code of Iowa, and of the supplement to said code, relating to commerce counsel, 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 by striking from line 6 of section 7 the word "to" appearing after the word "and". Also amend by striking the word "to" from line 13 of section 7 appearing after the word "and", and by striking the word "to" from line 30 of section 7 appearing after the words "state and".

The amendment was adopted.

Further action was deferred.

On motion of Senator Reed Senate File No. 241 was rereferred to committee on judiciary No. 1.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 267, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title by striking out the period (.) at the end, and inserting a comma (,) and adding the following: "and to enact a substitute in lieu thereof".

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Adams	Fulton	Mantz	Slosson
Banta	Gilchrist	Mead	Snook
Bergman	Goodwin	Newberry	Stoddard
Brookhart	Hale	Olson	Thurston
Brookins	Haskell	Reed	White
Browne	Holdoegel	Romkey	Wichman
Buser	Horchem	Schmedika	
Caldwell	Johnston	Scott	
Ethell	McIntosh	Shane	

Nays, none.

Absent or not voting, 17.

Abben	Darting	Perkins	Smith
Baird	Dutcher	Price	Tuck
Bowman	Hartman	Rees	
Campbell	Kimberly	Shaff	
Cessna	Nelson	Shinn	

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

Senator Brookhart called up for consideration Senate File No. 273, amended by the House as follows:

Amend section 4 by striking out of lines 2 and 3 the words "the owner of the property resides; when the said owner is a nonresident of this state, the action shall be brought in the county where".

On motion of Senator Brookhart the bill was referred to the committee on judiciary No. 2.

COMMITTEE FROM THE HOUSE

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

Senator Stoddard moved that the Senate proceed to the House and also that the Senate recess until 1:30 p. m., which motion prevailed.

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 convention 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.

Patterson of Kossuth moved that a committee of three be appointed to escort the Hon. L. J. Dickinson, member of Congress from the tenth congressional district of Iowa, to the Speaker's station.

Motion prevailed and the President appointed as such committee, Representatives Patterson of Kossuth and Parsons of Calhoun, and Senator Adams of Kossuth.

Mr. Dickinson was escorted to the Speaker's station and addressed the joint convention.

Hauge of Polk moved that the remarks of the Hon. L. J. Dickinson be printed in the Journal.

Motion prevailed.

The Senate reconvened.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 189.

Senator Wichman offered the following amendment and moved its adoption:

Amend by changing the period (.) at the end of section 6 to a semicolon (;) and adding the following: "such expenditures are to be approved by the board of railroad commissioners."

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, 30.

Abben	Ethell	Nelson	Smith
Adams	Hale	Olson	Snook
Banta	Hartman	Price	Stoddard
Bergman	Haskell	Reed	Thurston
Brookins	Holdoegel	Romkey	Tuck
Browne	Horchem	Schmedfka	Wichman
Buser	McIntosh	Shane	
Caldwell	Mead	Slosson	

Nays, none.

Absent or not voting, 20.

Baird	Darting	Johnston	Rees
Bowman	Dutcher	Kimberly	Scott
Brookhart	Fulton	Mantz	Shaff
Campbell	Gilchrist	Newberry	Shinn
Cessna	Goodwin	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 Adams Senate 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, 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, 31.

Abben	Hale	Nelson	Slosson
Adams	Hartman	Olson	Smith
Banta	Haskell	Price	Snook
Brookhart	Holdoegel	Reed	Stoddard
Brookins	Horchem	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck
Caldwell	McIntosh	Scott	Wichman
Ethell	Mead	Shane	

Nays, none.

Absent or not voting, 19.

Baird	Cessna	Goodwin	Rees
Bergman	Darting	Kimberly	Shaff
Bowman	Dutcher	Mantz	Shinn
Browne	Fulton	Newberry	White
Campbell	Gilchrist	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 Adams Senate File No. 265, a bill for an act to amend, revise, and codify sections ten hundred twenty-one (1021) and ten hundred twenty-two (1022) of the compiled code of Iowa, relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom, 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, 38.

Abben	Brookhart	Ethell	Haskell
Adams	Brookins	Fulton	Holdoegel
Baird	Browne	Gilchrist	Horchem
Banta	Buser	Hale	Johnston
Bergman	Caldwell	Hartman	McIntosh

Mead	Reed	Slosson	Tuck
Nelson	Romkey	Smith	White
Newberry	Schmedika	Snook	Wichman
Olson	Scott	Stoddard	
Price	Shane	Thurston	

Nays, none.

Absent or not voting, 12.

Bowman	Darting	Kimberly	Rees
Campbell	Dutcher	Mantz	Shaff
Cessna	Goodwin	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 Reed House File No. 274, a bill for an act to amend, revise, and codify sections ninety-two hundred eighty-seven (9287), ninety-three hundred fifty-two (9352) and ninety-three hundred eighty-nine (9389) of the compiled code of Iowa, relating to indictments, trial information, and demurrers thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 38.

Abben	Fulton	Newberry	Slosson
Adams	Hale	Olson	Smith
Baird	Hartman	Perkins	Snook
Banta	Haskell	Price	Stoddard
Bergman	Holdoegel	Reed	Thurston
Brookhart	Horchem	Romkey	Tuck
Brookins	Johnston	Schmedika	White
Buser	McIntosh	Scott	Wichman
Caldwell	Mead	Shaff	
Ethell	Nelson	Shane	

Nays, none.

Absent or not voting, 12.

Bowman	Cessna	Gilchrist	Mantz
Browne	Darting	Goodwin	Rees
Campbell	Dutcher	Kimberly	Shinn

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

The Journal of January 15th was corrected and approved.

On motion of Senator McIntosh, the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

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. 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, 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 12 of the bill and substituting the following in lieu thereof:

"Sec. 12. Hospital emergency patients.

The authorities of any general hospital who have received an indigent patient, resident in this state, in an emergency caused by accident or by sudden and dangerous sickness, shall have a valid claim against the county of which such patient is a bona fide resident, for the reasonable value of the medical or surgical treatment furnished to such patient for the first week, by giving the notice prescribed in the following section.

Sec. 12-a1. Notice.

Said hospital authorities, within seventy-two hours after said patient has been received, and at an earlier time if reasonably possible, shall notify the county auditor of the county in which the patient resides that such patient has been so received; and, if known to said authorities, the notice shall state where said patient was injured or taken sick and the nature of such injury or sickness together with his name and post office address.

Sec. 12-a2. Exception.

Nothing in the two preceding sections shall be construed as preventing the county from making, at any time, arrangements for the care of said patient at a place other than in said receiving hospital."

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

Senator Thurston submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred Senate File No. 47, a bill for an act relating to state employment bureau, 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:

1st. Amend section one by striking from line three, the words "said commissioner" and substituting therefor the word "he", and by striking from line eight the word "labor".

2nd. Amend by striking out section two and in lieu thereof substituting the following:

"Sec. 2. Duty as to free employment services.

It shall be the duty of the commissioner through the free employment service to:

1. Adopt all means at his command to bring together those desiring to employ labor and those desiring employment.

2. Supply information as to opportunities for securing employment and the character and conditions of work to be performed in the various industries of the state, including agricultural pursuits.

3. Adopt all available means for steadying employment and avoiding unemployment.

Sec. 3. Extension of service by permission.

With the approval of the executive council the commissioner may establish within the state such branches of free employment agencies as shall afford the best distribution of labor, and for such purposes may cooperate with any federal, state, municipal, or other free employment bureau or association."

3rd. Amend by renumbering the subsequent sections to correspond with the substitutions above made.

4th. Amend by striking from lines six and seven of section nine the words "in case of individuals on default of payment of such fine".

5th. Amend by striking section ten.

6th. Amend by striking from line two of section nine the words "the five preceding sections" and substituting therefor "this act".

LLOYD THURSTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on labor to which was referred House File No. 194, a bill for an act relating to liability for negligence of employes, 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 Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred 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, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties, and employees thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman*.

Ordered passed on file.

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 237, a bill for an act to amend, revise, and codify sections 7791, 7829, 7830 of the compiled code of Iowa, and sections 7832-a1 to 7832-a4 inclusive, of the supplement to said code, relating to wills and letters of administration, 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:

1. Amend section 3-a2 by striking out the period (.) at the end of subsection 2 thereof and inserting in lieu thereof a comma (,) and adding the words "or by such other manner as the court may direct."

2. Amend section 3-a3 by striking out the word "and" following the word "publication" in line 1 thereof and inserting in lieu thereof a comma (,); also by adding after the word "service" and before the word "of" in line 1 the words "or other prescribed service"; also strike out the word "return" appearing in line 2 thereof; also strike out the period (.) at the end of said section and adding the words "set for hearing."

3. Amend section 3-a4 by striking out the word "return" appearing in line 1 thereof; also strike out the comma (,) after the word "day" in line 1 and adding the words, "set for hearing".

4. Amend section 6 by adding after the comma (,) following the word "attached" in line 3 thereof the words "if such officer has a seal,".

5. Amend by adding the following:

"That section seventy-eight hundred nineteen (7819) of the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 9. Administration granted.

In other cases, where an executor is not appointed by will, administration shall be granted to any suitable person or persons on the request and application of:

1. The surviving spouse.
2. The next of kin.
3. Creditors.
4. Any other person."

6. Amend the title by inserting in the second line thereof immediately after the parenthetical term "(7791)," the following: "seventy-eight hundred and nineteen (7819)."

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 251, a bill for an 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, begs leave to report they have had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend by inserting the words "or property" immediately following the word, "money" in line 1 of section 14.
2. Amend line 1 of section 15 by striking the word "sums" and inserting in lieu thereof the words, "money or property."

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 273, a bill for an act to amend, revise, and codify section 8168 of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property, begs leave to report it has had the same under consideration and recommends that the Senate refuse to concur in the House amendment.

J. L. BROOKHART, *Chairman.*

The report was adopted.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 270, a bill for an act to amend, revise, and codify sections eighty-one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate, 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:

1st. Amend section two by adding as subsection four, the following:

"4. Provided, however, that if the property affected by the contract, if within a city or town does not exceed one-half acre in extent, and otherwise does not contain in the aggregate more than forty (40) acres, has assumed a homestead character, then the vendor or his successor in interest, shall notify said vendee or his successor in interest, that said contract will stand forfeited and canceled, unless said party, within ninety (90) days after the completed service of said notice, performs the terms and conditions in default, and in addition, pays the reasonable cost of serving the notice."

2nd. Amend section three by adding after the word "require" in line 4 the words "before publication".

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 241, 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 and release of mortgages, and sales under pledge, begs leave to report it has had the same under consideration and recommends that the Senate refuse to concur in the House amendments.

CARL W. REED, *Chairman*.

The report was adopted.

Senator Reed moved that the Senate refuse to concur in the House amendments to Senate File No. 241 in accordance with the report of the committee on judiciary No. 1.

On the question "Shall the Senate concur?" the vote was:

Ayes, 1.

Adams

Nays, 27.

Baird	Fulton	Johnston	Schmedika
Banta	Gilchrist	Newberry	Scott
Bergman	Goodwin	Olson	Snook
Buser	Hale	Perkins	Thurston
Caldwell	Hartman	Price	Tuck
Dutcher	Haskell	Reed	Wichman
Ethell	Holdoegel	Romkey	

Absent or not voting, 22.

Abben	Cessna	Mead	Slosson
Bowman	Darting	Nelson	Smith
Brookhart	Horchem	Rees	Stoddard
Brookins	Kimberly	Shaff	White
Browne	McIntosh	Shane	
Campbell	Mantz	Shinn	

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

Senator Brookhart moved that the Senate refuse to concur in the House amendments to Senate File No. 273, in accordance with the report of the committee on judiciary No. 2.

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 27.

Adams	Ethell	Holdoegel	Schmedika
Baird	Fulton	Johnston	Scott
Banta	Gilchrist	Mantz	Snook
Bergman	Goodwin	Newberry	Thurston
Brookhart	Hale	Olson	Tuck
Buser	Hartman	Perkins	Wichman
Caldwell	Haskell	Romkey	

Absent or not voting, 23.

Abben	Darting	Nelson	Shinn
Bowman	Dutcher	Price	Slosson
Brookins	Horchem	Reed	Smith
Browne	Kimberly	Rees	Stoddard
Campbell	McIntosh	Shaff	White
Cessna	Mead	Shane	

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

On motion of Senator Haskell the Senate adjourned until 10 a. m. Thursday.

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. C. H. Van Metre, pastor of the Methodist Episcopal church, of Garner, Iowa.

On motion of Senator Shaff rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the day, on request of Senator Nelson; Senator Shinn for the day, on request of Senator Cessna; Senator Goodwin for the day, on request of Senator Smith.

PETITIONS AND MEMORIALS

Petitions urging a law making it compulsory to read the Bible daily in all public schools were presented by Senator Schmedika, from citizens of Eagle Grove; by Senator Hartman, from citizens of Fayette county; by Senator Bowman, from men's Bible Class of First M. E. Sunday school, Waterloo; by Senator Hale, from citizens of Clarence; by Senator Thurston, from the pastors and members of the several churches, and citizens of Osceola; and by Senator Rees, from the W. C. T. U., Shenandoah, all of which were referred to the committee on public schools.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 108, 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.

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 amend, revise, and codify sections seventy-three hundred thirty-two (7332) of the compiled code of Iowa, relating to the statute of frauds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 86, a bill for an act to amend, revise, and codify sections twenty-two hundred sixty-five (2265) of the compiled code of Iowa, and sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred seventy-seven (2277) of the supplement to said code, relating to education.

Also: That the House insists on its amendments to Senate File No. 75, a bill for an act to amend, revise, and codify section sixty-three hundred seventeen (6317) of the compiled code of Iowa and section sixty-three hundred twenty-seven-a one (6327-a1) of the supplement to said code, relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property, and the Speaker appoints as members of the conference committee on the part of the House, Representatives Vincent, Saunders, Garber of Adair and Bradley.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 268, a bill for an act to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-five (7335) of the compiled code of Iowa, relating to the statute of frauds.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 108, 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 times and referred to committee on public schools.

House File No. 86, 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 sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred sev-

enty-seven (2277) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public schools.

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. 163, 167 and 245, and House Files Nos. 278 and 280.

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. 163, 167 and 245; House Files Nos. 278 and 280.

CONFERENCE COMMITTEE ON SENATE FILE NO. 75

The President appointed the following conference committee on Senate File No. 75 on the part of the Senate: Senators Brookhart, Newberry, Campbell and Abben.

THIRD READING OF BILLS

On motion of Senator Ethell House 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 amendment and passage, was taken up, considered, and the report of the committee adopted, the rules having been suspended.

The following committee amendment was adopted:

Amend by striking out section 12 of the bill and substituting the following in lieu thereof:

"Sec. 12. Hospital emergency patients.

The authorities of any general hospital who have received an indigent patient, resident in this state, in an emergency caused by accident or by sudden and dangerous sickness, shall have a valid claim against the county of which such patient is a bona fide resident, for the reasonable value of the medical or surgical treatment furnished to such patient for the first week, by giving the notice prescribed in the following section.

Sec. 12-a1. Notice.

Said hospital authorities, within seventy-two hours after said patient has been received, and at an earlier time if reasonably possible, shall notify the county auditor of the county in which the patient resides that such patient has been so received; and, if known to said authorities, the notice shall state where said patient was injured or taken sick and the nature of such injury or sickness, together with his name and post office address.

Sec. 12-a2. Exception.

Nothing in the two preceding sections shall be construed as preventing the county from making, at any time, arrangements for the care of said patient at a place other than in said receiving hospital."

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, 40.

Adams	Ethell	Mead	Shaff
Baird	Fulton	Nelson	Shane
Bergman	Gilchrist	Newberry	Slosson
Bowman	Hale	Olson	Smith
Brookhart	Hartman	Perkins	Snook
Brookins	Haskell	Price	Stoddard
Buser	Holdoegel	Reed	Thurston
Caldwell	Horchem	Romkey	Tuck
Campbell	McIntosh	Schmedika	White
Darting	Mantz	Scott	Wichman

Nays, none.

Absent or not voting, 10.

Abben	Cessna	Johnston	Shinn
Banta	Dutcher	Kimberly	
Browne	Goodwin	Rees	

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 House File No. 140 passed the Senate be reconsidered, which motion prevailed.

Senator Smith moved that the vote by which House File No. 140 passed to its third reading be reconsidered, which motion prevailed.

Senator Smith offered the following amendment to House File No. 140 and moved its adoption:

Amend by striking from lines 9 and 10 of section 6 (subsection 2) the following: ", divorce or abandonment of her by the husband" and inserting in lieu thereof "of her husband or if she be divorced or abandoned by him".

The amendment was 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, 39.

Adams	Ethell	Mead	Shane
Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Newberry	Smith
Bergman	Hale	Olson	Snook
Bowman	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Thurston
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Schmedika	White
Campbell	Johnston	Scott	Wichman
Cessna	Mantz	Shaff	

Nays, none.

Absent or not voting, 11.

Abben	Darting	Kimberly	Romkey
Brookhart	Dutcher	McIntosh	Shinn
Browne	Goodwin	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 Thurston Senate File No. 47, a bill for an act to amend, revise, and codify sections eight hundred ninety-two (892) 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted, the rules having been suspended.

The following committee amendments were considered:

1st. Amend section one by striking from line three, the words "the said commissioner" and substituting therefor the word "he", and by striking from line eight the word "labor".

2nd. Amend by striking out section two and in lieu thereof substituting the following:

"Sec. 2. Duty as to free employment services.

It shall be the duty of the commissioner through the free employment service to:

1. Adopt all means at his command to bring together those desiring to employ labor and those desiring employment.

2. Supply information as to opportunities for securing employment and the character and conditions of work to be performed in the various industries of the state, including agricultural pursuits.

3. Adopt all available means for steadying employment and avoiding unemployment.

Sec. 3. Extension of service by permission.

With the approval of the executive council the commissioner may establish within the state such branches of free employment agencies as shall afford the best distribution of labor, and for such purposes may cooperate with any federal, state, municipal, or other free employment bureau or association."

3rd. Amend by renumbering the subsequent sections to correspond with the substitutions above made.

4th. Amend by striking from lines six and seven of section nine the words "in case of individuals on default of payment of such fine".

5th. Amend by striking section ten.

6th. Amend by striking from line two of section nine the words "the five preceding sections" and substituting therefor "this act".

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

The sixth amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking the word "and" from line 5 of section 9 and inserting in lieu thereof the word "or".

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, 43.

Abben	Cessna	McIntosh	Shaff
Adams	Darting	Mantz	Shane
Baird	Ethell	Mead	Slosson
Banta	Fulton	Nelson	Smith
Bergman	Gilchrist	Newberry	Snook
Bowman	Hale	Olson	Stoddard
Brookhart	Hartman	Perkins	Thurston
Brookins	Haskell	Reed	Tuck
Buser	Holdoegel	Romkey	Wichman
Caldwell	Horchem	Schmedika	
Campbell	Johnston	Scott	

Nays, none.

Absent or not voting, 7.

Browne	Goodwin	Price	Shinn
Dutcher	Kimberly	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 Thurston 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted, the rules having been suspended.

The bill was read for information.

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, 42.

Abben	Buser	Darting	Haskell
Adams	Brookhart	Ethell	Holdoegel
Baird	Brookins	Fulton	Horchem
Banta	Caldwell	Gilchrist	McIntosh
Bergman	Campbell	Hale	Mantz
Bowman	Cessna	Hartman	Mead

Nelson	Reed	Shane	Tuck
Newberry	Romkey	Slosson	White
Olson	Schmedlka	Smith	Wichman
Perkins	Scott	Snook	
Price	Shaff	Thurston	

Nays, none.

Absent or not voting, 8.

Browne	Goodwin	Kimberly	Shinn
Dutcher	Johnston	Rees	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to:

By unanimous consent Senator Thurston withdrew Senate File No. 194 from further consideration.

On motion of Senator Brookhart Senate File No. 251, a bill for an 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by inserting the words "or property" immediately following the word, "money" in line 1 of section 14:
2. Amend line 1 of section 15 by striking the word "sums" and inserting in lieu thereof the words, "money or property."

Senator Price raised the point of order that this bill could not be considered at this time unless the rules were suspended.

The President held the point well taken.

Further action was deferred.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 102

Senator Newberry moved that the Senate insist on its amendments to House File No. 102.

On the question "Shall the Senate insist on its amendments?" the vote was:

Ayes, 34.

Adams	Campbell	Johnston	Shane
Baird	Cessna	Mantz	Slosson
Banta	Darting	Mead	Smith
Bergman	Fulton	Newberry	Thurston
Bowman	Gilchrist	Olson	Tuck
Brookhart	Hartman	Perkins	White
Brookins	Haskell	Reed	Wichman
Buser	Holdoegel	Schmedika	
Caldwell	Horchem	Shaff	

Nays, none.

Absent or not voting, 16.

Abben	Goodwin	Nelson	Scott
Browne	Hale	Price	Shinn
Dutcher	Kimberly	Rees	Snook
Ethell	McIntosh	Romkey	Stoddard

The Senate insisted on its amendments to House File No. 102.

Senator Newberry moved that a conference committee be appointed on House File No. 102, which motion prevailed and the President appointed as such committee on the part of the Senate, Senators Shaff, Mead, Holdoegel and Mantz.

SENATE FILES NOS. 112 AND 274 WITHDRAWN

By unanimous consent Senator Newberry withdrew Senate File No. 112 from further consideration.

By unanimous consent Senator Reed withdrew Senate File No. 274 from further consideration.

The Journal of December 16th 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 John Ham-mill presiding.

REPORTS OF COMMITTEES

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 24, a bill for an act relating to registration of voters, 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. 28, a bill for an act relating to presidential electors, 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 line 5 of section 2 and adding thereto the following: "and shall be so counted and recorded for such electors."

Amend by striking from line 5 of section 5 the words "National organization" and inserting in lieu thereof the words "State Central Committee."

J. E. WICHMAN, *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. 213, a bill for an act to amend, revise and codify sections 6589, 6590, 6586, 6600 of the compiled code of Iowa, and sections 6637 and 8618 of the supplement to said code, relating to marriage and incest, 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 1-a1.

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

On motion of Senator Bowman the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 18, 1924.

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

Prayer was offered by Rev. R. J. Vandervoort, pastor of the Methodist Episcopal church, of Reinbeck, Iowa.

On motion of Senator Price 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 Mead; Senator Browne for the remainder of the week, on request of Senator Nelson; Senator Hale for today and tomorrow, on request of Senator Reed; Senator Schmedeka for the day, on request of Senator Mead; Senator Shaff for the day, on request of Senator Bergman; Senator Cessna for the day, on request of Senator Hartman; Senator Scott for the day, on request of Senator Ethell.

PETITIONS AND MEMORIALS

Petitions were presented by the following Senators and referred to the designated committees:

Senator Bowman from members of the Cedar Falls W. C. T. U., with reference to the daily use of the Bible in schools. Schools.

Senator Shinn from citizens of Pisgah, Iowa, with reference to the daily use of the Bible in schools. Schools.

Senator Campbell from W. C. T. U., Le Mars, Iowa, and from members of the M. E. church, Galva, Iowa, with reference to the use of the Bible in schools. Schools.

Senator Olson from the Modern Woodmen, Camp No. 305, Boone, Iowa, with reference to fraternal insurance. Insurance.

INTRODUCTION OF BILLS

Senate File No. 291, by Senator Holdoegel, a bill for an act to

legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 292, by Senator Campbell a bill for an act to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the school house fund of said school township.

Read first and second times and referred to committee on judiciary No. 2.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 127, 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.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 229, a bill for an act to amend, revise, and codify sections seven thousand two hundred three (7203) of the compiled code of Iowa, relating to pleadings.

Also: That the House has amended and passed 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 section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys.

A. C. GUSTAFSON, *Chief Clerk.*

RESIGNATION OF DOORKEEPER

The resignation of J. R. White as doorkeeper to take effect January 16th, was accepted.

THIRD READING OF BILLS

On motion of Senator Reed House File No. 270, a bill for an act to amend, revise, and codify sections eighty-one hundred eighty-two (8182), eighty-one hundred eighty-three (8183), and eighty-one hundred eighty-four (8184) of the compiled code of

Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate, 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:

1st. Amend section two by adding as subsection four, the following:

"4. Provided, however, that if the property affected by the contract, if within a city or town does not exceed one-half acre in extent, and otherwise does not contain in the aggregate more than forty (40) acres, has assumed a homestead character, then the vendor or his successor in interest, shall notify said vendee or his successor in interest, that said contract will stand forfeited and canceled, unless said party, within ninety (90) days after the completed service of said notice, performs the terms and conditions in default, and in addition, pays the reasonable cost of serving the notice."

2nd. Amend section three by adding after the word "required" in line 4 the words "before publication".

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	Darting	Mantz	Schmedika
Baird	Fulton	Mead	Shane
Banta	Gilchrist	Nelson	Shinn
Bergman	Goodwin	Newberry	Slosson
Bowman	Hartman	Olson	Snook
Brookins	Holdoegel	Perkins	Stoddard
Buser	Horchem	Price	Thurston
Caldwell	Johnston	Reed	Tuck
Campbell	McIntosh	Romkey	White

Nays, none.

Absent or not voting, 14.

Adams	Dutcher	Kimberly	Smith
Brookhart	Ethell	Rees	Wichman
Browne	Hale	Scott	
Cessna	Haskell	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 Wichman House 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, 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 period at the end of line 5 of section 2 and adding thereto the following: "and shall be so counted and recorded for such electors."

Amend by striking from line 5 of section 5 the words "National organization" and inserting in lieu thereof the words "State Central Committee."

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, 37.

Abben	Ethell	Mead	Slosson
Adams	Fulton	Nelson	Snook
Paired	Gilchrist	Olson	Stoddard
Banta	Goodwin	Perkins	Thurston
Bergman	Hartman	Price	Tuck
Bowman	Holdoegel	Reed	White
Brookhart	Horchem	Romkey	Wichman
Brookins	Johnston	Schmedika	
Caldwell	McIntosh	Shane	
Darting	Mantz	Shinn	

Nays, none.

Absent or not voting, 13.

Prowne	Dutcher	Newberry	Smith
Buser	Hale	Rees	
Campbell	Haskell	Scott	
Cessna	Kimberly	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 Wichman withdrew Senate File No. 28 from further consideration.

Senator Reed moved that the vote by which House File No. 270 passed the Senate be reconsidered, which motion prevailed.

Senator Reed moved that the vote by which House File No. 270 passed to its third reading be reconsidered, which motion prevailed.

Senator Reed offered the following amendment and moved its adoption:

Amend by adding after the word "days" in line 2 of section 5 the words and figures "or ninety (90) days as the case may be".

The amendment was adopted.

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, 38.

Abben	Darting	Mantz	Shane
Adams	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Bergman	Gilchrist	Newberry	Snook
Bowman	Goodwin	Olson	Stoddard
Brookhart	Hartman	Perkins	Thurston
Brookins	Holdoegel	Price	White
Buser	Horchem	Reed	Wichman
Caldwell	Johnston	Romkey	
Campbell	McIntosh	Schmedika	

Nays, none.

Absent or not voting, 12.

Baird	Dutcher	Kimberly	Shaff
Browne	Hale	Rees	Smith
Cessna	Haskell	Scott	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 Reed withdrew Senate File No. 270 from further consideration.

On motion of Senator Wichman House 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, 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, 35.

Abben	Darting	Mantz	Shane
Adams	Ethell	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Bergman	Goodwin	Olson	Snook
Brookhart	Hartman	Perkins	Thurston
Brookins	Holdoegel	Price	Tuck
Buser	Horchem	Reed	White
Caldwell	Johnston	Romkey	Wichman
Campbell	McIntosh	Schmedfka	

Nays, none.

Absent or not voting, 15.

Banta	Dutcher	Kimberly	Shaff
Bowman	Gilchrist	Newberry	Smith
Browne	Hale	Rees	Stoddard
Cessna	Haskell	Scott	

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

By unanimous consent Senator Wichman withdrew Senate File No. 24 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 that it has examined and finds correctly enrolled Senate File No. 267.

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. 267.

AMENDMENTS FILED TO SENATE FILE NO. 237

MR. PRESIDENT: I move to amend Senate File No. 237, as follows:

1. Amend by striking out of line three (3) in section 3-a2, the letter "a" following the word "in", and inserting in lieu thereof the following: "an official".

2. Amend section 3-a4 as follows:

Insert after the word "shall" in line one (1) of said section the following: "appoint some disinterested person to appear for the absentee and all

beneficiaries not appearing, and said cause shall thereupon stand continued until the next term of said court, and the court shall have authority to make further continuance upon proper showing. Said person shall investigate the matters and things alleged in the petition. The court shall".

H. J. MANTZ.

The Journal of January 17th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 19, 1924.

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

Prayer was offered by Rev. George Bennett, Congregational minister, Iowa City, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shaff for the day, on request of Senator Abben; Senator Dutcher for the day, on request of Senator Abben; Senator Shane for the day, on request of Senator Abben; Senator Banta for the day, on request of Senator Abben; Senator Stoddard for the day, on request of Senator Abben; Senator Bergman for the day, on request of Senator Abben; Senator Olson for the day, on request of Senator Abben; Senator Scott for the day, on request of Senator Abben; Senator Browne for the day, on request of Senator Abben; Senator Nelson for the day, on request of Senator Abben; Senator Dutcher for the day, on request of Senator Mantz; Senator Romkey for the day, on request of Senator Price; Senator Brookhart for the day, on request of Senator Price; Senator Smith for the day, on request of Senator Goodwin; Senator Schmiedika for the day, on request of Senator Goodwin; Senator Thurston for the day, on request of Senator Campbell; Senator Kimberly for the day, on request of Senator Price; Senator Bowman for the day, on request of Senator Price.

REPORTS OF COMMITTEES

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred 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, 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. 231, 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 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 3 of said bill and inserting the following: "which party shall pay the costs of said entry".

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 291, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa, 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. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), 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, and qualifications for admission to the bar 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:

1st. Amend Sec. 2 by inserting a semi-colon (;) in place of the period in line 4 and adding thereto the following: "but, when a motion for new trial, or in arrest of judgment, or for judgment notwithstanding the verdict has been filed, such time for appeal shall be automatically extended so as to permit the same at any time within 60 days after the entry of the ruling upon such motion."

2nd. Amend Sec. 5 by inserting a period after the word "made" in line 4 and striking out the words "within the time allowed for taking appeal" contained in lines 4 and 5.

3rd. Amend Sec. 9 by inserting between the words "the" and "court" in line 6 thereof the word "supreme".

4th. Amend Sec. 13 by striking therefrom the last sentence and inserting in lieu thereof the following: "The adverse party may file a printed argument in response. If the party applying for a rehearing shall give notice of oral argument in his petition, then both parties shall be entitled to be heard orally, unless the party giving notice waives argument".

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 268, a bill for an act to amend, revise, and codify sections seventy-three hundred thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, relating to the statute of frauds, 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 Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 22, a bill for an act relating to nominations by political organizations which are not political parties—nominations by petitions, 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 sections:

Section 1-a1. A political organization, as referred to in this chapter, shall be one which has a state organization, organized for political purposes, with a state central committee and that has formulated and adopted a platform of principles outlining its policies of government in the state or nation.

Sec. 1-a2. Such organization shall file with the Secretary of State a certified copy of its platform and the names of its state central committee and no ticket or nomination shall be placed upon the ballot until such platform and names have been so certified by the chairman and secretary of its central committee.

Sec. 1-a3. No such organization shall have the right to make nomination in any political subdivision of the state or in any municipality unless nominations have been made for state officers or some of them by the state organization in the same year or in case of a municipality for the general election preceding the municipal election.

J. E. WICHMAN, *Chairman.*

Ordered passed on file.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House insists on its amendments to Senate File No. 241, a bill for an act to amend, revise, and codify section eight thousand one hundred sixty (8160) of the compiled code of Iowa relating to foreclosure and release of mortgages, and sales under pledge, and requests a conference committee and the Speaker has appointed as such committee on the part of the House, Representatives Diltz, Lovrien, Elliott and Edson.

Also: That the House insists on its amendment to Senate File No. 273, a bill for an act to amend, revise, and codify section eighty-one hundred sixty-eight (8168) of the compiled code of Iowa, relating to the release of common law or statutory liens on personal property, and requests a conference committee and the Speaker has appointed as such committee on the part of the House, Representatives Doolittle, Rankin, Rewoldt and Oliver.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Holdoegel Senate File No. 291, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa, was taken up and considered, the rules having been suspended.

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	Ethell	McIntosh	Shinn
Adams	Fulton	Mantz	Slosson
Baird	Gilchrist	Mead	Snook
Brookins	Goodwin	Newberry	Tuck
Caldwell	Hartman	Olson	White
Campbell	Holdoegel	Perkins	Wichman
Cessna	Horchem	Price	
Darting	Johnston	Reed	

Nays, none.

Absent or not voting, 20.

Banta	Buser	Nelson	Shaff
Bergman	Dutcher	Rees	Shane
Bowman	Hale	Romkey	Smith
Brookhart	Haskell	Schmedika	Stoddard
Browne	Kimberly	Scott	Thurston

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. 104, 122, 138 and 258.

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. 104, 122, 138 and 258.

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 nineteenth day of January, sent to the Governor for his approval, Senate File No. 163, a bill for an act relating to juvenile playgrounds; Senate File No. 167, a bill for an act relating to municipal corporations; Senate File No. 245, a bill for an act relating to the clerk of the supreme court, and Senate File No. 267, a bill for an act relating to the fees chargeable by the clerk of the district court, and to enact a substitute in lieu thereof.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

CONFERENCE COMMITTEE ON SENATE FILE NO. 241

The President appointed as a conference committee on Senate File No. 241, on the part of the Senate, Senators Wichman, Thurston, Caldwell and Darting.

CONFERENCE COMMITTEE ON SENATE FILE NO. 273

The President appointed as a conference committee on Senate File No. 273, on the part of the Senate, Senators Scott, Bergman, Abben and Shinn.

Rev. Bennett recited his poem "Sweet Iowa."

Senator Ethell moved that the Senate accord Rev. Bennett a vote of thanks, which motion prevailed.

PROOF OF PUBLICATION OF SENATE FILE NO. 291

I hereby certify, that there has been filed with the Secretary of the Senate, proof of publication of a proposed bill for the legalization of certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa.

L. W. AINSWORTH, *Secretary.*

PROOF OF PUBLICATION OF SENATE FILE NO. 292

I hereby certify, that there has been filed with the Secretary of the Senate, proof of publication of a proposed bill for the legalization of the proceedings of the board of directors of the school township of Elkhorn, Plymouth County, Iowa, in transferring funds and issuing warrants for said funds.

L. W. AINSWORTH, *Secretary.*

The Journal of January 18th was corrected and approved.

Senator Price moved that the Senate adjourn until 9 a. m. Monday.

Senator Gilchrist moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 21, 1924.

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

Prayer was offered by Rev. Chas. S. Medbury, pastor of the University Place Church of Christ, 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 Nelson for the day, on request of Senator Wichman; Senator Bergman for the day, on request of Senator Fulton; Senator Olson for the day, on request of Senator Mantz; Senator Browne for the day, on request of Senator Cessna; Senator Banta for the day, on request of Senator Dutcher; Senator Hale for the day, on request of Senator Haskell; Senator Shaff for the day, on request of Senator Hartman; Senator Stoddard for the day, on request of Senator Perkins.

PETITIONS AND MEMORIALS

Petitions urging law making it compulsory to read the Bible daily in public schools were presented by Senator Goodwin, from citizens of Mitchellville; by Senator Buser, from Tri-County Woman's Christian Union (Des Moines, Louisa and Washington); and by Senator Brookhart, from Men's Bible Class of the First United Presbyterian church, Washington, all of which were referred to the committee on public schools.

The roll was called to ascertain whether there was a quorum present.

The roll call revealed the presence of a quorum.

THIRD READING OF BILLS

On motion of Senator Brookhart 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 sections sixty-six hundred thirty-seven (6637) and eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest, with report of committee 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 all of section 1-a1.

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

Ayes, 27.

Abben	Cessna	McIntosh	Schmedika
Adams	Ethell	Mantz	Shane
Baird	Fulton	Newberry	Shinn
Bowman	Gilchrist	Perkins	Slosson
Brookhart	Hartman	Price	Thurston
Buser	Horchem	Reed	Wichman
Campbell	Johnston	Romkey	

Nays, 10.

Caldwell	Goodwin	Scott	White
Darting	Haskell	Smith	
Dutcher	Holdoegel	Tuck	

Absent or not voting, 13.

Banta	Hale	Olson	Stoddard
Bergman	Kimberly	Rees	
Brookins	Mead	Shaff	
Browne	Nelson	Snook	

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding a "," after the word "marriage" in line two of section eight, and by adding "except as to control of property exceeding one thousand dollars (\$1000.00) in value and not accumulated by said minor,".

Senator Haskell moved that the bill, with the pending amendment, be rereferred to the committee on judiciary No. 2, which motion prevailed.

On motion of Senator Brookhart Senate File No. 251, a bill for an 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, was taken up and considered, the report of the committee having been previously adopted.

The following committee amendments were adopted.

1. Amend by inserting the words "or property" immediately following the word "money" in line 1 of section 14.
2. Amend line 1 of section 15 by striking the word "sums" and inserting in lieu thereof the words "money or property".

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 251.

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, 13.

Adams	Gilchrist	Newberry	Smith
Brookhart	Goodwin	Perkins	
Darting	Holdoegel	Scott	
Dutcher	Horchem	Shinn	

Nays, 25.

Abben	Hartman	Price	Thurston
Baird	Haskell	Reed	Tuck
Brookins	Johnston	Romkey	White
Buser	Mantz	Schmedika	Wichman
Caldwell	McIntosh	Shane	
Campbell	Mead	Slosson	
Cessna	Nelson	Snook	

Absent or not voting, 12.

Banta	Browne	Hale	Rees
Bergman	Ethell	Kimberly	Shaff
Bowman	Fulton	Olson	Stoddard

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. 237, a bill for an act to amend, revise, and codify sections seven thousand seven hundred ninety-one (7791), seven thousand eight hundred twenty-nine (7829), 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section 3-a2 by striking out the period (.) at the end of subsection 2 thereof and inserting in lieu thereof a comma (,) and adding the words "or by such other manner as the court may direct."

2. Amend section 3-a3 by striking out the word "and" following the word "publication" in line 1 thereof and inserting in lieu thereof a comma (,); also by adding after the word "service" and before the word "of" in line 1 the words "or other prescribed service"; also strike out the word "return" appearing in line 2 thereof; also strike out the period (.) at the end of said section and adding the words "set for hearing".

3. Amend section 3-a4 by striking out the word "return" appearing in line 1 thereof; also strike out the comma (,) after the word "day" in line 1 and add the words "set for hearing".

4. Amend section 6 by adding after the comma (,) following the word "attached" in line 3 thereof the words "if such officer has a seal,".

5. Amend by adding the following:

"That section seventy-eight hundred nineteen (7819) of the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 9. Administration granted.

In other cases, where an executor is not appointed by will, administration shall be granted to any suitable person or persons on the request and application of:

1. The surviving spouse.
2. The next of kin.
3. Creditors.

4. Any other person."

6. Amend the title by inserting in the second line thereof immediately after the parenthetical term "(7791)," the following: "seventy-eight hundred nineteen (7819)."

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

Senator Newberry offered the following amendment to the committee amendment and moved its adoption:

Amend by striking out all of section 4 of the amendment and inserting in lieu thereof the following: "to any other person whom the court may elect".

Senator Newberry withdrew the amendment.

Senator Wichman offered the following amendment to the fifth committee amendment and moved its adoption:

Amend by striking out all of section 4 of the amendment.

The amendment to the amendment was adopted.

Senator Price moved that the vote by which the amendment to the amendment was adopted be reconsidered, which motion prevailed.

Senator Wichman withdrew his amendment.

Senator Mantz offered the following amendment to the fifth committee amendment and moved its adoption:

Amend section 4 of the amendment by striking the period (.) and quotation marks (") and adding the following: "showing good grounds therefor."

The amendment to the amendment was adopted.

The fifth committee amendment as amended was adopted.

Senator Mantz offered the following amendments and moved their adoption:

1. Amend by striking out of line three (3) in section 3-a2, the letter "a" following the word "in", and inserting in lieu thereof the following: "an official".

2. Amend section 3-a4 as follows:

Insert after the word "shall" in line one (1) of said section the following: "appoint some disinterested person to appear for the absentee and all beneficiaries not appearing, and said cause shall thereupon stand continued until the next term of said court, and the court shall have authority to make further continuance upon proper showing. Said person shall investigate the matters and things alleged in the petition. The court shall".

The first amendment was adopted.

The second amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting after the comma (,) following the word "child" in line 5 of section 2 the following: "issue of deceased child,".

The amendment was adopted.

The committee amendment to the title 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, 37.

Abben	Fulton	Nelson	Slosson
Baird	Gilchrist	Newberry	Smith
Bowman	Goodwin	Perkins	Snook
Brookhart	Hartman	Price	Thurston
Buser	Haskell	Reed	Tuck
Caldwell	Horchem	Romkey	White
Campbell	Johnston	Schmedika	Wichman
Cessna	McIntosh	Scott	
Darting	Mantz	Shane	
Ethell	Mead	Shinn	

Nays, none.

Absent or not voting, 13.

Adams	Browne	Kimberly	Stoddard
Banta	Dutcher	Olson	
Bergman	Hale	Rees	
Brookins	Holdoegel	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 Ethell called up for consideration Senate File No. 149, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend Senate File No. 149 by striking therefrom all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The law as it appears in sections thirty-three hundred eighty-five (3385) to thirty-three hundred ninety-three (3393), inclusive, and section thirty-three hundred ninety-nine (3399) of the compiled code of Iowa is hereby repealed.

Sec. 2. The law as it appears in subsection twenty-four (24) of section thirty-one hundred thirty (3130) of the supplement to the compiled code of Iowa is hereby repealed."

Amend by adding the following as sections three (3) and four (4):

Sec. 3. That the law as it appears in section four thousand eighty-three (4083) of the compiled code of Iowa be amended by striking out of line one (1) thereof the word "surveyor" and inserting in lieu the word "engineer".

Sec. 4. That the code commissioners be and they are hereby instructed to substitute the words "county engineer" for the words "county surveyor" wherever the same appears in the compiled code of Iowa.

Amend the title to Senate File No. 149 by striking out all of said title and substituting in lieu thereof the following:

"A bill for an act to repeal sections thirty-three hundred eighty-five (3385) to thirty-three hundred ninety-three (3393), inclusive, and section thirty-three hundred ninety-nine (3399) of the compiled code of Iowa, and subsection twenty-four (24) of section thirty-one hundred thirty (3130) of the supplement to said code, and to amend section four thousand eighty-three (4083) of the compiled code of Iowa, relating to land surveys and county surveyors."

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 37.

Abben	Fulton	Mead	Slosson
Baird	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hartman	Perkins	Thurston
Buser	Haskell	Price	Tuck
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Romkey	Wichman
Cessna	Johnston	Scott	
Darting	McIntosh	Shane	
Ethell	Mantz	Shinn	

Absent or not voting, 13.

Adams	Browne	Olson	Stoddard
Banta	Dutcher	Rees	
Bergman	Hale	Schmedika	
Bowman	Kimberly	Shaff	

The House amendments having failed to receive a constitutional majority were declared to have failed to be 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. 174, a bill for an act to amend, revise, and codify sections three thousand nine hundred ninety-five (3995) 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. 180, a bill for an act to amend, revise, and codify section four thousand seventy-one (4071) 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. 291, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa.

Also: That the House has concurred in Senate amendment to the following bill:

House 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.

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 House Files Nos. 52 and 274.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

HOUSE MESSAGES CONSIDERED

House File No. 174, a bill for an 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 times and referred to committee on cities and towns.

House File No. 180, a bill for an act to amend, revise, and codify sections four thousand seventy-one (4071), four thousand seventy-two (4072), four thousand seventy-three (4073), four thousand seventy-nine (4079), four thousand eighty-two (4082), and four thousand eighty-five (4085) of the compiled code of Iowa, relating to municipal corporations.

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

Senator Gilchrist asked that the following report be printed in the Journal for information:

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 276

JANUARY 18, 1924.

MR. PRESIDENT: The conference committee to which was referred House File No. 276 being a bill to amend, revise, and codify chapter twenty-four-A of title twelve of the supplement to the compiled code of Iowa begs leave to report that it has had the same under consideration, and that it recommends that the differences between the Senate and the House be composed and settled upon the following basis:

1. That the Senate shall recede from the amendments proposed and adopted by it.

2. That section one of the bill as adopted by the House be amended by adding thereto at the close thereof the following:

"This section shall not apply to baseball games or county fairs."

3. That section two of the bill be amended by changing the period at the end of line one thereof to a semi-colon (;) and by adding immediately thereafter the words: "provided, however, that a license to operate a theater or moving picture show shall not be denied in any unincorporated village having a population of one thousand or more except for good cause."

4. That section five as adopted by the House shall be numbered as section four.

5. That there shall be added to the bill as section five the following:

"Sec. 5. Appeal.

Any person aggrieved by the action of the trustees in revoking a license may appeal therefrom to the district court of the county by serving a notice on the chairman of the board of trustees within twenty days after

the final decision of said board. Such appeal shall be tried de novo and in equity."

6. That section four of the bill be re-numbered as section six.

F. C. GILCHRIST
W. G. HASKELL
J. D. BUSER
W. A. CALDWELL
M. L. HENDERSON
L. V. CARTER
EARL W. VINCENT
W. C. EDSON

The Journal of December 19th was corrected and approved.

Senator McIntosh moved that the Senate adjourn until 9 a. m. Tuesday.

Senator Shane moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 22, 1924.

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

Prayer was offered by Rev. Thomas Carson, pastor of the Methodist Episcopal church, of Boone, Iowa.

On motion of Senator Price 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 Abben; Senator Holdoegel for the day, on request of Senator Gilchrist; Senator Hale for the day, on request of Senator Tuck; Senator Browne for the day, on request of Senator Nelson; Senator Banta for the day, on request of Senator Dutcher; Senator Bergman for the day, on request of Senator Perkins.

PETITIONS AND MEMORIALS

Petitions urging a law making it compulsory to read the Bible in all public schools daily were presented by Senator Smith, from citizens of Madison county; by Senator Mantz, from St. John's Evangelical Lutheran church, Audubon, and from the Dexter M. E. Ladies Aid; by Senator Brookins, from the Central Methodist Episcopal church, Charles City; and by Senator Schmedika, from St. Paul's Evangelical Lutheran church, Eldora, all of which were referred to the committee on public schools.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 160, a bill for an act relating to municipal corporations—board of public works, begs leave to report it has had the same under consideration and finds that there is no city in the state having a board of public works, and under the present organization of city government, there is no probability that any city will desire to establish such board.

Therefore, we recommend the adoption of the following substitute for House File No. 160:

"A bill for an act to repeal chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, relating to boards of public works in certain cities.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, be and the same are hereby repealed."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 176, a bill for an act relating to municipal corporations—condemnation, 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 "sewers" with the comma (,) following, between the words "for" and "sewer" in line 15, section 1, for the reason that sewers are cared for in section 11 of Bill 169.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 158, a bill for an act relating to municipal corporations—general powers, 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:

1. Amend section 3 by striking from line one the words and figures "thirty thousand (30,000)" and substituting therefor the words and figures "fifteen thousand (15,000)".

2. Amend section 4 by striking from line two the word "management" and substituting the word "operation"; by striking from line seven the word "the" and substituting the word "their"; by striking the words "of any city" and inserting in line 8 between the words "be" and "without" the word "issued".

3. Amend section 7 by inserting in line two before the word "fortune" the words "swimming pools, and"; by striking from line 4 the word "saloons" in both caption and text and substituting the word "halls"; by substituting a comma (,) for the period (.) at the end of line 6 and adding the words "and near beer or soft drink saloons".

4. Amend section 9 by striking from line one the words "by ordinance"; and by striking from line three the words "which may be".

5. Amend section 10, line 3, by adding to the word "material" the letter "s".

6. Amend section 22 by striking from line two the word "and" and substituting the word "or".

7. Amend section 23 by inserting in line one after the word "published" the words "in pamphlet form or" and by striking the remainder of the section after the period in line four.

8. Amend section 26, line one, by striking the word "publish" and inserting the word "prepare" and by inserting after the word "reports" the words "for publication" and by striking all after the period in line six.

9. Amend section 28, line one, by striking the words and figures "twenty-two (22) to twenty-six (26)" and substituting therefor the words and figures "twenty-one (21) to twenty-five (25)".

10. Amend by inserting after section 29 the following: "That section three thousand five hundred seventy-four (3574) of the compiled code is amended, revised and codified to read as follows:

Section 30. Municipal corporations shall have power to make and publish, from time to time, ordinances, not inconsistent with the laws of the state, for carrying into effect or discharging the powers and duties conferred by this title, and such as shall seem necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of such corporations and the inhabitants thereof, and to enforce obedience to such ordinances by fine not exceeding one hundred dollars (\$100.00), or by imprisonment not exceeding thirty days. Every city and town shall exercise its governmental powers by ordinance, unless otherwise specially provided.

11. Amend the title by inserting in the first line after the word "sections" the words and figures "three thousand five hundred seventy-four (3574)".

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 292, a bill for an act to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the school house fund of said school township, 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. 289, a bill for an act to legalize the levy and col-

lection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenths (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922, 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. 130, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) 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.

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 section two thousand seven hundred eighty-eight (2788) of the compiled code of Iowa, relating to education and the Iowa geological survey.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 26, a bill for an act to amend, revise, and codify section four hundred sixty-six (466) of the compiled code of Iowa, relating to the canvass of votes at elections.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 145, a bill for an act to amend, revise, and codify chapter seventeen (17) of title twelve (12) of the compiled code of Iowa, relating to official newspapers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

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.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 129, a bill for an act to amend, revise, and codify section thirty-one hundred fifteen (3115) of the compiled code of Iowa, relating to boards of supervisors.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House 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 times and referred to committee on elections.

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.

House File No. 130, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards of supervisors.

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, House Files Nos. 52 and 274.

The Journal of January 21st was corrected and approved.

THIRD READING OF BILLS

On motion of Senator Price House File No. 268, a bill for an act to amend, revise, and codify sections seventy-three hundred

thirty-two (7332) and seventy-three hundred thirty-three (7333) of the compiled code of Iowa, relating to the statute of frauds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price 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	McIntosh	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Ethell	Mead	Shinn
Bowman	Fulton	Nelson	Smith
Brookhart	Gilchrist	Newberry	Snook
Buser	Hartman	Perkins	Stoddard
Caldwell	Haskell	Price	Thurston
Campbell	Florchem	Romkey	White
Cessna	Johnston	Schneidika	Wichman

Nays, none.

Absent or not voting, 14.

Banta	Goodwin	Olson	Slosson
Bergman	Hale	Reed	Tuck
Brookins	Holdoegel	Rees	
Browne	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 Wichman House File No. 246, a bill for an act to amend, revise, and codify sections seventy hundred thirty-two (7032), 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, 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:

1st. Amend Sec. 2 by inserting a semi-colon (;) in place of the period in line 4 and adding thereto the following: "but, when a motion for new

trial, or in arrest of judgment, or for judgment notwithstanding the verdict has been filed, such time for appeal shall be automatically extended so as to permit the same at any time within 60 days after the entry of the ruling upon such motion."

2nd. Amend Sec. 5 by inserting a period after the word "made" in line 4 and striking out the words "within the time allowed for taking appeal" contained in lines 4 and 5.

3rd. Amend Sec. 9 by inserting between the words "the" and "court" in line 6 thereof the word "supreme".

4th. Amend Sec. 13 by striking therefrom the last sentence and inserting in lieu thereof the following: "The adverse party may file a printed argument in response. If the party applying for a rehearing shall give notice of oral argument in his petition, then both parties shall be entitled to be heard orally, unless the party giving notice waives argument".

Senator Mantz offered the following amendment and moved its adoption:

Amend House File No. 246 by adding the following:

"That section seventy hundred thirty-five (7035) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Section 15. Fees—how used.

Every applicant for admission shall pay to the clerk of the supreme court an examination fee of five dollars, payable before the examination is commenced. Practitioners from other states seeking admission to practice in this state as provided by law shall pay an admission fee of ten (10) dollars. The fees thus paid to the clerk shall be retained by him as a special fund to be appropriated as otherwise provided; and any amount thereof remaining in his hands unappropriated on the thirtieth day of June of each year shall be turned over to the state treasury."

Amend the title to House File No. 246 by adding after the first comma in line two thereof the following words and figures: "seventy hundred thirty-five (7035)".

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, 38.

Abben	Buser	Ethell	McIntosh
Adams	Caldwell	Gilchrist	Mantz
Baird	Campbell	Hartman	Mead
Bowman	Cessna	Haskell	Nelson
Brookhart	Darting	Horchem	Newberry
Brookins	Dutcher	Johnston	Perkins

Price	Shaff	Smith	Tuck
Romkey	Shane	Snook	White
Schmedika	Shinn	Stoddard	
Scott	Slosson	Thurston	

Nays, none.

Absent or not voting, 12.

Banta	Fulton	Holdoegel	Reed
Bergman	Goodwin	Kimberly	Rees
Browne	Hale	Olson	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 Dutcher Senate File No. 231, 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, 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 period at the end of section 3 of said bill and inserting the following: "which party shall pay the costs of said entry."

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, 28.

Abben	Darting	Mantz	Smith
Adams	Dutcher	Newberry	Snook
Baird	Gilchrist	Perkins	Stoddard
Brookhart	Hartman	Price	Thurston
Brookins	Haskell	Scott	Tuck
Campbell	Horchem	Shaff	White
Cessna	Johnston	Shane	Wichman

Nays, 11.

Bowman	Ethell	Nelson	Shinn
Buser	McIntosh	Romkey	Slosson
Caldwell	Mead	Schmedika	

Absent or not voting, 11.

Banta	Fulton	Holdoegel	Reed
Bergman	Goodwin	Kimberly	Rees
Browne	Hale	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 Price 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, 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, 39.

Abben	Darting	Mantz	Shane
Adams	Dutcher	Mead	Slosson
Baird	Ethell	Nelson	Smith
Bowman	Fulton	Newberry	Snook
Brookhart	Gilchrist	Perkins	Stoddard
Brookins	Hartman	Price	Thurston
Buser	Haskell	Schmedika	Tuck
Caldwell	Horchem	Scott	White
Campbell	Johnston	Shaff	Wichman
Cessna	McIntosh	Shinn	

Nays, none.

Absent or not voting, 11.

Banta	Goodwin	Kimberly	Rees
Bergman	Hale	Olson	Romkey
Browne	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 Wichman House 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by adding thereto the following sections:

Section 1-a1. A political organization, as referred to in this chapter, shall be one which has a state organization, organized for political purposes, with a state central committee and that has formulated and adopted a platform of principles outlining its policies of government in the state or nation.

Sec. 1-a2. Such organization shall file with the Secretary of State a certified copy of its platform and the names of its state central committee and no ticket or nomination shall be placed upon the ballot until such platform and names have been so certified by the chairman and secretary of its central committee.

Sec. 1-a3. No such organization shall have the right to make nomination in any political subdivision of the state or in any municipality unless nominations have been made for state officers or some of them by the state organization in the same year or in case of a municipality for the general election preceding the municipal election.

Senator Abben invoked rule 8.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 21.

Abben	Goodwin	Perkins	Stoddard
Adams	Haskell	Scott	Tuck
Baird	Horchem	Shaff	Wichman
Caldwell	Mantz	Shane	
Dutcher	Mead	Slosson	
Gilchrist	Newberry	Smith	

Nays, 20.

Bowman	Cessna	Johnston	Schmedika
Brookhart	Parting	McIntosh	Shinn
Brookins	Ethell	Nelson	Snook
Buser	Fulton	Price	Thurston
Campbell	Hartman	Romkey	White

Absent or not voting, 9.

Banta	Hale	Kimberly	Reed
Bergman	Holdoegel	Olson	Rees
Browne			

The amendments were 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, 19.

Abben	Goodwin	Newberry	Slosson
Adams	Haskell	Perkins	Smith
Baird	Horchem	Scott	Stoddard
Dutcher	Mantz	Shaff	White
Gilchrist	Mead	Shane	

Nays, 22.

Bowman	Cessna	McIntosh	Snook
Frookhart	Darting	Nelson	Thurston
Brookins	Ethell	Price	Tuck
Ruser	Fulton	Romkey	Wichman
Caldwell	Hartman	Schmedika	
Campbell	Johnston	Shinn	

Absent or not voting, 9.

Banta	Hale	Kimberly	Reed
Bergman	Holdoegel	Olson	Rees
Browne			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator McIntosh 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 Wichman asked for a division of the question.

Senator Price moved that the motion be laid on the table.

Senator Price withdrew his motion.

Senator McIntosh withdrew his motion.

Senator McIntosh moved that the vote by which House File No. 22 failed to pass the Senate be reconsidered.

Senator Wichman moved that action on this motion be deferred until 11 a. m. Wednesday.

Senator Price moved to amend the motion by making the time "indefinitely."

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1924.

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

Prayer was offered by Rev. Milton Emory Nethercut, pastor of the First Methodist Episcopal church, of Bloomfield, Iowa.

On motion of Senator Shane rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the day, on request of Senator Nelson; Senator Reed for the day, on request of Senator Hale; Senator Kimberly for the day, on request of Senator Price; Senator Bergman for the day, on request of Senator Fulton.

PETITIONS AND MEMORIALS

Petition was presented by Senator Bowman, from the citizens of Reinbeck, urging a law making it compulsory to read the Bible in all public schools daily, which was referred to the committee on public schools.

SENATE FILES NOS. 268 AND 246 WITHDRAWN

By unanimous consent Senator Price withdrew Senate Files Nos. 268 and 246 from further consideration.

THIRD READING OF BILLS

On motion of Senator Brookhart Senate File No. 289, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a cemetery tax of five-tenths (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted, the rules having been suspended.

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, 42.

Abben	Dutcher	McIntosh	Shane
Laird	Ethell	Mantz	Shinn
Banta	Fulton	Mead	Slosson
Bowman	Gilchrist	Nelson	Smith
Brookhart	Goodwin	Newberry	Snook
Brookins	Hale	Perkins	Stoddard
Buser	Hartman	Price	Thurston
Caldwell	Haskell	Romkey	Tuck
Campbell	Holdoegel	Schmedika	White
Cessna	Horchem	Scott	
Darting	Johnston	Shaff	

Nays, none.

Absent or not voting, 8.

Adams	Browne	Olson	Rees
Bergman	Kimberly	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 Brookhart Senate File No. 292, a bill for an act to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the school house fund of said school township, 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, 39.

Baird	Caldwell	Fulton	Horchem
Banta	Campbell	Gilchrist	Johnston
Bowman	Cessna	Goodwin	McIntosh
Brookhart	Darting	Hale	Nelson
Brookins	Dutcher	Hartman	Newberry
Buser	Ethell	Holdoegel	Perkins

Price	Shaff	Smith	Tuck
Komkey	Shane	Snook	White
Schmedika	Shinn	Stoddard	Wichman
Scott	Slosson	Thurston	

Nays, 1.

Abben

Absent or not voting, 10.

Adams	Haskell	Mead	Rees
Bergman	Kimberly	Olson	
Browne	Mantz	Reed	

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

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 241

MR. PRESIDENT: The conference committee to which was referred Senate File No. 241, 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 the foreclosure and release of mortgages and sales under pledge, begs leave to report that it has had the same under consideration and recommends that the differences between the Senate and the House be composed and settled upon the following basis:

1. That the House amendment amending section three (3) of the bill by striking out all after the word "debt" in line six (6) thereof, be adopted.

2. That section four (4) of the bill be as follows:

"Sec. 4. The pledgee shall take the address of the pledgor at the time the pledge is made and in all cases the notice shall be served upon the pledgor by registered mail addressed to the address given by the pledgor at the time the property was pledged or at his last known address. If the pledgor is a resident of the county in which the property was held the notice shall be posted for ten (10) days in three (3) public places in the township of the pledgor's residence. If the pledgor is not a resident of the county where the property is held such notice shall be posted for ten (10) days in three (3) public places of such county and such notice shall contain a full and accurate description of the property to be sold, the day and hour when, and the place at which the same will be sold. If redemption is not made before the date thus fixed, the pledgee may sell at public auction, to the highest bidder, the pledged property, or so much of the same as may be necessary to pay the debt, interest, and all costs of making such sale, and may be a bidder at such sale. He shall apply the proceeds, first, in the payment of such costs, and second, to the payment

of the debt. Any surplus arising from the sale and any property remaining unsold shall be paid or returned to the pledgor or his assigns."

3. That in all other respects the bill remain as passed by the House.

J. E. WICHMAN
L. THURSTON
H. A. DARTING
W. A. CALDWELL
VOLNEY DILTZ
FRANK W. ELLIOTT
W. C. EDSON
FRED C. LOVRIEN

The Senate resumed consideration of the pending motions regarding House File No. 22.

Senator Wichman raised the point of order that there was no such motion known in parliamentary practice, as a motion to defer without a specified date.

The President held the point well taken.

By unanimous consent further action on the matter was deferred until Thursday.

MOTION TO RECONSIDER FILED

I move to reconsider the vote by which the committee amendment to House File No. 22 was adopted.

W. A. CALDWELL.

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. 291.

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. 291.

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 twenty-third day of January, 1924, sent to the Governor for his approval, Senate File No. 291, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Fort Dodge, Iowa.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Ethell called up for consideration Senate File No. 129, amended by the House, and moved that the Senate concur in the following amendments:

Amend section seven (7) of Senate File No. 129 by striking from line three (3) the word and figure "two (2)" and inserting in lieu thereof the word and figure "six (6)".

Amend section nine (9) of Senate File No. 129, by adding thereto the following: "when the board is in continuous session, mileage for only one trip going to and from the session shall be allowed".

Senator Caldwell offered the following amendment to the House amendments and moved its adoption:

Amend the amendment to section 9 by striking therefrom the word "continuous".

Senator Ethell moved that further action be deferred until Thursday, which motion prevailed.

The Journal of January 22d was corrected and approved.

Senator Shinn moved that the Senate adjourn until 9 a. m. Thursday.

Senator Newberry moved to amend by making the hour 4 p. m. today,

The amendment was adopted.

The motion prevailed and the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 174, a bill for an act relating to municipal corporations—waterworks in cities of one hundred thousand, 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 Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 32, a bill for an act relating to bonds of public officers, 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 Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 205, 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, 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 1 by inserting after the comma following the word "Iowa" in line 1, the following: "as heretofore created and established."

Amend sub-enacting clause to section 1 by striking the same and inserting in lieu thereof the following: "That section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and chapter one hundred sixty-nine (169) acts of the Fortieth General Assembly, and section five thousand four hundred sixty-two (5462) of the supplement to the compiled code, are amended, revised and codified to read as follows:"

Amend section 2 by striking catchwords and inserting in lieu thereof the words "Appointment, term of removal."

Amend section 2 by adding after the period (.) in line 9 the following: "He may only be removed by a majority vote of the executive council, and upon statutory grounds."

Amend by adding the following as section 6:

"Sec. 6. Payment of salaries of deputy, assistants and clerks.

All salaries of deputy, assistants and clerks herein provided for shall be paid in the same manner as are the salaries of other state officers out of the general revenues of the state, and on the first day of each month

all such salaries as are indicated herein shall be paid by warrant drawn by the auditor of state upon the treasurer of state."

Amend by renumbering the remaining sections to correspond with the changes above made.

Amend by striking out the title and substituting in lieu thereof the following:

"An act to amend, revise, and codify section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and chapter one hundred sixty-nine (169) acts of the Fortieth (40th) General Assembly, and section five thousand four hundred sixty-two (5462) of the supplement to the compiled code, relating to the insurance department."

R. P. SCOTT, *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. 86, a bill for an act to amend, revise, and codify the law relating to superintendent of public instruction, 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 4 thereof by adding as paragraph 1 the following:

"1. Filing and preserving reports. File and preserve all reports, documents and correspondence that may be of a permanent value, which shall be open for inspection under reasonable conditions by any citizen of the state, and he shall keep a record of the business transacted by him." Also renumber the paragraphs of said section to correspond.

Amend paragraph 6 of section 4 by striking out the words "public and private" in line 23 of said section.

Amend paragraph 7 of section 4 by striking out the words "public and private" in line 28 of said section.

Amend section 4 by striking therefrom lines 38, 39, 40, 41 and 42 thereof, being paragraph 9 of said section.

Amend section 8 by striking therefrom the words "and private" in line 6 of said section.

Amend section 6 by striking therefrom the words "for the biennium ending June 30, nineteen hundred twenty-five (1925)".

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 111, a bill for an act to amend, revise, and codify the law relating to compulsory education, 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 1, beginning with line 1, and inserting in lieu thereof the following:

"Any person having control of any child over seven (7) and under sixteen (16) years of age, in proper physical and mental condition to attend school, shall cause said child to attend some school for at least twenty-four consecutive school weeks in each school year, commencing with the first week of school after the first day of September, unless the board of school directors shall determine upon a later date, which date shall not be later than the first Monday in December. The board may, by resolution, require attendance for the entire time when the schools are in session in any school year. Reading, writing, spelling, arithmetic, grammar, geography, physiology, United States history and the principles of American government shall be taught in all such schools."

Amend by striking out all of section 2, and renumber sections 3 to 23, inclusive, as sections 2 to 22.

Amend section 3 by striking from line 1 thereof the word "two"; also strike out the letter "s" at the end of the word "sections" in line 1 thereof.

Amend section 3 by adding thereto the following:

"4. While attending religious services or receiving religious instructions."

Amend section 5 by striking out the words and figures "sixteen (16)" in line 2 thereof and inserting in lieu thereof the words and figures "fourteen (14)".

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 108, 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, 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.

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. 127 and 229; House Files Nos. 24 and 194.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

AMENDMENTS FILED

Senators Gilchrist and Holdoegel filed the following amendments to House File No. 213:

Amend House File No. 213 by adding as additional sections at the close of section two thereof the following:

"Sec. 2-a1. No license to marry shall be issued by the clerk to any male person before there shall have been presented to said clerk a certificate executed within ten days preceding the application showing that such male person is free from tuberculosis in the infectious stage and also free from all venereal disease.

No such license shall be issued to any female person before there shall have been presented to the clerk a certificate executed within ten days preceding the application showing that she is free from tuberculosis in the infectious stage.

Sec. 2-a2. Such certificate shall be executed by some reputable physician licensed to practice medicine or surgery in this state. Any physician who shall knowingly or willfully make any false statement in the certificate hereinabove provided for shall be guilty of perjury and be punished accordingly.

Sec. 2-a3. No license to marry shall be issued by the clerk to any person who is an idiot or an imbecile or who is under guardianship on account of being a person of unsound mind; and the clerk may require proof to be made accordingly by affidavit or in some other satisfactory manner.

Sec. 2-a4. Any clerk of the district court who shall issue a license to marry without the presentation of the physician's certificate as above provided, or who shall knowingly and willfully issue such license contrary to the provisions of this act shall be guilty of misdemeanor and shall be punished accordingly."

Also amend the title to the bill by striking the period at the end of such title and by inserting in lieu thereof a semi-colon and by adding the following: "and to require certain qualifications for all applicants for marriage licenses."

On motion of Senator Haskell the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1924.

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

Prayer was offered by Rev. J. G. Waterman, pastor of the Methodist Episcopal church, of Manson, Iowa.

On motion of Senator White rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cessna for the day, on request of Senator Shane; Senator Bergman indefinitely on account of illness, on request of Senator Shane; Senator Browne for the day on request of Senator Nelson; Senator Reed for the day on request of Senator Hale.

PETITIONS AND MEMORIALS

Petition was presented by Senator Mantz, from citizens of Perry, relative to the reading of the Bible in public schools daily, and referred to the committee on public schools.

The petitions protesting a law relative to the reading of the Bible in public schools daily were presented by Senator Olson, from citizens of Boone county; by Senator Mantz, from citizens of Adair; by Senator Holdoegel, from citizens of Webster county, all of which were referred to the committee on public schools.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 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.

Also: That the House has adopted the conference committee report and the amendments proposed therein to House File No. 276, a bill for an act to amend, revise, and codify chapter twenty-four-A (24-A) of title twelve (12) of the supplement to the compiled code of Iowa, relating to theaters, moving picture shows, pool and billiard rooms or tables, dance halls, skating rinks, club houses, road houses, amusement parks or bowling alleys.

Also: That the House has amended and concurred in Senate amendments to the following bill:

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: That the House refuses to concur in Senate amendments to the following bill:

House File No. 270, a bill for an act to amend, revise, and codify section eighty-one hundred eighty-two (8182) of the compiled code of Iowa, relating to the forfeiture of contracts to sell or to agree to sell an interest in real estate.

Also: That the House insists on its amendments to Senate File No. 149, a bill for an act to amend, revise, and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys, and requests a conference committee and the Speaker has appointed as such committee on the part of the House, Representatives Vincent, Diltz, Gibson and Parsons.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House 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 times and referred to committee on elections.

SENATE FILES NOS. 138 AND 140 WITHDRAWN

By unanimous consent Senator Ethell withdrew Senate Files Nos. 138 and 140 from further consideration.

MOTION TO RECONSIDER SENATE FILE NO. 135 WITHDRAWN

Senator Goodwin withdrew his motion to reconsider the vote by which the Senate concurred in the House amendments to Senate File No. 135.

CONFERENCE COMMITTEE REPORT CONSIDERED

The following conference committee report on Senate File No. 241 was taken up and considered:

MR. PRESIDENT: The conference committee to which was referred Senate File No. 241, 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 the foreclosure and release of mortgages and sales under pledge, begs leave to report that it has had the same under consideration and recommends that the differences between the Senate and the House be composed and settled upon the following basis:

1. That the House amendment amending section three (3) of the bill by striking out all after the word "debt" in line six (6) thereof, be adopted.

2. That section four (4) of the bill be as follows:

"Sec. 4. The pledgee shall take the address of the pledgor at the time the pledge is made and in all cases the notice shall be served upon the pledgor by registered mail addressed to the address given by the pledgor at the time the property was pledged or at his last known address. If the pledgor is a resident of the county in which the property was held the notice shall be posted for ten (10) days in three (3) public places in the township of the pledgor's residence. If the pledgor is not a resident of the county where the property is held such notice shall be posted for ten (10) days in three (3) public places of such county and such notice shall contain a full and accurate description of the property to be sold, the day and hour when, and the place at which the same will be sold. If redemption is not made before the date thus fixed, the pledgee may sell at public auction, to the highest bidder, the pledged property, or so much of the same as may be necessary to pay the debt, interest, and all costs of making such sale, and may be a bidder at such sale. He shall apply the proceeds, first, in the payment of such costs, and second, to the payment of the debt. Any surplus arising from the sale and any property remaining unsold shall be paid or returned to the pledgor or his assigns."

3. That in all other respects the bill remain as passed by the House.

Senator Wichman moved that the Senate concur in and adopt the conference report.

On the question "Shall the report be adopted, and concurred in?" the vote was:

Ayes, 40.

Abben	Buser	Haskell	Mead
Adams	Caldwell	Holdoegel	Nelson
Baird	Dutcher	Horchem	Newberry
Banta	Ethell	Johnston	Olson
Bowman	Gilchrist	Kimberly	Perkins
Brookhart	Hale	McIntosh	Price
Brookins	Hartman	Mantz	Rees

Schmedika	Shane	Snook	Tuck
Scott	Slosson	Stoddard	White
Shaff	Smith	Thurston	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Cessna	Goodwin	Shinn
Browne	Darting	Reed	
Campbell	Fulton	Romkey	

The report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

MOTION TO RECONSIDER HOUSE FILE NO. 22 CONSIDERED

Senator McIntosh's motion to reconsider the vote by which House File No. 22 failed to pass the Senate was considered.

Senator Price moved that further action be deferred until Friday, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

The Senate resumed consideration of the following House amendments to Senate File No. 129:

Amend section seven (7) of Senate File No. 129 by striking from line three (3) the word and figure "two (2)" and inserting in lieu thereof the word and figure "six (6)".

Amend section nine (9) of Senate File No. 129, by adding thereto the following: "when the board is in continuous session, mileage for only one trip going to and from the session shall be allowed."

Senator Caldwell withdrew his amendment to the House amendments.

Senator Fulton offered the following amendment to the House amendments and moved its adoption:

Amend by striking from section 9 all following the word "from" in line 5 and inserting the following in lieu thereof: "the place of performing committee service and once each way in going to and from any regular or special session."

The amendment was withdrawn.

Senator Ethell moved that the Senate concur in the House amendment to section 9.

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Abben	Hale	Newberry	Snook
Baird	Hartman	Olson	Stoddard
Banta	Haskell	Perkins	Thurston
Brookhart	Holdoegel	Rees	Tuck
Brookins	Kimberly	Scott	White
Buser	McIntosh	Shaff	Wichman
Dutcher	Mantz	Shane	
Ethell	Mead	Shinn	
Gilchrist	Nelson	Slosson	

Nays, none.

Absent or not voting, 17.

Adams	Campbell	Horchem	Schmedika
Bergman	Cessna	Johnston	Smith
Bowman	Darting	Price	
Browne	Fulton	Reed	
Caldwell	Goodwin	Romkey	

The House amendment to section 9 having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Ethell moved that the Senate concur in the amendment to section 7.

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Abben	Gilchrist	Nelson	Shinn
Baird	Hartman	Newberry.	Slosson
Bowman	Haskell	Olson	Smith
Brookhart	Holdoegel	Perkins	Snook
Buser	Horchem	Price	Stoddard
Caldwell	Johnston	Rees	Thurston
Campbell	Kimberly	Schmedika	Tuck
Darting	McIntosh	Scott	White
Dutcher	Mantz	Shaff	Wichman
Ethell	Mead	Shane	

Nays, none.

Absent or not voting, 11.

Adams	Brookins	Fulton	Reed
Banta	Browne	Goodwin	Romkey
Bergman	Cessna	Hale	

The House amendment to section 7 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. 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, 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 all after the enacting clause and substituting the following:

Section 1. That chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, be and the same are hereby repealed."

Also amend the title by striking out all of said title and inserting in lieu thereof the following:

"A bill for an act to repeal chapter ten (10) title thirteen (13), being sections three thousand six hundred eighty-seven (3687) to three thousand seven hundred three (3703), inclusive, of the compiled code of Iowa, relating to boards of public works in certain cities."

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, 43.

Abben	Fulton	Mead	Shane
Adams	Gilchrist	Nelson	Shinn
Baird	Hale	Newberry	Slosson
Banta	Hartman	Olson	Smith
Brookhart	Haskell	Perkins	Snook
Brookins	Holdoegel	Price	Stoddard
Buser	Horchem	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Darting	Kimberly	Schmedika	White
Dutcher	McIntosh	Scott	Wichman
Ethell	Mantz	Shaff	

Nays, none.

Absent or not voting, 7.

Bergman	Browne	Cessna	Reed
Bowman	Caldwell	Goodwin	

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

CONFERENCE COMMITTEE ON SENATE FILE 149

The President appointed as a conference committee on Senate File No. 149, on the part of the Senate, Senators Ethell, Holdogel, Shinn and Buser.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 276
CONSIDERED

On motion of Senator Gilchrist the following conference committee report was considered:

MR. PRESIDENT: The conference committee to which was referred House File No. 276 being a bill to amend, revise, and codify chapter twenty-four-A of title twelve of the supplement to the compiled code of Iowa begs leave to report that it has had the same under consideration, and that it recommends that the differences between the Senate and the House be composed and settled upon the following basis:

1. That the Senate shall recede from the amendments proposed and adopted by it.

2. That section one of the bill as adopted by the House be amended by adding thereto at the close thereof the following:

"This section shall not apply to baseball games or county fairs."

3. That section two of the bill be amended by changing the period at the end of line one thereof to a semi-colon (;) and by adding immediately thereafter the words: "provided, however, that a license to operate a theater or moving picture show shall not be denied in any unincorporated village having a population of one thousand or more except for good cause."

4. That section five as adopted by the House shall be numbered as section four.

5. That there shall be added to the bill as section five the following:

"Sec. 5. Appeal.

Any person aggrieved by the action of the trustees in revoking a license may appeal therefrom to the district court of the county by serving a notice on the chairman of the board of trustees within twenty days after the final decision of said board. Such appeal shall be tried de novo and in equity."

6. That section four of the bill be re-numbered as section six.

Senator McIntosh offered the following amendment and moved its adoption:

Amend by striking out the words "baseball games or".

The President held the amendment out of order.

Senator Smith raised the point of order that Senator McIntosh's remarks did not pertain to the subject under discussion.

The President held the point well taken.

Senator Gilchrist moved that the Senate adopt the report of the conference committee and concur in the amendments proposed therein.

On the question "Shall the report be adopted and the amendments be concurred in?" the vote was:

Ayes, 38.

Abben	Goodwin	Nelson	Shinn
Adams	Hale	Newberry	Slosson
Banta	Hartman	Olson	Smith
Brookhart	Haskell	Perkins	Snook
Brookins	Holdoegel	Price	Stoddard
Buser	Horchem	Rees	Tuck
Caldwell	Johnston	Romkey	White
Campbell	Kimberly	Schmedika	Wichman
Fulton	Mantz	Shaff	
Gilchrist	Mead	Shane	

Nays, 2.

Darting	McIntosh
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Absent or not voting, 10.

Baird	Browne	Ethell	Thurston
Bergman	Cessna	Reed	
Bowman	Dutcher	Scott	

The report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

On motion of Senator Haskell House File No. 176, 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 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, 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 word "sewers" with the comma (,) following, between the words "for" and "sewer" in line 15, section 1.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking the word "including" from line 7 of section 2 and inserting in lieu thereof the word "and".

By unanimous consent on request of Senator Smith the word "supervise" was inserted in his amendment after the word "and".

Senator Smith withdrew his amendment.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking out lines 5, 6 and 7 of section 2 and substituting in lieu thereof the following: "Including a suitable roadway thereto by the most reasonable route, for the purpose of obtaining gravel, stone, or other suitable material with which to improve the streets and alleys of said city or town."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by changing the comma (,) after the word "town" in line 5 of section 4 to a period (.) and by striking out all following.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

SENATE AMENDMENT TO HOUSE AMENDMENT TO HOUSE FILE NO. 10

Senator Brookhart offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to the Senate amendment to House File No. 10 as follows: Insert after the parenthesis in line 3 of Section 7 the following: "or so much thereof as may be necessary".

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

Ayes, 28.

Abben	Caldwell	Johnston	Scott
Adams	Campbell	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Brookhart	Gilchrist	Newberry	Tuck
Brookins	Holdoegel	Price	White
Buser	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 22.

Bergman	Goodwin	Olson	Smith
Bowman	Hale	Perkins	Snook
Browne	Hartman	Reed	Stoddard
Cessna	Haskell	Rees	Thurston
Darting	Kimberly	Romkey	
Dutcher	McIntosh	Shaff	

The amendment was adopted.

Senator Brookhart moved that the Senate concur in the House amendment to the Senate amendment, as amended by the Senate.

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Abben	Campbell	Mead	Shane
Adams	Ethell	Nelson	Shinn
Baird	Fulton	Newberry	Slosson
Banta	Gilchrist	Price	Tuck
Brookhart	Holdoegel	Romkey	White
Brookins	Horchem	Schmedika	Wichman
Buser	Johnston	Scott	
Caldwell	Mantz	Shaff	

Nays, none.

Absent or not voting, 20.

Bergman	Dutcher	Kimberly	Rees
Bowman	Goodwin	McIntosh	Smith
Browne	Hale	Olson	Snook
Cessna	Hartman	Perkins	Stoddard
Darting	Haskell	Reed	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. 158, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section 3 by striking from line one the words and figures "thirty thousand (30,000)" and substituting therefor the words and figures "fifteen thousand (15,000)".
2. Amend section 4 by striking from line two the word "management" and substituting the word "operation"; by striking from line seven the word "the" and substituting the word "their"; by striking the words "of any city" and inserting in line 8 between the words "be" and "without" the word "issued".
3. Amend section 7 by inserting in line two before the word "fortune" the words "swimming pools, and"; by striking from line 4 the word "saloons" in both caption and text and substituting the word "halls"; by substituting a comma (,) for the period (.) at the end of line 6 and adding the words "and near beer or soft drink saloons".
4. Amend section 9 by striking from line one the words "by ordinance"; and by striking from line three the words "which may be".
5. Amend section 10, line 3, by adding to the word "material" the letter "s".
6. Amend section 22 by striking from line two the word "and" and substituting the word "or".
7. Amend section 23 by inserting in line one after the word "published" the words "in pamphlet form or" and by striking the remainder of the section after the period in line four.
8. Amend section 26, line one, by striking the word "publish" and in-

serting the word "prepare" and by inserting after the word "reports" the words "for publication" and by striking all after the period in line six.

9. Amend section 28, line one, by striking the words and figures "twenty-two (22) to twenty-six (26)" and substituting therefor the words and figures "twenty-one (21) to twenty-five (25)".

10. Amend by inserting after section 28 the following: "That section three thousand five hundred seventy-four (3574) of the compiled code of Iowa is amended, revised and codified to read as follows:

"Section 30. Municipal corporations shall have power to make and publish, from time to time, ordinances, not inconsistent with the laws of the state, for carrying into effect or discharging the powers and duties conferred by this title, and such as shall seem necessary and proper to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of such corporations and the inhabitants thereof, and to enforce obedience to such ordinances by fine not exceeding one hundred dollars (\$100.00), or by imprisonment not exceeding thirty days. Every city and town shall exercise its governmental powers by ordinance, unless otherwise specially provided."

11. Amend the title by inserting in the first line after the word "sections" the words and figures "three thousand five hundred seventy-four (3574)".

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

The sixth amendment was adopted.

The seventh amendment was adopted.

The eighth amendment was adopted.

The ninth amendment was adopted.

By unanimous consent on request of Senator Fulton the word and figures "section 30" were stricken from the tenth amendment and the word and figures "section 29" inserted in lieu thereof.

The tenth amendment was adopted.

Senator Newberry moved that the vote by which amendment No. 8 was adopted, be reconsidered, which motion prevailed.

Senator Brookhart offered the following amendment as a substitute for committee amendment No. 8 and moved its adoption:

Amend by striking out the last sentence of section 26.

The substitution was made.

The amendment was adopted.

The eleventh committee amendment was adopted.

Senator Dutcher moved that the vote by which the tenth amendment was adopted be reconsidered, which motion prevailed.

Senator Dutcher offered the following amendment to the tenth amendment and moved its adoption:

Amend by striking therefrom the last sentence.

The amendment to the amendment was adopted.

The tenth amendment as amended was adopted.

Senator Dutcher moved that the vote by which the substitute for the eighth committee amendment was adopted be reconsidered, which motion prevailed.

Senator Dutcher offered the following substitute amendment for the eighth amendment and moved its adoption:

Amend section 26 by striking therefrom the first line and the first word of the second line and inserting in lieu thereof the following: "The auditor of state shall prepare said reports for publication in a separate volume. Said report shall show".

Also amend section 26 by striking out the last three lines except the word "municipalities".

Senator Brookhart raised the point of order that this matter could not be considered as it was a substitute for a substitute.

The President held the point not well taken as the first substitute had been acted upon and substituted and was not now pending as a substitute.

The substitution was made.

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	Fulton	Mantz	Shaff
Adams	Gilchrist	Mead	Shane
Baird	Goodwin	Nelson	Shinn
Banta	Hale	Newberry	Slosson
Brookins	Hartman	Olson	Smith
Buser	Holdoegel	Price	Snook
Caldwell	Horchem	Rees	Stoddard
Campbell	Johnston	Romkey	Tuck
Dutcher	Kimberly	Schmedika	White
Ethell	McIntosh	Scott	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Browne	Haskell	Thurston
Bowman	Cessna	Perkins	
Brookhart	Darting	Reed	

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 House File No. 176.

On the question "Shall the amendment offered by Senator Buser be adopted?" the vote was:

Ayes, 26.

Baird	Ethell	Nelson	Shinn
Brookhart	Fulton	Olson	Slosson
Brookins	Hartman	Price	Snook
Buser	Johnston	Rees	Tuck
Caldwell	Kimberly	Romkey	White
Campbell	McIntosh	Schmedika	
Darting	Mead	Shane	

Nays, 17.

Abben	Goodwin	Newberry	Stoddard
Adams	Hale	Perkins	Wichman
Banta	Holdoegel	Scott	
Dutcher	Horchem	Shaff	
Gilchrist	Mantz	Smith	

Absent or not voting, 7.

Bergman	Browne	Haskell	Thurston
Bowman	Cessna	Reed	

The amendment was 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, 40.

Abben	Dutcher	McIntosh	Shaff
Adams	Ethell	Nelson	Shane
Baird	Fulton	Newberry	Shinn
Banta	Gilchrist	Olson	Slosson
Brookhart	Goodwin	Perkins	Smith
Brookins	Hale	Price	Snook
Buser	Hartman	Rees	Stoddard
Caldwell	Horchem	Romkey	Tuck
Campbell	Johnston	Schmedika	White
Darting	Kimberly	Scott	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Cessna	Mantz	Thurston
Bowman	Haskell	Mead	
Browne	Holdoegel	Reed	

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

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 273

MR. PRESIDENT: Your conference committee to whom was referred Senate File No. 273, a bill relating to the release of liens, beg leave to report they have had the same under consideration and recommend that the differences between the Senate and the House be settled upon the following basis:

1. That the House shall recede from the amendment adopted by it, leaving the provision as it is in the said bill and confirming the present law.

R. P. SCOTT
 BEN C. ABBEN, JR.
 A. J. SHINN
 CLYDE H. DOOLITTLE
 JNO. M. RANKIN
 FRED REWOLDT, JR.
 C. G. OLIVER

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 Senate Files Nos. 17 and 145.

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. 17, 145, 127 and 229; House Files Nos. 24 and 194.

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 twenty-fourth day of January, 1924, sent to the Governor for his approval, Senate File No. 17, a bill for an act relating to deputies for certain state officers.

Senate File No. 145, a bill for an act relating to official newspapers.

Senate File No. 127, a bill for an act relating to road improvement associations.

Senate File No. 229, a bill for an act relating to pleadings.

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: House Files Nos. 28, 234 and 268.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

SENATE FILE NO. 276 WITHDRAWN

By unanimous consent Senator Ethell withdrew Senate File No. 276 from further consideration.

The Journal of January 23d was corrected and approved.

On motion of Senator Newberry the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1924.

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 Shane rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the day, on request of Senator Nelson.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wichman, from assessors of Franklin county, protesting change in the assessment laws. Ways and means.

By Senator Slosson, from citizens of St. Ansgar, Mitchell county, protesting the reading of the Bible in all public schools daily. Public schools.

REPORT OF COMMITTEE

Senator Brookhart submitted the following report:

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 6589, 6590, 6596, 6600 of the compiled code of Iowa, and sections 6637 and 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 that the amendment offered by the Senator from Clarke be not adopted, and that the bill be recommended for passage.

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 adopted the conference committee report and the amendments proposed therein to the following bill:

Senate File No. 241, 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 and release of mortgages, and sales under pledge.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 221, a bill for an act to amend, revise, and codify sections six thousand nine hundred eight (6908), six thousand nine hundred eleven (6911) and six thousand nine hundred thirty-four (6934) of the compiled code of Iowa, relating to superior courts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 218, a bill for an act to amend, revise, and codify section sixty-six hundred eighty-six (6686) and chapter ten (10) of title twenty-six (26) of the compiled code of Iowa, relating to adoption, and master and apprentice.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 66, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9) of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred sixteen (1616), inclusive, of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and section sixteen hundred twenty-two (1622) of the supplement to said code, relating to state fair and agricultural organizations receiving state aid.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 172, a bill for an act to amend, revise, and codify section three thousand nine hundred sixty-six (3966) of the compiled code of Iowa, and section four thousand six (4006) of the supplement to said code, relating to municipal corporations.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 218, 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 compiled code of Iowa, relating to adoption, and master and apprentice.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 221, a bill for an act to amend, revise, and codify sections six thousand nine hundred eight (6908), six thousand nine hundred eleven (6911) and six thousand nine hundred thirty-four (6934) of the compiled code of Iowa, relating to superior courts.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 172, 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), and three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, and section four thousand six (4006) of the supplement to said code, relating to municipal corporations.

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

House File No. 66, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9) of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred sixteen (1616), inclusive, sixteen hundred eighteen (1618) to sixteen hundred twenty-one (1621), inclusive, sixteen hundred twenty-three (1623) to sixteen hundred twenty-five (1625), inclusive, sixteen hundred twenty-eight (1628), sixteen hundred thirty (1630), sixteen hundred thirty-one (1631), and sixteen hundred thirty-eight (1638) to sixteen hundred forty-four (1644), inclusive, of the compiled code of Iowa, and chapters six (6), seven (7), and eight (8) of title eight (8), of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and sections sixteen hundred twenty-two (1622), sixteen hundred thirty-one-a nine (1631-a9), sixteen hundred thirty-six-a one (1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, and sixteen hundred thirty-seven (1637), of the supplement to said code, relating to state fair and agricultural organizations receiving state aid.

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

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Scott moved that the Senate adopt and concur in the following conference committee report:

MR. PRESIDENT: Your conference committee to whom was referred Senate File No. 273, a bill relating to the release of liens, beg leave to report they have had the same under consideration and recommend that the differences between the Senate and the House be settled upon the following basis:

1. That the House shall recede from the amendment adopted by it, leaving the provision as it is in the said bill and confirming the present law.

On the question "Shall the Senate concur in and adopt the report?" the vote was:

Ayes, 39.

Abben	Dutcher	McIntosh	Scott
Adams	Ethell	Mantz	Shaff
Baird	Fulton	Mead	Shane
Banta	Goodwin	Nelson	Shinn
Bowman	Hale	Newberry	Slosson
Brookhart	Hartman	Olson	Snook
Buser	Haskell	Perkins	Stoddard
Caldwell	Horchem	Price	White
Campbell	Johnston	Reed	Wichman
Darting	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 11.

Bergman	Cessna	Rees	Thurston
Brookins	Gilchrist	Romkey	Tuck
Browne	Holdoegel	Smith	

The report 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 Newberry House File No. 108, 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, 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, 40.

Abben	Ethell	Mead	Scott
Baird	Fulton	Nelson	Shaff
Banta	Gilchrist	Newberry	Shane
Brookhart	Goodwin	Olson	Shinn
Brookins	Hale	Perkins	Slosson
Buser	Hartman	Price	Snook
Caldwell	Horchem	Reed	Stoddard
Campbell	Kimberly	Rees	Thurston
Darting	McIntosh	Romkey	White
Dutcher	Mantz	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Browne	Holdoegel	Tuck
Bergman	Cessna	Johnston	
Bowman	Haskell	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 Newberry Senate File No. 111, a bill for an act to amend, revise, and codify chapter thirty-one (31) of title ten (10) of the compiled code of Iowa and of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by striking out all of section 1, beginning with line 1, and inserting in lieu thereof the following:

"Any person having control of any child over seven (7) and under sixteen (16) years of age, in proper physical and mental condition to attend school, shall cause said child to attend some school for at least twenty-four consecutive school weeks in each school year, commencing with the first week of school after the first day of September, unless the board of school directors shall determine upon a later date, which date shall not be later than the first Monday in December. The board may, by resolution, require attendance for the entire time when the schools are in session in any school year. Reading, writing, spelling, arithmetic, grammar, geography, physiology, United States history and the principles of American government shall be taught in all such schools."

Amend by striking out all of section 2, and renumber sections 3 to 23, inclusive, as sections 2 to 22.

Amend section 3 by striking from line 1 thereof the word "two"; also strike out the letter "s" at the end of the word "sections" in line 1 thereof.

Amend section 3 by adding thereto the following:

"4. While attending religious services or receiving religious instructions."

Amend section 5 by striking out the words and figures "sixteen (16)" in line 2 thereof and inserting in lieu thereof the words and figures "fourteen (14)".

Senator Buser offered the following amendment to the first committee amendment and moved its adoption:

Amend by inserting the words "public, private or parochial" between the words "some" and "school".

Senator Newberry offered the following amendment to the amendment offered by Senator Buser and moved its adoption:

Amend by striking out the word "parochial".

The amendment to the amendment was adopted.

Senator Buser's amendment was adopted.

Senator White offered the following amendment to the first committee amendment and moved its adoption:

Amend by inserting the words "whose teachers hold certificates from the board of educational examiners" after the word "school" in line 3.

The amendment was lost.

Senator Banta offered the following amendment to the first committee amendment and moved its adoption:

Amend by adding the following: "In lieu of such attendance such child may attend upon equivalent instruction elsewhere than at school."

The amendment to the amendment was adopted.

The first committee amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

Senator McIntosh offered the following amendment and moved its adoption:

Amend Sec. 6 by striking the period at the end of said section fol-

lowing the word "offense" and adding thereto "or confined in the county jail not more than ten days."

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

Ayes, 8.

Bowman
Brookhart

Caldwell
Darting

McIntosh
Price

Tuck
White

Nays, 31.

Abben
Baird
Banta
Brookins
Buser
Campbell
Dutcher
Ethell

Fulton
Goodwin
Hale
Hartman
Haskell
Horchem
Johnston
Kimberly

Mantz
Nelson
Newberry
Olson
Perkins
Reed
Rees
Schmedika

Scott
Shaff
Shane
Slosson
Snook
Stoddard
Wichman

Absent or not voting, 11.

Adams
Bergman
Browne

Cessna
Gilchrist
Holdoegel

Mead
Romkey
Shinn

Smith
Thurston

The amendment was lost.

Senator Banta offered the following amendment and moved its adoption:

Amend by striking the word and figure "six (6)" from line 1 of section 6 and insert in lieu thereof the word and figure "five (5)".

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend Sec. 22 by striking from line four the words "annually such sum as may be necessary" and substituting therefor the words "such sum as may be appropriated by the General Assembly".

Senator Buser offered the following amendment as a substitute for Senator Shinn's amendment and moved its adoption:

Amend by inserting the words "until July 1, 1925" after the word "annually" in line 4 of section 22.

The substitution was made.

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

Ayes, 20.

Brookhart	Ethell	Nelson	Slosson
Brookins	Fulton	Price	Snook
Buser	Gilchrist	Schmedika	Thurston
Campbell	Johnston	Shane	Tuck
Cessna	McIntosh	Shinn	White

Nays, 22.

Abben	Dutcher	Kimberly	Scott
Adams	Goodwin	Mantz	Shaff
Baird	Hale	Newberry	Stoddard
Banta	Haskell	Olson	Wichman
Bowman	Holdoegel	Perkins	
Caldwell	Horchem	Reed	

Absent or not voting, 8.

Bergman	Darting	Mead	Romkey
Browne	Hartman	Rees	Smith

The amendment was lost.

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, 43.

Abben	Dutcher	Mantz	Shaff
Adams	Ethell	Nelson	Shane
Baird	Fulton	Newberry	Shinn
Banta	Gilchrist	Olson	Slosson
Bowman	Goodwin	Perkins	Snook
Brookhart	Hale	Price	Stoddard
Brookins	Haskell	Reed	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchem	Romkey	White
Campbell	Johnston	Schmedika	Wichman
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 7.

Bergman	Cessna	McIntosh	Smith
Browne	Hartman	Mead	

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

SENATE FILES NOS 158, 160, 176 AND 108 WITHDRAWN

By unanimous consent Senator Haskell withdrew Senate Files Nos. 158, 160 and 176 from further consideration.

By unanimous consent Senator Newberry withdrew Senate File No. 108 from further consideration.

THIRD READING OF BILLS

On motion of Senator Newberry House File No. 86, 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 sections twenty-five hundred fifty-eight-a three (2558-a3) and twenty-two hundred seventy-seven (2277) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend section 4 thereof by adding as paragraph 1 the following:

"1. Filing and preserving reports. File and preserve all reports, documents and correspondence that may be of a permanent value, which shall be open for inspection under reasonable conditions by any citizen of the state, and he shall keep a record of the business transacted by him." Also renumber the paragraphs of said section to correspond.

Amend paragraph 6 of section 4 by striking out the words "public and private" in line 23 of said section.

Amend paragraph 7 of section 4 by striking out the words "public and private" in line 28 of said section.

Amend section 4 by striking therefrom lines 38, 39, 40, 41 and 42 thereof, being paragraph 9 of said section.

Amend section 8 by striking therefrom the words "and private" in line 6 of said section.

Amend section 6 as amended by the House, by striking therefrom the words "for the biennium ending June 30, nineteen hundred twenty-five (1925)".

By unanimous consent on request of Senator Dutcher the first committee amendment was amended as follows:

Amend by inserting a period (.) after the word "state" in line 4 and by striking out the words "and he shall" and by striking the small letter "k" in the word "keep" and inserting a capital letter "K" in lieu thereof.

The first amendment was adopted.

The second, third and fourth amendments were adopted.

By unanimous consent the fifth amendment was adopted.

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

Ayes, 19.

Adams	Hale	Mead	Scott
Baird	Holdoegel	Newberry	Shaff
Banta	Horchem	Olson	Stoddard
Bowman	Kimberly	Perkins	Wichman
Dutcher	Mantz	Reed	

Nays, 24.

Brookhart	Fulton	Nelson	Shinn
Brookins	Gilchrist	Price	Slosson
Buser	Goodwin	Rees	Snook
Campbell	Hartman	Romkey	Thurston
Darting	Haskell	Schmedika	Tuck
Ethell	Johnston	Shane	White

Absent or not voting, 7.

Abben	Browne	Cessna	Smith
Bergman	Caldwell	McIntosh	

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend section six (6) by inserting after the figures "1925," the words "or so much thereof as may be necessary".

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, 43.

Adams	Dutcher	Mantz	Shaff
Baird	Ethell	Nelson	Shane
Banta	Fulton	Newberry	Shinn
Bowman	Gilchrist	Olson	Slosson
Brookhart	Hale	Perkins	Snook
Brookins	Hartman	Price	Stoddard
Buser	Haskell	Reed	Thurston
Caldwell	Holdoegel	Rees	Tuck
Campbell	Horchem	Romkey	White
Cessna	Johnston	Schmedika	Wichman
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 7.

Abben	Browne	McIntosh	Smith
Bergman	Goodwin	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 Dutcher withdrew Senate File No. 86 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, House Files Nos. 28, 234 and 268.

AMENDMENTS FILED TO SENATE FILE NO. 14

Senator Brookhart filed the following amendments to Senate File No. 14:

Amend Senate File No. 14 as follows: Change the period after the word "time" in line 5, section 18 to a comma, and add the following: "but elective officers shall at all times be given preference over appointive officers in the assignment of quarters".

The Journal of January 24th was corrected and approved.

Senator Price moved that the Senate adjourn until 4 p. m. today.

Senator Newberry moved to amend by making the hour 10 a. m. Saturday.

The amendment was adopted, the motion prevailed, and the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 26, 1924.

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 Dutcher for the day, on request of Senator Scott; Senator Cessna for the day, on request of Senator Stoddard; Senator McIntosh for the day, on request of Senator Price; Senator Romkey for the day and Monday, on request of Senator Price; Senator Browne for the day, on request of Senator Nelson; Senator Darting for the day on request of Senator Haskell; Senator Horchem for the day on request of Senator Baird; Senator Schmedika for the day on request of Senator Goodwin; Senator Shaff for the day, on request of Senator Stoddard; Senator Fulton for the day, on request of Senator Perkins; Senator Gilchrist for Monday and Tuesday, on his own request.

REPORTS OF COMMITTEE

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File No. 55, a bill for an act to amend, revise and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-three (1183), inclusive, of the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks, 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 striking therefrom the words and figures "eleven hundred eighty-three (1183)" and inserting in lieu thereof the words and figures "eleven hundred eighty-two (1182)".

Amend by striking from lines one (1) and two (2) following the enacting clause the words and figures "eleven hundred eighty-three (1183)" and inserting in lieu thereof the words and figures "eleven hundred eighty-

two (1182)". Also insert a comma (,) and the word "inclusive" followed by a comma (,) after the figures "(1182)" in said line two (2).

Amend section three (3) by striking from line four (4) thereof the words "where the condition is" and substituting in lieu thereof the words "if the conditions are".

Amend section four (4) by adding at the end of same the following sentence: "Any unclaimed funds shall be used for park purposes."

Amend by including the following section to the bill, known as section six (6): "The state board of conservation may call upon the state college of agriculture and mechanic arts for the services of at least one competent landscape architect, engineer or gardener, who shall, under the direction of the board, proceed to work with it in the improvement of state property under the control of said board. The president of said college shall designate the landscape architect, engineer or gardener, as the case may be, who shall work with said board. Students who are enrolled in the landscaping department of said college, may be assigned by the proper college authorities to assist with the landscaping and improvement of state property under the control of the board of conservation, when requested by said board, and when such service will not interfere materially with their college work. All necessary expenses incurred by such landscape architect, engineer or gardener or the students of the college under the provisions of this section, shall be paid in the same manner as are other expenditures by the board."

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Also:

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:

Amendment No. 1. Strike out of line one (1) in section eight (8) the words "and publication".

Amendment No. 2. Strike out of line three (3) of section ten (10) the word "actual" and insert in lieu thereof the word "salaries".

Amendment No. 3. Place a period (.) after the word "annually" in line eight (8) of section ten (10) and strike out the words "until July 1, 1925."

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

SENATE RECEDES FROM AMENDMENTS TO HOUSE FILE NO. 270

Senator Reed moved that the Senate recede from its amendments to House File No. 270.

Senator Reed invoked rule 8.

On the question "Shall the Senate recede?" the vote was:

Ayes, 29.

Abben	Gilchrist	Newberry	Snook
Adams	Goodwin	Perkins	Stoddard
Baird	Hale	Reed	Tuck
Banta	Hartman	Rees	White
Brookhart	Haskell	Scott	Wichman
Brookins	Johnston	Shane	
Buser	Mantz	Slosson	
Ethell	Nelson	Smith	

Nays, 6.

Caldwell	Kimberly	Schmedika
Campbell	Price	Shinn

Absent or not voting, 15.

Bergman	Darting	Horchem	Romkey
Bowman	Dutcher	McIntosh	Shaff
Browne	Fulton	Mead	Thurston
Cessna	Holdoegel	Olson	

The motion prevailed and the Senate receded from its amendments.

THIRD READING OF BILLS

On motion of Senator Wichman House 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, 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, 34.

Abben	Brookins	Gilchrist	Holdoegel
Adams	Buser	Goodwin	Kimberly
Baird	Caldwell	Hale	Mantz
Banta	Campbell	Hartman	Nelson
Bowman	Ethell	Haskell	Newberry

Perkins	Scott	Smith	White
Price	Shane	Snook	Wichman
Reed	Shinn	Stoddard	
Schmedika	Slosson	Tuck	

Nays, none.

Absent or not voting, 16.

Bergman	Darting	Johnston	Rees
Brookhart	Dutcher	McIntosh	Romkey
Browne	Fulton	Mead	Shaff
Cessna	Horchem	Olson	Thurston

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 striking out the period after the word "officers" in line 5 and inserting a comma and adding thereto the following: "and to the appointment of a superintendent of printing and of a custodian of public buildings and grounds."

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

Ayes, 34.

Abben	Ethell	Mantz	Shinn
Baird	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Price	Tuck
Brookins	Haskell	Reed	White
Buser	Holdoegel	Schmedika	Wichman
Caldwell	Johnston	Scott	
Campbell	Kimberly	Shane	

Nays, none.

Absent or not voting, 16.

Adams	Darting	McIntosh	Romkey
Bergman	Dutcher	Mead	Shaff
Browne	Fulton	Olson	Smith
Cessna	Horchem	Rees	Thurston

The amendment was adopted and the title, as amended, was agreed to.

On motion of Senator Haskell House File No. 174, a bill for an 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, 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, 37.

Abben	Gilchrist	Newberry	Smith
Baird	Goodwin	Perkins	Snook
Banta	Hale	Price	Stoddard
Bowman	Hartman	Reed	Thurston
Brookhart	Haskell	Rees	Tuck
Brookins	Holdoegel	Schmedika	White
Buser	Johnston	Scott	Wichman
Caldwell	Kimberly	Shane	
Campbell	Mantz	Shinn	
Ethell	Nelson	Slosson	

Nays, none.

Absent or not voting, 13.

Adams	Darting	McIntosh	Shaff
Bergman	Dutcher	Mead	
Browne	Fulton	Olson	
Cessna	Horchem	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 Scott Senate File No. 205, 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, 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 section 1 by inserting after the comma following the word "Iowa" in line 1, the following: "as heretofore created and established,".

Amend sub-enacting clause to section 1 by striking the same and inserting in lieu thereof the following: "That section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and chapter one hundred sixty-nine (169) acts of the Fortieth General Assembly, and section five thousand four hundred sixty-two (5462) of the supplement to the compiled code, are amended, revised and codified to read as follows:".

Amend section 2 by striking catchwords and inserting in lieu thereof the words "Appointment, term, and removal."

Amend section 2 by adding after the period (.) in line 9 the following: "He may only be removed by a majority vote of the executive council, and upon statutory grounds."

Amend by adding the following as section 6:

"Sec. 6. Payment of salaries of deputy, assistants and clerks.

All salaries of deputy, assistants and clerks herein provided for shall be paid in the same manner as are the salaries of other state officers out of the general revenues of the state, and on the first day of each month all such salaries as are indicated herein shall be paid by warrant drawn by the auditor of state upon the treasurer of state."

Amend by renumbering the remaining sections to correspond with the changes above made.

Amend by striking out the title and substituting in lieu thereof the following:

"An act to amend, revise, and codify section five thousand four hundred sixty-one (5461) of the compiled code of Iowa, and chapter one hundred sixty-nine (169) acts of the Fortieth (40th) General Assembly, and section five thousand four hundred sixty-two (5462) of the supplement to the compiled code, relating to the insurance department."

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	Goodwin	Newberry	Smith
Baird	Hale	Olson	Snook
l'anta	Hartman	Perkins	Stoddard
Bowman	Haskell	Price	Thurston
Brookhart	Holdoegel	Reed	Tuck
Brookins	Johnston	Schmedika	White
Caldwell	Kimberly	Scott	Wichman
Campbell	Mantz	Shane	
Ethell	Mead	Shinn	
Gilchrist	Nelson	Slosson	

Nays, none.

Absent or not voting, 13.

Adams	Cessna	Horchem	Shaff
Bergman	Darting	McIntosh	
Browne	Dutcher	Rees	
Buser	Fulton	Romkey	

The bill having received a constitutional majority was declared to have passed the Senate and the title, as amended, was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 94, a bill for an act relating to the Iowa state teachers college.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 46, a bill for an act relating to the labor bureau and commissioner.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 105, a bill for an act relating to education—school libraries.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 212, a bill for an act relating to certain special liens.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 151, a bill for an act relating to townships and township officers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 47, a bill for an act relating to the state employment bureau.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 109, a bill for an act relating to education—school buildings and sites.

Also: That the House has adopted the conference committee report and receded from its amendments to the following bill:

Senate File No. 273, a bill for an act relating to the release of common law or statutory liens on personal 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. 129 and 135.

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. 129 and 135.

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 twenty-sixth day of January, sent to the Governor for his approval, Senate File No. 129, a bill for an act relating to boards of supervisors; Senate File No. 135, a bill for an act relating to the sheriff.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

SENATE FILES NOS. 32 AND 174 WITHDRAWN

By unanimous consent Senator Wichman withdrew Senate File No. 32 from further consideration.

By unanimous consent Senator Haskell withdrew Senate File No. 174 from further consideration.

The Journal of January 25th was corrected and approved.

Senator Newberry moved that the Senate adjourn until 10 a. m. Monday.

Senator Brookhart moved to amend the motion by making the time 3:30 p. m. today.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 3:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 117, 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 and of the supplement to said code, relating to the establishment, vacation and alteration of highways and to the erection and maintenance of bridges, 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:

1. Amend section two (2) by striking from lines five (5) and six (6) the following: "unless it be necessary to do so in order to avoid dangerous crossings and corners." Also amend by inserting a period (.) after the word "building" in line five (5).

2. Amend section five (5) by inserting a colon (:) after the word "motion" in line one (1), and strike out the following words in lines one (1) and two (2) of said section "or on the recommendation of the highway engineer."

3. Strike out all of section six (6) and insert in lieu thereof the following:

"The cost entailed by a change in the preceding section shall be paid:

1. From the primary road fund in case the change is on a primary road.

2. From the county road fund or from the county bridge fund, or from both of said funds, in case the change is on a county or township road."

4. Amend by inserting immediately after section six (6) the following:

"Section 6-a1. Reimbursement.

Where any town or city, including special charter, commission plan and manager plan cities, having a population of less than twenty-five hundred (2500) has heretofore, and since the enactment of chapter two hundred thirty-seven (237), acts of the thirty-eighth general assembly, procured at its own expense right-of-way for a primary road in order to accomplish any of the purposes enumerated in section five (5) of this act, the board of supervisors is authorized to reimburse said city or town from the primary road fund for the cost of such right of way."

5. Amend section seven (7) by striking out the word "the" where it first appears in line two (2) and insert the word "an". Also by striking out the word "the" at the end of line three (3) and insert the word "an".

6. Amend section eight (8) line four (4) by striking out the words "county auditor" and inserting the words "board of supervisors". Also strike out the word "auditor" in line nine (9) of said section and insert the words "board of supervisors".

7. Amend section nine (9) by striking from lines twelve (12) and thirteen (13) the following: "the expiration of ten days from completed service of this notice on all parties", and insert the following: "the day of, 192..."

8. Amend section ten (10) by striking out the last sentence.

9. Amend by adding the following immediately after section 18 of the bill:

"That section twenty-nine hundred forty-three (2943) of the supplement

to the compiled code of Iowa is amended, revised, and codified to read as follows:

Section 19. Condemnation and improvement within cities and towns.

The board of supervisors is hereby given plenary jurisdiction subject to the approval of the council to purchase or condemn right-of-way therefor and grade, drain, gravel, or hard surface any road or street which is a continuation of the primary road system of the county and which is:

1. Within any town, or
2. Within any city acting under special charter, or
3. Within any city having a population of less than twenty-five hundred, or
4. Within that part of any city where the houses average not less than two hundred (200) feet apart.

The primary road fund shall not be charged with the cost of hard surfacing within the cities and towns specified above in excess of the cost of a hard surfacing which is eighteen (18) feet in width.

No hard surfacing shall be done except as authorized by a vote of the electors of the county.

After the completion of such improvement the same shall be maintained by the city or town and such city or town shall rest under the same obligation of care as to such improvements as is now provided by law for roads and streets generally.

Any such city or town through its council and each county of the state through its board of supervisors are hereby authorized to enter into written agreements subject to the approval of the state highway commission to determine the location of such improvements within such cities or towns. In case of disagreement the matter shall be referred to the state highway commission, whose decision shall be final. The board of supervisors shall not drain, grade, gravel or hard surface any highway within the limits of cities other than those specified herein."

10. Amend by striking out the title and inserting in lieu thereof the following:

"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, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvements of primary roads in cities and towns."

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 123, 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, 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:

1. Amend section four (4) by striking out the word "may" in line two (2) of said section, and insert in lieu thereof the word "shall".
2. Amend section nine (9) by striking out the period (.) at the end of line s x (6), inserting in lieu thereof a comma (,) and adding the following: "and when notified that such culverts and bridges are unsafe, it shall be his duty to put up barriers on the roads approaching such bridges and culverts."
3. Strike out all of section twelve (12) and renumber sections following.
4. Insert after the comma (,) following the word "county" in line 3 of section thirteen (13) the following: "erect notice at the proper point to facilitate travel and", also by inserting after the word "notify" in line three (3) of said section the words "verbally, and confirmed by written notice".
5. Amend section twenty-five (25) by inserting after the word "April" in line two (2) a comma (,) and the word "August".
6. Amend by inserting in line 3 section 13 following the word "thereon" the words "at the expense of the county".

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 119, 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, 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:

1. Amend section 1 by striking out of lines five (5) and six (6) the words "at said college" and substituting in lieu thereof the words "in the city of Ames, Iowa".
2. Amend section 6 by striking therefrom all of subsection 5 and renumbering the remaining subsections in accordance therewith.

Also by striking from line twenty-five (25) the words "state board of control" and substituting in lieu thereof the words "improvement of highways upon or adjacent to state property". Also by striking from line twenty-six (26) the word "said" and substituting in lieu thereof the word "the". Also by striking out the period at the end of line twenty-six (26) and adding to said line the words "in control of said lands."

3. Amend by adding as subsection 10 to section 6, as renumbered, the following:

"10. Mark the primary road system with suitable permanent and uniform guide and warning signs, the cost of which shall be paid from the primary road fund allotment of the county in which said signs are located, by warrants drawn by the state auditor on the state treasurer upon vouchers approved by the state highway commission."

P. C. HOLDOEGEL, *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. 218, a bill for an act to amend, revise, and codify section 6686 and chapter 10 of title 26 of the compiled code of Iowa, relating to adoption, and master and apprentice, 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. 221, 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, 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 Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 27, a bill for an act relating to absent voters, 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 10 of the bill.

Amend by striking out section 39 of the bill.

Amend by striking out of Sec. 40, beginning with line 2 thereof the following: "for all elections held subsequent to the receipt of said applications" and inserting in lieu thereof the following: "for the election for which the applications have been made."

J. E. WICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 34, a bill for an act relating to removal from office, 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. 26, a bill for an act relating to canvass of votes at election, 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 following the article "a" in line 3 of section 5 the word "signed"; also strike out the comma following the word "cast" in line 4 and substitute a period therefor; also strike line 5 from said section.

Amend by striking out section 8 and substituting therefor the following: "If the error be in relation to a district or state officer, it shall be certified with the number of the excess to the state canvassers. If the error affects the result of the election, the canvass shall be suspended and a new vote ordered in the precinct where the error occurred. When there is a tie vote due to such an excess, there shall be a new election. No person residing in another precinct at the time of the general election shall be allowed to vote at such special election. When the new vote is taken and returned, the canvass shall be completed."

Amend by substituting for section 9 the following: "When the canvass is completed one (1) of the judges shall publicly announce the total number of votes received by each of the persons voted for, the office for which he is designated, as announced by the clerks, and the number of votes for, and the number of votes against, any proposition which shall have been submitted to a vote of the people."

J. E. WICHMAN, *Chairman.*

Ordered passed on file.

By unanimous consent on request of Senator Bowman the following correspondence was ordered printed in the Journal:

January 14, 1924.

Senator Arthur Capper, United States Senate, Washington, D. C.

My dear Senator Capper:

Yours of the 5th inst. addressed to me at Waterloo, Iowa, instead of Des Moines where the legislature is now in session, was necessarily delayed a little while in reaching me.

I quote from your letter the following:

"I am in thorough sympathy with every movement to help the distressed farmers and the agricultural west. Undoubtedly, they should have first consideration by congress. Numerous measures have been suggested, but there seems to be a wide difference of opinion as to what can be done here that is practical and helpful. I would be glad to have you

tell me what you think congress can do that will relieve the farmers at this time."

In the first place, I am giving you the following herewith an exact copy of this resolution as it was introduced into the Iowa Senate.

It read as follows:

"Whereas, the great basic industry of this country is agriculture, and

"Whereas, there can be no permanent prosperity until the agricultural industry is on an economic basis comparable with other industries, and

"Whereas, the heart of agriculture (the middle west) has for three years been laboring faithfully, although seriously handicapped and maimed by unjust differences in the prices it has received for its products in comparison with the prices it has been compelled to pay for the commodities it is compelled to purchase, and

"Whereas, at this time the Iowa farmer is receiving less for his products of the farm than a year ago, and

"Whereas, in times of stress the government has deemed it wise to take the farmers' crops at a price which netted the government treasury some fifty millions of dollars, and

"Whereas, there have been many appeals from the agricultural district desiring action upon the part of the government that would help to adjust the present economic inequalities between agriculture and practically all the other great industries of this country, and

"Whereas, any political party seeking the support and patronage of the great middle west must have as its leaders those who are in sympathy with, and have a clear understanding of middle west conditions, and

"Whereas, all the conferences and proposed remedies upon the part of those in authority have been of little benefit in adjusting these economic inequalities in the great agricultural middle west; therefore

"Be It Resolved by the Senate of Iowa, the House concurring: That the president of the United States, the cabinet officers, and the executive officers of the great republican party be and are hereby requested to give prompt and careful concern to the matters herein mentioned that there may result some measure of relief, that the love, respect, and abiding confidence of the great middle west for that grand old party of Lincoln, of McKinley, of Roosevelt, and of Harding, may thereby be the more firmly cemented to the end that it may more easily weather any storm threatening its power and authority."

This resolution passed the Senate of Iowa as outlined above with the exception of a minor change in the last paragraph which was amended to read as follows:

"Be It Resolved by the Senate of Iowa, the House concurring: That the president of the United States, the cabinet officers, and the congress of the United States are hereby requested to give prompt and careful concern to the matters herein mentioned that there may result some measure of relief."

This slight change in accordance with the amendment made no change whatever in the purpose and intent of the author of the resolution. It

was offered as a very serious matter confronting the middle west at this time, and in the same spirit that your very best friend would come to you and sound a word of warning. It is a plain statement of facts, and woe to the politician or political party that will not pay attention to the sentiment contained therein. This is said in reference to all politicians, and all political parties.

The great agricultural middle west does not ask for "special courtesies"; it asks for only a "square deal". If any political party or politician is so foolish as to think that that old axiom "Absence makes the heart grow fonder", or in other words, the "absent treatment" that the great agricultural middle west has been receiving the past few years, together with the disproportionate burden that it has had to bear, will cause them to stand aside and not express themselves is surely mistaken. This is not a government for any political party (republican or democratic) by any political party, or for any bunch of political leaders desiring to put in or maintain any political party in power. This is still a government of the people, by the people, and for the people.

Having relieved myself of these few introductory remarks, I am now ready to answer your questions.

First, the prices for agricultural commodities produced by the great agricultural middle west is entirely out of proportion with the prices which we must pay for the things we are compelled to buy.

Let me say right in the beginning that at least 90 per cent of all this great unrest now experienced throughout our entire country is due to this shameful inequality in purchasing ability that has existed now so long throughout the great middle west where something like 78 per cent of our total food products are produced.

Now, some will say that there can be no legislation that will result in any benefit. All I have to say in reply to this is that the people will keep on "unseating" that kind of political leaders until there will be a majority to at least make some real definite effort.

The people somehow have a feeling that the railroads have something in the way of protection, that the manufacturing institutions have something in the way of protection and when on the other hand the great middle west send from the wheat producing district a delegation begging that their farmers be protected by raising the tariff on wheat shipped into this country, they came away without results. I believe, however, I have seen recently wherein this board is to be called together sometime in February to consider the matter. The wheat that is not out of the producers' hands now will probably be by the time this board is called together, and the wheat farmer has a right to make the inquiry as to why this matter was not attended to promptly, or in other words, why they might not have the same kind of protection that is given many other of our industries in this country.

We must not forget that during the war the farmers were practically the only class of people who had "maximum prices" put on any of their products, while we did not hesitate to give 10 per cent plus cost to many of the other industries to have accomplished that which we wished to have done, and let prices in general take an upward course.

It might be fair at least to assume that there would be a feeling in the great middle west that when in times of stress the government could take the crops of the farmers at a price that meant a profit to the government of some fifty millions of dollars in their grain corporation, certainly then in times like these that same middle west might at least have a right to believe that something in the way of a "cushion" might be offered that would give some measure of relief to this great body of American citizens whose patriotism never has been questioned, nor never have they been found failing in times of need.

An increased tariff on wheat should have been put on months ago, and would have furnished at least some measure of relief.

The commodities leaving the farms of Iowa are not selling for as many dollars as they sold for a year ago, and this same condition is true throughout the entire great agricultural middle west.

One of the reasons that is offered is that we "have a great surplus". Possibly that is so, but I will discuss that under a heading later. Regardless of what may be the reasons offered for it, the fact still remains that a great inequality does exist between the prices received for agricultural commodities and the prices which have to be paid by the farmers for the things they are compelled to buy.

Now, what can be done about it?

In the first place, let me state that there have been numerous plans offered with the belief that this one, that one, or the other one will accomplish the desired results, but it is the everlastingly heralding of the good that will be accomplished by this, that, or the other plan without anything in the way of "definite action" that the great middle west is getting tired of. So much talk and no action is accomplishing nothing. We must have action, and it should be so plainly seen and so plainly evident that all the powers that be everywhere, from every industry and every state, would join hands and solve first of all, this, the most important question that is before the congress of the United States—not special concessions for the agricultural district, but nothing more nor less than a "square deal", and which by the way, will cause a smile not only to return to the faces of our rural people who constitute such a prominent percentage of our population, but will likewise bring a more substantial feeling of security and progress to every business of every kind.

Permit me to say that the "export corporation plan" looks to me to be the most practical method that has been propounded. There is one thing sure, it can do the farmer no harm. Neither can it harm anyone else. It is not guaranteeing prices. It is simply putting into operation a plan that while it might not accomplish everything that might be desired, yet it will do a lot of good, and would do no one any harm. It will be doing something in the right direction.

The "export corporation plan" (which I believe to be the best) and such other plans that have been proposed should be given immediate attention. There is no measure that could be brought before congress that is as important and as deserving of prompt action. The congressmen and senators from the cities as well as those from the rural districts

should get around the table and in a common sense sort of fashion go into this very important matter, and do something—and do it now. Iowa is the very heart of republicanism in this country, and she most certainly has the right to make this request upon the part of a republican president and a republican congress.

Second, lower interest rates.

Possibly some parts of the great middle west need more credit, but for the most part it is not more credit that they need as much as it is a cheaper rate of interest. Many of our bankers and financial institutions who because the farmers have in many incidences liquidated some of their floating indebtedness heralded to the world the fact that the farmer is rapidly getting back on his feet. We might as well state the facts as they are, and call a spade a spade. These same financial institutions might also have said that in many cases the farmers increased the loans upon their farms, that they went to the federal farm loan banks, insurance companies, and anywhere they could get it, increased the loans upon their farms in order to pay off the floating indebtedness which will be clearly shown by the statistics of the increased mortgages on the farms of the great middle west. At the seventeenth annual convention of the Association of Life Insurance Presidents, the fact was clearly brought out that these companies loaned in ten months of 1923 more money to agriculture than had been loaned in the entire year of 1922. The farmer simply shifted his loan to what may simply be called a "permanent loan"; under present conditions, from that which was called a matter of floating indebtedness, or a bank obligation.

During war time, not only did the wheat farmer have his wheat taken at a price that netted the government some fifty millions of dollars, but the farmer that fed the hogs found the seventeen dollar price more of a maximum than a minimum price, and then following that, the federal reserve bank came along and put the farmer on a toboggan that sent him to such depths that comparatively few, as yet, have been able to raise their heads with a smile. The rediscount rate that the federal reserve bank makes seems to have but little effect, if any at all, on the rate of interest charged to the farmer for such money as he requires. The margin is entirely too great and particularly so when you take into consideration the value of the farmers' products in comparison with the price asked for these things which he finds himself compelled to purchase. He finds himself burdened not only with a great inequality, in the matter of prices, but an inequality in interest rates, which, when considered also in the above light, is anything but fair and equitable. When the banks are able to get low discount rates from the federal reserve, why is there not some way that this might also be passed on to the farmers? The enormous profits of the federal reserve banks can hardly be boasted about with a clear conscience.

Third, cheaper freight rate.

The great agricultural middle west will continue to send to the congress of the United States men who are in favor of lower freight rates, and who will stand hitched and fight for them until this thing has been brought about.

Those in the extreme east, and those in the extreme west are not so much concerned regarding this matter for the reason that the great middle west pays the increased freight rate to permit the lower rate elsewhere.

I do want to say, however, in this connection that if wheat was bringing the farmer from \$1.50 to \$2.00 per bushel—corn \$1.00 per bushel—oats 60 cents to 65 cents—other crops in proportion, and hogs \$10.00 to \$12.00 per hundred, which would only be somewhere near comparable with the prices the great middle west has to pay for the things that she buys, you would not then hear quite so much about freight rates. No doubt there would be many incidences where the rate should be reduced, and where inequality should be adjusted, and these things would still be demanded, but the apparent protection upon the part of the government for the many industries of this country, together with the "jump in the lake attitude" concerning agriculture as far as any real protection has been given to her is concerned, the people of the great middle west then begin to demand something. They most certainly are willing and desirous and want to have all industries do well, but if there is going to be a continued attempt to have other industries protected with agriculture paying the bill, then it is time to call a halt. It would be indeed too bad to have the prices of all other commodities come down to the present price of agricultural products. That would not be in the best interests of this country. It would be much better if agricultural products could come up to the other prices. Everybody would be better off. Everybody would be feeling better, and conditions would indeed be much better than they could possibly be otherwise. But the farmer is tired of being bled on this railroad rate proposition—he is tired of paying the bills—he is getting into the frame of mind where he would rather have any deficit in railroad operation be paid from general taxation, if need be, than to have him pay it all himself, or at least a very large part of it. It is indeed too bad that conditions are as we find them. I do not believe the farmers are desirous at all to have the railroads owned by the government, but if the present inequality in farm products is not stopped, the farmer is going to demand lower freight rates, and it is not impossible that this rate might be reduced to a point where the inevitable would happen. We must have good railroad service—the farmer is willing to pay his share, and if the powers that be only realize the conditions as they should, they most certainly would have to know that if agriculture was on equal footing with other industries in the matter of price, everybody would be better off.

Fourth, statistical department of the bureau of agriculture.

I do not mean to be criticising the secretary of agriculture. We think a lot of him out this way, but I do want to say that when the statistical department of that bureau everlastingly keeps telling of the enormous surpluses of grain it most certainly does not have a tendency to increase prices in any way. There are those who believe that before the 1924 wheat crop is harvested, there will be in this country somewhat of a shortage of milling wheat. If this should be the case, then the statistical department certainly has cost the American farmer a great deal of money

—many millions of dollars. Regardless of what supply may be coming into our central market, even though that supply is not up to the average, yet, when the buyer is continually told of the wonderful surplus back in the country, the buyer holds off and too many occasions have been found wherein such reports have been erroneous, and they should be guarded against. The same thing can be said in reference to the corn crop, and our other crops as well.

Surely no one can say that the continuous heralding of abundant crops will help to increase prices, and in the interests of the farmer, this bureau might well be muzzled somewhat and there are those who would say that many of its reports could well be abolished.

Now, in conclusion, let me say that I see wherein there has been a request from the wheat farmers for an extension of credit that they might go into more diversified farming. I do not want to suggest that this would be anything like charity, and I do want to call to your attention the fact that there must be some real need for this or it would not be asked for. Our money goes freely to any foreign country in times of distress, but we should not forget our own, here at home. We do not have much respect for the man who would leave his family in need of coal to keep them warm and food that would permit them to go to bed without the hunger pain gnawing at their vitals, while perchance he would wander out in search of some needy family on whom he might bestow those necessities of life.

We must not forget that the government made a profit on the wheat farmers of something over fifty millions of dollars, and possibly it would not be out of order to loan them a little of their own money.

And furthermore, in the starting of the "export corporation plan", it might not be entirely out of order to use some of this money, which is farmers' money, before you begin levying on their crops to make the plan operative.

Permit me to say that I have been very frank with you in this matter with a plain statement of facts which do not come as from one "standing in the wilderness"—it is a plain statement concerning which I am not alone in the "amen corner".

I wrote the resolution which carried in the Iowa Senate with a pure motive and honest purpose. I am a republican, and this resolution was introduced in good faith, and I am sure that my reply to your inquiry will be received by you in the friendly spirit that it has been written.

Very respectfully,

M. L. BOWMAN.

January 22, 1924.

Honorable M. L. Bowman, Waterloo, Iowa.

My dear Senator Bowman: Your letter of January 14th is received. Your statement as to the deplorable condition of the agricultural industry is one of the strongest that has come to my attention and I regard your suggestions as exceptionally meritorious. I do not believe there is anything in your letter I cannot endorse. Like yourself I am not in sympathy with those who say that nothing can be done at Washington to help

the farmer. It is true that legislation will not cure all the troubles of the farmer, and a great deal of the farmers' misfortune is the result of the economic laws and it will require several years time to get back to a normal basis, but there is no doubt the government can be of great assistance if it will approach the problem in a sympathetic attitude and go just as far as possible along sound and practical lines.

As to the various suggestions made by you:

The tariff commission is considering the proposed increase in the duty on wheat. I have talked with the members of the tariff commission and have urged them to do something as soon as possible. They feel that it is necessary to hold a hearing. I look for action some time next month.

The export corporation plan is now being considered by the agricultural committee of both Senate and House. I feel certain that a bill will be agreed upon within the next two or three weeks. This is regarded as the most important legislation before congress so far as agricultural relief is concerned and the two committees are doing their best to hasten action.

You are undoubtedly right as to the need of cheaper freight rates. I have been talking this a little stronger than anything else. Congress cannot directly reduce freight rates, but we can make some amendments to the transportation program that will undoubtedly help. For instance we can repeal Section 15-a, the so-called guarantee clause. I have been fighting for this for more than a year. The railroads have powerful influences working against any railroad legislation.

I have been before the members of the Interstate Commerce Commission several times urging the importance of reducing freight rates on agricultural products. The railroads are of course fighting that proposition also. They now have a case before them which will probably be decided in a few weeks and if the commission does the right thing it will result in reduced rates on wheat and other products.

I notice you also suggest lower interest rates. I think you are right but it cannot be done by legislation. A lot of these things can be accomplished only by hammering away, and that is what some of us have been doing for the past year. I think we have accomplished something but it is up-hill work and there is still a great deal to do.

I am glad you got your resolution through the Iowa Senate. A number of us here are doing our level best but action such as was taken by the Iowa Senate helps.

Very respectfully,

(Signed) ARTHUR CAPPER.

On motion of Senator Stoddard the Senate adjourned until 10:30 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1924.

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

Paryer was offered by Rev. Melvin Vernon Higbee, pastor of the First Presbyterian church, of Boone, Iowa.

On motion of Senator Campbell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shane for the forenoon, on request of Senator Brookins; Senator Browne for the day, on request of Senator Nelson; Senator Goodwin for the day, on request of Senator Schmedika; Senator Banta for the day, on request of Senator Mantz; Senator Reed for the day, on request of Senator Thurston.

By unanimous consent on request of Senator Wichman, action on Senator McIntosh's motion, to reconsider the vote by which House File No. 22 failed to pass the Senate, was deferred.

HOUSE MESSAGES CONSIDERED

House 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.

Read first and second times and referred to committee on educational institutions.

House File No. 46, a bill for an act to amend, revise, and codify sections eight hundred ninety-two (892) 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 times and referred to committee on labor.

House File No. 212, 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 times and referred to committee on judiciary No. 1.

BILLS SIGNED BY THE GOVERNOR

Communications have been received from the Governor announcing that, on January 22, 1924, he had signed Senate Files Nos. 167, 267, 163 and 245; also that on January 24, 1924, he had signed Senate File No. 291; also that on January 25, 1924, he had signed Senate Files Nos. 145, 17, 229 and 127; also that on January 26, 1924, he had signed Senate Files Nos. 129 and 135.

HOUSE AMENDMENTS CONSIDERED

Senator Ethell called up for consideration Senate File No. 151, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 151 by adding immediately after section 29 the following:

"Sec. 29-a1. Bond.

Before such deposit is made, such bank shall file with the clerk a bond with sureties to be approved by the clerk and the township trustees in double the amount which will probably be deposited, conditioned to indemnify the township against loss by reason of such deposit or deposits. The clerk or his successor in office shall have a right to bring action on said bond in case of a breach thereof."

Amend section ten (10), by adding thereto the following sentence: "If at any time a new township has been created in a year in which no general election is held, the board shall call a special election for the election of the township officers of the new township, who shall continue in office until their successors are elected and qualified."

Amend section sixteen (16), line three (3), by adding after the comma (,) following the word "viewers" the words "the local board of health."

Senator Ethell offered the following amendment to the House amendment and moved its adoption:

Amend the amendment to section 10 by striking from the third line thereof the word "shall" and inserting in lieu thereof the word "may".

The amendment was adopted.

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Abben	Hale	Nelson	Shinn
Baird	Hartman	Newberry	Smith
Brookins	Haskell	Olson	Snook
Buser	Holdoegel	Perkins	Stoddard
Campbell	Johnston	Price	Tuck
Cessna	Kimberly	Rees	White
Dutcher	McIntosh	Schmedika	Wichman
Ethell	Mantz	Scott	

Nays, none.

Absent or not voting, 19.

Adams	Browne	Goodwin	Shaff
Banta	Caldwell	Horchem	Shane
Bergman	Darting	Mead	Slosson
Bowman	Fulton	Reed	Thurston
Brookhart	Gilchrist	Romkey	

The House amendments, as amended, having received a constitutional majority were 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. 250, a bill for an act relating to magistrates and peace officers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 31, a bill for an act relating to qualification by public officers.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 158, a bill for an act relating to municipal corporations—general powers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 289, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe county, Iowa, of a

cemetery tax of five-tenths of one mill on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 250, a bill for an act to amend, revise, and codify sections ninety hundred fifty-one (9051) to ninety hundred fifty-four (9054), inclusive, and sections ninety hundred fifty-eight (9058) to ninety hundred sixty-two (9062), inclusive, of the compiled code of Iowa, relating to magistrates and peace officers.

Read first and second times and referred to committee on judiciary No. 1.

AMENDMENTS FILED TO HOUSE FILE NO. 14

Senator Buser filed the following amendment to House File No. 14:

Amend House File No. 14 by inserting after the period following the word "review" in line two (2) of section two (2) the following "when arriving at values for taxable purposes the records shall show the members making the various motions, the amounts such motions designate, the values undertaken to be fixed thereby and the negative and affirmative votes thereon, and record the names of the members voting."

The Journal of January 26th was corrected and approved.

Senator Buser moved that the Senate adjourn until 4 p. m. today.

Senator Stoddard moved to amend the motion by making the time 9:30 a. m. Tuesday.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 29, 1924.

The Senate met in regular session, President pro tem. John R. Price presiding.

Prayer was offered by Rev. James E. Lombard, pastor of the Methodist Episcopal church, of Osceola, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Banta for the day on request of Senator Olson; Senator Hartman for the day, on request of Senator Cessna; Senator Perkins for the day, on request of Senator Stoddard; Senator Reed for the day, on request of Senator Holdoegel.

PETITIONS AND MEMORIALS

Petitions protesting a law making it compulsory to read the Bible daily in all public schools were presented by Senator Schmedika, from the pastor and members of the Church of the Nazarene, Webster City; from citizens of Buckeye; and from voters of Hardin county, all of which were referred to the committee on public schools.

The petition from the Ingleside Club of Mt. Vernon favoring the grant of an appropriation of \$5,000 asked by Governor Kendall, was presented by Senator Haskell, and referred to the committee on appropriations.

INTRODUCTION OF BILLS

Senate File No. 293, by Senator Stoddard, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued.

Read first and second times and referred to committee on judiciary No. 2.

HOUSE FILE NO. 246 REQUESTED RETURNED

Senator Stoddard moved that the House be requested to return House File No. 246, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Brookins Senate File No. 55, a bill for an act to amend, revise, and codify sections eleven hundred seventy-nine (1179) to eleven hundred eighty-three (1183), inclusive, of the compiled code of Iowa, and section eleven hundred seventy-seven-a nine (1177-a9) of the supplement to said code, relating to the state board of conservation and state parks, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend the title by striking therefrom the words and figures "eleven hundred eighty-three (1183)" and inserting in lieu thereof the words and figures "eleven hundred eighty-two (1182)".

Amend by striking from lines one (1) and two (2) following the enacting clause the words and figures "eleven hundred eighty-three (1183)" and inserting in lieu thereof the words and figures "eleven hundred eighty-two (1182)". Also insert a comma (,) and the word "inclusive" followed by a comma (,) after the figures "(1182)" in said line two (2).

Amend section three (3) by striking from line four (4) thereof the words "where the condition is" and substituting in lieu thereof the words "if the conditions are".

Amend section four (4) by adding at the end of same the following sentence: "Any unclaimed funds shall be used for park purposes."

Amend by including the following section to the bill, known as section six (6): "The state board of conservation may call upon the state college of agriculture and mechanic arts for the services of at least one competent landscape architect, engineer or gardener, who shall, under the direction of the board, proceed to work with it in the improvement of state property under the control of said board. The president of said college shall designate the landscape architect, engineer or gardener, as the case may be, who shall work with said board. Students who are enrolled in the landscaping department of said college, may be assigned by the proper college authorities to assist with the landscaping and improvement of state property under the control of the board of conservation, when requested by said board, and when such service will not interfere materially with their college work. All necessary expenses incurred by such landscape architect, engineer or gardener or the students of the college under the provisions of this section, shall be paid in the same manner as are other expenditures by the board."

The first four amendments were adopted.

Senator Brookhart offered the following amendment to the fifth amendment and moved its adoption:

Amend by changing the period (.) at the end of the amendment to a comma (,) and adding the following: "but no compensation shall be paid for such service."

The amendment to the amendment was adopted.

By unanimous consent on request of Senator Smith the words "when called upon" were inserted after the word "shall" in line 7 of the fifth amendment.

Senator Buser invoked rule 8.

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

Ayes, 24.

Abben	Dutcher	Johnston	Shaff
Baird	Fulton	Kimberly	Slosson
Bowman	Goodwin	McIntosh	Smith
Brookhart	Hale	Mantz	Stoddard
Brookins	Holdoegel	Nelson	White
Campbell	Horchem	Newberry	Wichman

Nays, 13.

Browne	Ethell	Schmedika	Tuck
Buser	Olson	Shane	
Cadwell	Price	Shinn	
Cessna	Romkey	Snook	

Absent or not voting, 13.

Adams	Gilchrist	Perkins	Thurston
Banta	Hartman	Reed	
Bergman	Haskell	Rees	
Darting	Mead	Scott	

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.

Senator Stoddard invoked rule 8.

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

Ayes, 28.

Abben	Brookhart	Fulton	Horchem
Adams	Brookins	Goodwin	Kimberly
Baird	Campbell	Hale	McIntosh
Bowman	Dutcher	Holdoegel	Mantz

Mead	Rees	Slosson	Thurston
Newberry	Shaff	Smith	White
Olson	Shane	Stoddard	Wichman

Nays, 13.

Browne	Cessna	Nelson	Schmedika
Buser	Ethell	Price	Shinn
Caldwell	Johnston	Romkey	Snook

Absent or not voting, 10.

Banta	Gichrist	Perkins	Tuck
Bergman	Hartman	Reed	
Darting	Haskell	Scott	

The bill having received a constitutional majority was declared to have passed the Senate and the title, as amended, was agreed to.

Senator Campbell was called to the chair at 10:40 a. m.

On motion of Senator Holdoegel Senate File No. 117, 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 and of the supplement to said code, relating to the establishment, vacation, and alteration of highways and to the erection and maintenance of bridges, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section two (2) by striking from lines five (5) and six (6) the following: "unless it be necessary to do so in order to avoid dangerous crossings and corners." Also amend by inserting a period (.) after the word "building" in line five (5).

2. Amend section five (5) by inserting a colon (:) after the word "motion" in line one (1), and strike out the following words in lines one (1) and two (2) of said section "or on the recommendation of the highway engineer."

3. Strike out all of section six (6) and insert in lieu thereof the following:

"The cost entailed by a change in the preceding section shall be paid:

1. From the primary road fund in case the change is on a primary road.
2. From the county road fund or from the county bridge fund, or from both of said funds, in case the change is on a county or township road."

4. Amend by inserting immediately after section six (6) the following: "Section 6-a1. Reimbursement.

Where any town or city, including special charter, commission plan and

manager plan cities, having a population of less than twenty-five hundred (2500) has heretofore, and since the enactment of chapter two hundred thirty-seven (237), acts of the Thirty-eighth General Assembly, procured at its own expense right-of-way for a primary road in order to accomplish any of the purposes enumerated in section five (5) of this act, the board of supervisors is authorized to reimburse said city or town from the primary road fund for the cost of such right of way."

5. Amend section seven (7) by striking out the word "the" where it first appears in line two (2) and insert the word "an". Also by striking out the word "the" at the end of line three (3) and insert the word "an".

6. Amend section eight (8) line four (4) by striking out the words "county auditor" and inserting the words "board of supervisors". Also strike out the word "auditor" in line nine (9) of said section and insert the words "board of supervisors".

7. Amend section nine (9) by striking from lines twelve (12) and thirteen (13) the following: "the expiration of ten days from completed service of this notice on all parties", and insert the following: "the day of, 192...".

8. Amend section ten (10) by striking out the last sentence.

9. Amend by adding the following immediately after section 13 of the bill:

"That section twenty-nine hundred forty-three (2943) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Section 19. Condemnation and improvement within cities and towns.

The board of supervisors is hereby given plenary jurisdiction subject to the approval of the council to purchase or condemn right-of-way therefor and grade, drain, gravel, or hard surface any road or street which is a continuation of the primary road system of the county and which is:

1. Within any town, or
2. Within any city acting under special charter, or
3. Within any city having a population of less than twenty-five hundred, or
4. Within that part of any city where the houses average not less than two hundred (200) feet apart.

The primary road fund shall not be charged with the cost of hard surfacing within the cities and towns specified above in excess of the cost of a hard surfacing which is eighteen (18) feet in width.

No hard surfacing shall be done except as authorized by a vote of the electors of the county.

After the completion of such improvement the same shall be maintained by the city or town and such city or town shall rest under the same obligation of care as to such improvements as is now provided by law for roads and streets generally.

Any such city or town through its council and each county of the state through its board of supervisors are hereby authorized to enter into

written agreements subject to the approval of the state highway commission to determine the location of such improvements within such cities or towns. In case of disagreement the matter shall be referred to the state highway commission, whose decision shall be final. The board of supervisors shall not drain, grade, gravel or hard surface any highway within the limits of cities other than those specified herein."

10. Amend by striking out the title and inserting in lieu thereof the following:

"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, and section twenty-nine hundred forty-three (2943) of the compiled code of Iowa and of the supplement to said code, relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns."

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fifth amendment was adopted.

The sixth amendment was adopted.

By unanimous consent on request of Senator Stoddard the figures "192" were stricken from the seventh amendment.

The seventh amendment was adopted.

The eighth amendment was adopted.

By unanimous consent on request of Senator Stoddard subsection 2 of the ninth amendment was stricken out and the words "including cities acting under special charter or" were added at the end of subsection 3.

By unanimous consent on request of Senator Holdoegel the words "in a highway as provided in" were inserted following the word "change" in the first line of section 6, as amended.

On motion of Senator Stoddard the remaining subsections were renumbered.

Senator Buser offered the following amendment to the ninth committee amendment and moved its adoption:

Amend by inserting after the word "houses" in sub-section 3 the words "or business houses".

The amendment to the amendment was adopted.

Senator Shinn offered the following amendment to the ninth amendment and moved its adoption:

Amend by striking the words "whose decision shall be final" from line 6 of the last paragraph of the amendment.

Senator Ethell offered the following amendment to the ninth amendment as a substitute for Senator Shinn's amendment and moved its adoption:

Amend by inserting the words "and the local county board of supervisors" after the words "highway commission" in line 6 of the last paragraph of the ninth amendment.

The substitute amendment was lost.

The amendment offered by Senator Shinn was lost.

By unanimous consent the words "including cities acting under special charter, or" were stricken from the end of subsection 2 and inserted after the word "city" in line 1 of subsection 2, as renumbered.

President pro tem. Price resumed the chair at 11 a. m.

The ninth amendment was adopted.

Senator Stoddard offered the following amendment to the fourth amendment and moved its adoption:

Amend by striking the words "in order to accomplish any of the purposes enumerated in section five (5) of this act," from the amendment.

The amendment to the amendment was adopted.

The fourth amendment was adopted.

Senator Buser offered the following amendment to the bill and moved its adoption:

Amend by inserting the words "including cities acting under special charter" after the word "cities" in line 1 of subsection 3 of section 19.

The amendment was adopted.

The tenth amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by inserting in line 2 of section 10 after the word "served" the following: "said service to be made at least ten (10) days before the time set for hearing."

Senator Wichman withdrew his amendment.

Senator Brookhart offered the following amendments and moved their adoption:

Amend by inserting the words "and for the time" after the word "which" in line 2 of section 10.

Also amend by inserting the words "in the district court" after the word "notices" in line 2 of section 10.

Also amend by inserting the words "and occupants" after the word "owners" in line 1 of section 10.

Also amend by changing the comma (,) after the word "weeks" in line 6 of section 10 to a period (.) and striking out the remainder of the sentence.

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.

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

Ayes, 35.

Abben	Dutcher	Kimberly	Scott
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Slosson
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Olson	Stoddard
Brookins	Haskell	Price	Tuck
Browne	Holdoegel	Rees	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Johnston	Schmedlka	

Nays, 4.

Buser	Shinn	Smith	Thurston
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Absent or not voting, 11.

Banta	Darting	Mead	Reed
Bergman	Gilchrist	Newberry	Shaff
Cessna	Hartman	Perkins	

The bill having received a constitutional majority was declared to have passed the Senate and the title, as amended, was agreed to.

Senator Scott moved that the vote by which Senate File No. 205 passed the Senate be reconsidered, which motion prevailed.

Senator Scott moved that the vote by which Senate File No. 205 passed to its third reading be reconsidered, which motion prevailed.

Senator Scott offered the following amendment to Senate File No. 205 and moved its adoption:

Amend the title and the sub-enacting clause by striking from each the following: "chapter one hundred sixty-nine (169) acts of the Fortieth General Assembly, and section" and inserting in lieu thereof "sections five thousand four hundred sixty (5460) and".

The amendment was adopted.

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, 38.

Abben	Dutcher	McIntosh	Shane
Adams	Ethell	Mantz	Shinn
Baird	Fulton	Nelson	Slosson
Bowman	Goodwin	Olson	Smith
Brookhart	Hale	Price	Snook
Brookins	Haskell	Rees	Stoddard
Browne	Holdoegel	Romkey	White
Buser	Horchem	Schmedika	Wichman
Caldwell	Johnston	Scott	
Campbell	Kimberly	Shaff	

Nays, none.

Absent or not voting, 12.

Banta	Darting	Mead	Reed
Bergman	Gilchrist	Newberry	Thurston
Cessna	Hartman	Perkins	Tuck

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 House File No. 166, a bill for an act relating to municipal corporations—hospitals, 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 Perkins submitted the following report:

MR. PRESIDENT: Your committee on corporations to which was referred Senate 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, 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 1 thereof, and inserting in lieu thereof the following:

'Section 1. Amount paid—certificate void—penalty violation.

No certificate or shares of stock shall be issued, delivered or transferred by any corporation, officer or agent thereof, or by the owner of such certificate or shares, without having indorsed on the face thereof what amount or portion of the par value has been paid to the corporation issuing the same, and whether such payment has been in money or property. Any certificate of stock issued, delivered, or transferred in violation of this section shall be void. Any person violating the provisions of this section, or knowingly making a false statement on such certificate, shall be fined not less than one hundred dollars nor more than five hundred dollars, and shall stand committed to the county jail until such fine and costs are paid. This section shall not apply to railway or quasi public corporations organized before the first day of October, eighteen hundred ninety-seven."

Amend by striking out all of section 3 of the bill and renumbering the following sections".

GEO. B. PERKINS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on corporations to which was referred Senate File No. 203, 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, 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 "par" at end of line 4, section 1, and the word "value" at beginning of line 5, section 1 and substituting for said words the following: "fair market value as determined by the executive council".

GEO. B. PERKINS, *Chairman.*

Ordered passed on file.

Senator Mantz submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which 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 col-

lege of agriculture and mechanic arts, 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. 91, 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, 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 House File No. 92, 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, 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.

The Journal of January 28th was corrected and approved.

Senator Shinn moved that the Senate adjourn until 3 p. m. today.

Senator Cessna moved to amend the motion by making the hour 1:30 p. m.

The amendment was adopted.

The motion was lost.

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. 241.

F. C. GILCHRIST, *Chairman Senate Committee*.

C. F. LETTS, *Chairman House Committee*.

Report adopted.

RESIGNATION OF COMMITTEE CLERK

Miss Minnie Truax presented her resignation as clerk for Senator Tuck, which was accepted.

On motion of Senator Ethell, the Senate adjourned until 3:15 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. Price presiding.

REPORTS OF COMMITTEES

Senator Perkins submitted the following report:

MR. PRESIDENT: Your committee on corporations to which was referred Senate File No. 201, 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), five thousand four hundred forty-four (5444), and five thousand four hundred forty-eight (5448), of the compiled code of Iowa, relating to corporations for pecuniary profit, 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 201 so as to read as follows: "A bill for an act to amend, revise, and codify sections fifty-three hundred forty-five (5345), fifty-four hundred twenty-one (5421), fifty-four hundred forty-four (5444), fifty-four hundred forty-eight (5448), and fifty-four hundred fifty-three (5453) of the compiled code of Iowa, and sections fifty-three hundred thirty-one (5331) and fifty-three hundred sixty-seven (5367) of the supplement to the compiled code, relating to corporations for profit and not for profit."

Amend Senate File 201 by striking out all after the enacting clause and inserting in lieu thereof the following: "That sections fifty-three hundred forty-five (5345), fifty-four hundred twenty-one (5421) and fifty-four hundred forty-four (5444), of the compiled code of Iowa, are amended, revised, and codified to read as follows:

Section 1. Certain corporations exempted.

Nothing in this chapter shall be construed as imposing an annual fee or requiring a report from any corporation organized for religious, educational, scientific, or charitable purposes or other corporations not organized for pecuniary profit or from any corporation engaged in the banking or loan and trust business, or from insurance companies or associations who have paid the taxes provided in sections forty-five hundred seventeen (4517) and forty-five hundred twenty-one (4521), compiled code of Iowa, and received a certificate of authority from the commissioner of insurance.

That section five thousand four hundred forty-eight (5448), of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 2. Power to confer degree.

Any corporation of an academical character may confer the degrees usually conferred by such an institution.

That section fifty-four hundred fifty-three (5453) of the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 3. Amendment of Articles—Corporation not for profit.

Any corporation organized under this chapter may change its name or amend its articles of incorporation by a vote of a majority of the members, in such manner as may be provided in its articles, but if no such provision is made in the articles the same may be amended at any regular meeting or special meeting called for that purpose by the president or secretary or a majority of the board of directors. Notice of any meeting at which it is proposed to amend the articles of incorporation, shall be given by mailing to each member at his last known postoffice address at least ten days prior to such meeting a notice signed by the secretary setting forth the proposed amendments in substance, and by two publications of said notice in some daily or weekly newspaper in general circulation in the county wherein said corporation has its principal place of business. The last publication of said notice shall be not less than ten days prior to the date of said meeting. If the trustees, directors or managers of such corporation are appointed by two or more synods, conferences, associations or other ecclesiastical bodies, such change or amendment shall not be made without the concurrence of a majority of the members of each such body.

That section fifty-three hundred thirty-one (5331) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 4. Limit of Indebtedness.

Such articles must fix the highest amount of indebtedness or liability to which the corporation is at any one time to be subject, which in no case, except risks of insurance companies, and liabilities of banks not in excess of their available assets, not including their capital, shall exceed two-thirds of its capital stock.

Sec. 5. The provisions of the last preceding section shall not apply:

1. To the bonds or other railway or street railway securities, issued or guaranteed by railway or street railway companies of the state, in aid of the location, construction and equipment of railways or street railways, to an amount not exceeding sixteen thousand dollars per mile of single track, standard gauge, or eight thousand dollars per mile of single track, narrow gauge, lines of road for each mile of railway or street railway actually constructed and equipped.

2. To the debentures or bonds of any company incorporated under the provisions of this chapter, the payment of which shall be secured by an actual transfer of real estate securities for the benefit and protection of purchasers thereof; such securities to be at least equal in amount to the

par value of such bonds or debentures, and to be first liens upon unincumbered real estate worth at least twice the amount loaned thereon; nor to debentures or bonds issued by any corporation organized under this chapter for the purpose of manufacturing or selling gas, heat, steam or electricity, or constructing or operating interurban or street railways, or waterworks, or for any one or more of said purposes, when such debentures or bonds are not issued in an amount exceeding twice the amount of the paid up capital stock of such corporation.

3. To the debentures or bonds of any company organized under the provisions of this chapter, provided said company shall have not less than one million dollars paid in and outstanding capital stock, the payment of which debentures and bonds shall be secured by the actual transfer of the obligations of individuals, partnerships, associations or corporations, for the benefit and protection of purchasers thereof; provided that where such obligations are secured by the actual transfer of warehouse receipts of bonded warehouses as security collateral thereto, said obligation to represent not exceeding seventy-five per cent of market value of the commodity represented by such warehouse receipt, debentures or bonds may be issued to an amount not in excess of one hundred per cent of the actual value of said obligations; provided, further, that the said debentures shall be first liens upon the said obligations and upon the warehouse receipts collateral thereto; and provided further, that where such debentures or bonds shall be issued upon the security of obligations indorsed by a bank permitted to do banking business in the state of Iowa, or obligations secured by collateral other than warehouse receipts of bonded warehouses, said collateral to consist of chattel loans on live stock up to eighty per cent of its value, or investments authorized by law for Iowa savings banks, they shall not be issued for an amount in excess of ninety per cent of the actual value of such obligations, and such debentures or bonds shall be first liens upon said obligations, and the collateral thereto.

4. To liabilities incurred through the Federal Intermediate Credit Bank of Omaha, under the provisions of the Act of Congress of 1923, relating to agricultural credits, when such liabilities are secured by warehouse receipts for agricultural products or chattel mortgages of live stock.

That section fifty-three hundred sixty-seven (5367) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 6. Foreign corporations—Filing articles—Process—Application—Increase of capital—Fees.

Any corporation for pecuniary profit organized under the laws of another state, or of any territory of the United States, or of any foreign country, which has transacted business in the state of Iowa since the first day of September, eighteen hundred eighty-six, or desires hereafter to transact business in this state, and which has not a permit to do such business, shall file with the secretary of state a certified copy of its articles of incorporation, duly attested by the secretary of state or other state officer in whose office the original articles were filed, accompanied by a resolution of its board of directors or stockholders authorizing the filing thereof, and also authorizing service of process to be made upon

any of its officers or agents in this state engaged in transacting its business, and requesting the issuance to such corporation of a permit to transact business in this state; said application to contain a stipulation that such permit shall be subject to the provisions of this chapter. Said application shall also contain a statement subscribed and sworn to by at least two of the principal officers of the corporation, setting forth the following facts, to-wit:

1. The total authorized capital of the corporation.
2. The total paid up capital of the corporation.
3. The total value of all assets of the corporation, including money and property other than money represented by capital, surplus, undivided profits, bonds, promissory notes, certificates of indebtedness or other designation, whether carried as money on hand or in bank, real estate or personal property of any description.
4. The total value of money and all other property the corporation has in use or held as investment in the state of Iowa, at the time the statement is made (if any).
5. The total value of money and all other property the corporation proposes or expects to make use of in the state of Iowa, during the ensuing year.
6. Certified copy of the resolution of the board of directors of said corporation giving name and address in Iowa of a resident agent on whom the service of original notice of civil suit in the courts of this state may be served. Failing which, or in the event such agent may not be found within the state, service of such process may then be made upon said corporation through the secretary of state of Iowa by sending the original and two copies thereof to him, and on the original of which he shall accept service on behalf of said corporation, retain one copy for his files and send the other by registered mail to the corporation at the address of its home office as shown by the records in his office, which service shall have the same force and effect as if lawfully made upon said corporation within the county where such civil suit could be maintained against it under the laws of this state.

The secretary of state can make such independent and further investigation as to the property within this state owned by any such corporation as he may desire, and upon the true facts determine the value thereof, and fix the fee to be paid by such company. Before a permit is issued authorizing such corporation to transact business in the state of Iowa, said corporation shall file with the secretary of state a certified copy of the articles of incorporation, with resolution and statement as previously set forth, and pay a filing fee of twenty-five dollars upon ten thousand dollars or less of money and property of such company actually within the state of Iowa, and of one dollar for each one thousand dollars of such money or property within this state in excess of ten thousand dollars. If from time to time the amount of money or other property in use in the state of Iowa by said foreign corporation is increased, said corporation shall at the time of said increase, or at the time of making annual report to the secretary of state, in July of each year, file with the secre-

tary of state a sworn statement showing the amount of such increase, and shall pay a filing fee thereon of one dollar for each one thousand dollars or fraction thereof of such increase.

The secretary of state shall number consecutively all such certified copies heretofore and hereafter filed in his office and shall maintain a card index thereof alphabetically arranged and shall preserve the same and the originals of said certified copies as permanent records of his office.

The secretary of state shall upon request furnish a blank upon which to make report of such increase of capital in use within the state. Any corporation transacting business in this state prior to the first day of September, eighteen hundred eighty-six, shall be exempt from the payment of the fees required under the provisions of this section. The secretary of state shall thereupon issue to such corporation, a permit, in such form as he may prescribe, for the transaction of the business of such corporation, and upon the receipt of such permit said corporation shall be permitted and authorized to conduct and carry on its business in this state. No foreign stock corporation doing business in this state shall maintain any action in this state upon any contract made by it in this state unless prior to the making of such contract it shall have procured such permit. This prohibition shall also apply to any assignee of such foreign stock corporation and to any person claiming under such assignee of such foreign corporation or under either of them."

GEORGE B. PERKINS, *Chairman.*

Ordered passed on file.

Senator Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs, to which was referred House File No. 264, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney, beg leave to report it has had the same under consideration and recommends the same be placed on the calendar 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 which was referred Senate File No. 155, a bill for an act relating to municipal corporations—civil service commission, 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:

1. Amend section one (1), line two (2), by striking out the following words: "the council shall provide, by ordinance, for the appointment of", and inserting in lieu thereof the following: "having a paid fire department, the mayor, with the approval of the council, shall appoint".
2. Strike out all of section five (5) and insert in lieu thereof the fol-

lowing: "The provisions of this chapter shall apply to all members of the police and fire departments, except:

1. Chiefs of police.
2. Matrons, janitors, clerks, stenographers and secretaries.
3. Casual employes.
3. Amend section eight (8) by inserting a period (.) after the word "list" in line seven (7), and strike out all thereafter down to and including the period (.) after the word "power" in line nine (9), and insert the following: "In commission form cities, the superintendent of public safety, with the approval of the council; in cities under the manager plan, the manager; and in other cities, the chiefs of the respective departments shall make the appointments."
4. Amend section nine (9) by striking out the same and inserting in lieu thereof the following: "In cities under the commission plan the council shall appoint the chief of police and chief of the fire department; in cities under the manager plan the manager shall make such appointments, and in all other cities such appointments shall be made by the mayor."
5. Strike out all of section ten (10) and insert the following: "All appointive officers and employes of cities shall be selected with reference to their qualifications and fitness and for the good of the public service, and without reference to their political faith or party allegiance."
6. Amend by striking out all of section eleven (11) and inserting in lieu thereof the following: "No person shall be appointed or employed in any capacity in the fire or police department, or any department which is governed by the civil service, unless he is a citizen of the United States, a resident of the city for more than one (1) year, of good moral character, can read and write the English language, and is not a liquor or drug addict. The provision as to residence shall not apply to the chief of the fire department and the chief of the police department."
7. Amend by striking out all of section twelve (12) and inserting in lieu thereof the following: "No person appointed from the civil service list shall be removed arbitrarily, but may be removed, after hearing, by a majority vote of the civil service commission for misconduct or failure to properly perform his duties."
8. Amend section thirteen (13) by striking out of line two (2) the word "any" before the word "superintendent"; also strike from line two (2) the words "or foreman in charge of municipal work", and insert the words "of public safety." Also strike out of lines five (5), six (6), seven (7) and eight (8), the following: "In cities under the commission plan, such suspension or discharge shall be reported within twenty-four (24) hours to the superintendent of the department in which such suspension or discharge occurred", and insert the following: "Chiefs of police and fire departments of cities under the commission plan shall report suspensions or discharge made by them to the superintendent of public safety within twenty-four hours thereof."
9. Amend section sixteen (16) by adding the following at the end of line four (4): "If such charges are not so filed the person suspended or

discharged may present the matter to the body to whom the appeal is to be taken by affidavit, setting forth the facts, and such body shall forthwith enter an order reinstating the person suspended or discharged for want of prosecution."

10. Amend section twenty-one (21) by striking from lines two (2) and three (3) the following: "according to the very right thereof, and its decision shall be final", and inserting in lieu thereof the following: "on its merits". Also strike out of line five (5) the word "accordingly" and insert the following: "for such part of the period while suspended as the commission may determine."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 165, a bill for an act relating to municipal corporations—public libraries, 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:

1. Amend by adding the word "purchase" after the word "may" in line three (3) of section one (1).

2. Amend the second line preceding section two (2) by inserting after the figures (3752) the words and figures "thirty seven hundred sixty (3760)".

3. Amend by striking out of said bill section two (2) thereof and substituting in lieu thereof the following: "The board of trustees of any free public library may contract with any city, town, school corporation, township or county for its use by their respective residents. The authority to contract for this purpose is reciprocal. Townships and counties may contract only for the residents outside of cities and towns. Such contract by a county shall supersede such contract by school corporations and township within its limits." Also amend section four by changing the semi-colon after the word "town" in line four to a period and striking out the balance of said section.

4. Amend by striking out the three lines preceding section seven (7) and by striking out all of section seven (7).

W. G. HASKELL, *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. 40, a bill for an act to amend, revise, and codify sections 706, 707, 710, 716, 717, 719, 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, 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.

1. Amend by striking therefrom Sec. 4, and inserting in lieu thereof the following:

Sec. 4. Deposit of State Funds.

All elective or appointive state officers, boards, commissions, and departments, except the state fair board, the state board of education and the board of control of state institutions, shall, within ten (10) days succeeding the collection thereof, deposit, with the treasurer of state, or to the credit of said treasurer in any depository by him designated, ninety per cent (90%) of all fees, commissions, and moneys collected or received; the balance actually collected in cash, remaining in the hands of any officer, board or department shall not exceed the sum of five thousand dollars (\$5,000) and no money collected shall be held more than thirty days.

2. Also amend section 12 by striking out the word "may" in line 2 and inserting in lieu thereof the word "shall".

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS

By unanimous consent the following bill was introduced:

Senate File No. 294, by Senator Smith, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications.

Read first and second times and referred to committee on code revision.

CONFERENCE COMMITTEE ON H. F. 158

Senator Haskell moved that the Senate insist on its amend-

ments to House File No. 158, and that a conference committee be appointed, which motion prevailed.

President pro tem. Price appointed as a conference committee, on the part of the Senate, Senators Fulton, Shane, Shaff and Wichman.

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

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, January 30, 1924.

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.

On motion of Senator Campbell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Banta for the day, on request of Senator Olson; Senator Perkins for the day, on request of Senator Stoddard.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Nelson, from Camp No. 1501, M. W. A., Harlan, and Camp No. 857, R. N. A., Portsmouth, relative to fraternal insurance legislation. Insurance.

By Senator Browne, from Camp No. 5737, R. N. A., Preston, relative to fraternal insurance legislation. Insurance.

By Senator Gilchrist, from citizens of Storm Lake, protesting a law making it compulsory to read the Bible daily in public schools. Public schools.

By Senator Brookhart, from W. R. Stryker Sunday School class, relative to reading of the Bible in public schools daily. Public schools.

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. 10, 174, 270, 108 and 276.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tem. of the Senate announced that, as President pro tem. of the Senate; he had signed in the presence of the Senate:

Senate File No. 241.
House Files Nos. 108 and 276.

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 30th day of January sent to the governor for his approval, Senate File No. 241, a bill for an act relating to foreclosure and release of mortgages, and sales under pledge.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 90, a bill for an act relating to education—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. 202, a bill for an act relating to corporate shares of stock.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 175, a bill for an act relating to municipal corporations—street railway—regulations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 153, a bill for an act relating to municipal corporations—incorporations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 99, a bill for an act relating to education—county superintendent.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 176, a bill relating to municipal corporations—condemnation.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 160, a bill relating to municipal corporations—board of public works.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 32, a bill for an act relating to the bonds of public officers.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 86, a bill for an act relating to education—superintendent of public instruction.

Also: That the House has concurred in Senate amendments to the House amendment to the following bill:

Senate File No. 151, a bill for an act relating to townships and township officers.

Also: That the House concurs in Senate amendment to House amendment to Senate amendment to House File No. 10, a bill for an act relating to the department of justice and the attorney general.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 140, a bill for an act relating to the support of the poor.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 90, 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 times and referred to committee on educational institutions.

House File No. 202, a bill for an act to amend, revise, and codify section fifty-three hundred seventy-eight (5378) of the compiled code of Iowa, relating to corporate shares of stock.

Read first and second times and referred to committee on corporations.

COMMITTEE CLERK ASSIGNED

Mrs. Edyth Howard, having been found proficient, was duly sworn before the bar of the Senate, and assigned to Senator Tuck.

On request of Senator Wichman action on Senator McIntosh's motion, to reconsider the vote by which House File No. 22 failed to pass the Senate, was deferred.

THIRD READING OF BILLS

On motion of Senator Holdoegel Senate File No. 119, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section 1 by striking out of lines five (5) and six (6) the words "at said college" and substituting in lieu thereof the words "in the city of Ames, Iowa".

2. Amend section 6 by striking therefrom all of subsection 5 and renumbering the remaining subsections in accordance therewith.

Also by striking from line twenty-five (25) the words "state board of control" and substituting in lieu thereof the words "improvement of highways upon or adjacent to state property". Also by striking from line twenty-six (26) the word "said" and substituting in lieu thereof the word "the". Also by striking out the period at the end of line twenty-six (26) and adding to said line the words "in control of said lands."

3. Amend by adding as subsection 10 to section 6, as renumbered, the following:

"10. Mark the primary road system with suitable permanent and uniform guide and warning signs, the cost of which shall be paid from the primary road fund allotment of the county in which said signs are located, by warrants drawn by the state auditor on the state treasurer upon vouchers approved by the state highway commission."

The first amendment was adopted.

The second amendment was adopted.

Senator Schmedika offered the following amendment to the third amendment and moved its adoption:

Amend the proposed subsection ten by striking the word "and" in the second line and inserting in lieu thereof a comma following the word "guide", and by striking the comma following the word "signs" in the same line and inserting in lieu thereof the following: "and red lanterns to be used at night."

Senator Brookins raised the point of order that the amendment offered by Senator Schmedika was not germane to the subject and was not intended for any good purpose.

President pro tem. Price held the point not well taken.

The amendment to the amendment was lost.

Senator Shane offered the following amendment and moved its adoption:

Amend by inserting after the word "Senate" in line 4 of section 3 the following: "by two-thirds majority in executive session".

Senator Holdoegel raised the point of order that the amendments proposed by the committee had precedence over any other amendments.

President pro tem. Price held the point not well taken.

Senator Brookins raised the point of order that the Senate had been discussing the third committee amendment and this amendment by Senator Shane was out of order.

President pro tem. Price held the point well taken.

Senator Brookhart offered the following amendment to the third committee amendment and moved its adoption:

Amend by adding the following: "Providing, that where primary roads are now well marked, said uniform marking shall be deferred until the present markings need renewing."

Senator Bowman raised the point of order that the Senators were not discussing the matter before the Senate.

President pro tem. Price held the point well taken.

Senator Romkey moved the previous question, which motion prevailed.

The amendment offered by Senator Brookhart was adopted.

Senator Shinn raised the point of order that the previous question was ordered only on the amendment offered by Senator Brookhart and discussion was therefore in order.

President pro tem. Price held the point not well taken, as Senator Romkey had simply moved the previous question, which applied to the whole matter.

Senator Romkey moved that the vote by which the previous question was ordered be reconsidered, which motion was lost.

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

Ayes, 28.

Abben	Dutcher	Holdoegel	Reed
Adams	Fulton	Horchem	Scott
Baird	Gilchrist	Kimberly	Shaff
Bowman	Goodwin	Mantz	Slosson
Brookins	Hale	Mead	Stoddard
Caldwell	Hartman	Newberry	Tuck
Darting	Haskell	Olson	Wichman

Nays, 15.

Browne	Ethell	Rees	Snook
Buser	Johnston	Romkey	Thurston
Campbell	McIntosh	Schmedika	White
Cessna	Price	Shinn	

Absent or not voting, 7.

Banta	Brookhart	Perkins	Smith
Bergman	Nelson	Shane	

The amendment was adopted.

The amendment offered by Senator Shane was considered.

Senator Bowman raised the point of order that inasmuch as the previous question had been ordered the amendment was out of order.

President pro tem. Price held the point not well taken as the amendment had been filed previously.

Senator Wichman raised the point of order that the amendment was out of order as all confirmations by the Senate, according to law, must be by a two-thirds majority.

President pro tem. Price held the point not well taken.

Senator Holdoegel moved that the word "two-thirds" be stricken out and the word "constitutional" inserted in lieu thereof.

President pro tem. Price held the amendment out of order.

By unanimous consent on request of Senator Shane the word "majority" was stricken out and the words "of the members of the Senate" were inserted in lieu thereof.

By unanimous consent on request of Senator Shane the word "by" was stricken from the amendment.

By unanimous consent on request of Senator Dutcher the words "the Senate" were stricken from line 4 of section 3 of the bill.

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

Ayes, 40.

Abben	Dutcher	Kimberly	Scott
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Brookins	Gilchrist	Mead	Slosson
Browne	Goodwin	Nelson	Snook
Buser	Hale	Newberry	Stoddard
Caldwell	Hartman	Olson	Thurston
Campbell	Haskell	Price	Tuck
Cessna	Horchem	Rees	White
Darting	Johnston	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Banta	Brookhart	Reed	Smith
Bergman	Holdoegel	Shaff	
Bowman	Perkins	Schmedika	

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, 32.

Abben	Dutcher	Horchem	Scott
Adams	Fulton	Kimberly	Shaff
Baird	Gilchrist	Mantz	Shane
Bowman	Goodwin	Mead	Slosson
Brookins	Hale	Nelson	Stoddard
Browne	Hartman	Newberry	Tuck
Caldwell	Haskell	Olson	White
Cessna	Holdoegel	Reed	Wichman

Nays, 8.

Buser	Ethell	Romkey	Shinn
Campbell	Johnston	Schmedlka	Thurston

Absent or not voting, 10.

Banta	Darting	Price	Snook
Bergman	McIntosh	Rees	
Brookhart	Perkins	Smith	

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

Senator Scott was called to the chair at 11:35 a. m.

On motion of Senator Holdoegel Senate File No. 123, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section four (4) by striking out the word "may" in line two (2) of said section, and insert in lieu thereof the word "shall".
2. Amend section nine (9) by striking out the period (.) at the end of line six (6), inserting in lieu thereof a comma (,) and adding the following: "and when notified that such culverts and bridges are unsafe, it shall be his duty to put up barriers on the roads approaching such bridges and culverts."
3. Strike out all of section twelve (12) and renumber sections following.
4. Insert after the comma (,) following the word "county" in line 3 of section thirteen (13) the following: "erect notice at the proper point to facilitate travel and", also by inserting after the word "notify" in line three (3) of said section the words "verbally, and confirmed by written notice".

5. Amend section twenty-five (25) by inserting after the word "April" in line two (2) a comma (,) and the word "August".

6. Amend by inserting in line 3 section 13 following the word "thereon" the words "at the expense of the county".

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

By unanimous consent on request of Senator Hale the word "confirmed" was stricken from the fourth amendment and the word "confirm" inserted in lieu thereof.

The fourth amendment was adopted.

The fifth amendment was adopted.

The sixth amendment was adopted.

By unanimous consent on request of Senator Hale the word "in" was stricken from line 4 of section 6 and the words "leading to" inserted in lieu thereof, and the word "districts" was stricken from the same line, and the word "school" was changed to "schools".

Senator Fulton offered the following amendment and moved its adoption:

Amend section 13 by striking from lines 8 and 9 the words "occurring to any person".

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. Price presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 123.

The amendment offered by Senator Fulton was adopted.

By unanimous consent on request of Senator Holdoegel the word "nor" was stricken from line 4 of section 11 and the word "or" inserted in lieu thereof.

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, 37.

Abben	Dutcher	Kimberly	Scott
Baird	Ethell	McIntosh	Shane
Bowman	Gilchrist	Mantz	Shinn
Brookhart	Goodwin	Nelson	Slosson
Brookins	Hale	Newberry	Snook
Browne	Hartman	Price	Stoddard
Buser	Haskell	Reed	Tuck
Caldwell	Holdoegel	Rees	
Campbell	Horchem	Romkey	
Cessna	Johnston	Schmedika	

Nays, none.

Absent or not voting, 13.

Adams	Fulton	Shaff	Wichman
Banta	Mead	Smith	
Bergman	Olson	Thurston	
Darting	Perkins	White	

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

CONFERENCE COMMITTEE ON HOUSE FILE NO. 140

Senator Ethell moved that the Senate insist on its amendments to House File No. 140.

On the question "Shall the Senate insist on its amendments?" the vote was:

Ayes, 39.

Abben	Dutcher	Johnston	Schmedika
Baird	Ethell	Kimberly	Scott
Bowman	Fulton	McIntosh	Shane
Brookhart	Gilchrist	Mantz	Shinn
Brookins	Goodwin	Nelson	Slosson
Browne	Hale	Newberry	Snook
Buser	Hartman	Price	Stoddard
Caldwell	Haskell	Reed	Thurston
Campbell	Holdoegel	Rees	White
Cessna	Horchem	Romkey	

Nays, none.

Absent or not voting, 11.

Adams	Darting	Perkins	Tuck
Banta	Mead	Shaff	Wichman
Bergman	Olson	Smith	

The motion prevailed and the Senate insisted on its amendments to House File No. 140.

Senator Ethell moved that a conference committee be appointed, which motion prevailed and President pro tem. Price appointed as a conference committee, on the part of the Senate, Senators Tuck, Goodwin, Dutcher and Brookhart.

HOUSE AMENDMENTS CONSIDERED

Senator Haskell called up for consideration Senate File No. 153, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend Senate File No. 153 by striking therefrom sections five-a1 (5-a1), five-a2 (5-a2), five-a3 (5-a3) and five-a4 (5-a4).

Also by striking from the title and from the preamble to section five-a1 (5-a1) the words and figures "and section thirty-four hundred eighty-four (3484)".

On the question "Shall the Senate refuse to concur?" the vote was:

Ayes, 36.

Abben	Fulton	Kimberly	Shane
Baird	Gilchrist	McIntosh	Shinn
Bowman	Goodwin	Mantz	Slosson
Brookins	Hale	Newberry	Snook
Caldwell	Hartman	Price	Stoddard
Campbell	Haskell	Reed	Thurston
Cessna	Holdoegel	Rees	Tuck
Dutcher	Horchem	Romkey	White
Ethell	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Browne	Nelson	Shaff
Banta	Buser	Olson	Smith
Bergman	Darting	Perkins	
Brookhart	Mead	Scott	

The Senate refused to concur in the House amendments.

THIRD READING OF BILLS

On motion of Senator Wichman House 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Scott offered the following amendment and moved its adoption:

Amend by inserting after the word "appointive" in line 1 of section 1 the following: "officer, except the insurance commissioner,".

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

Ayes, 28.

Abben	Dutcher	Johnston	Scott
Adams	Fulton	Kimberly	Shaff
Baird	Gilchrist	McIntosh	Shane
Bowman	Goodwin	Mantz	Snook
Brookins	Hartman	Mead	Stoddard
Caldwell	Haskell	Newberry	White
Darting	Horchem	Olson	Wichman

Nays, 9.

Brookhart	Hale	Romkey
Browne	Nelson	Schmedika
Campbell	Rees	Shinn

Absent or not voting, 13.

Banta	Ethell	Reed	Tuck
Bergman	Holdoegel	Slosson	
Buser	Perkins	Smith	
Cessna	Price	Thurston	

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 4 of section 26 the word "cause" and inserting in lieu thereof the word "offense".

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

Ayes, 32.

Abben	Darting	Kimberly	Romkey
Adams	Ethell	McIntosh	Schmedika
Baird	Fulton	Mantz	Shane
Bowman	Gilchrist	Mead	Shinn
Browne	Goodwin	Nelson	Snook
Buser	Hartman	Newberry	Stoddard
Campbell	Haskell	Olson	Tuck
Cessna	Johnston	Price	Wichman

Nays, none.

Absent or not voting, 18.

Banta	Dutcher	Reed	Smith
Bergman	Hale	Rees	Thurston
Brookhart	Holdoegel	Scott	White
Brookins	Horchem	Shaff	
Caldwell	Perkins	Slosson	

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, 38.

Abben	Ethell	Kimberly	Shaff
Adams	Fulton	McIntosh	Shane
Baird	Gilchrist	Mantz	Shinn
Bowman	Goodwin	Mead	Snook
Brookhart	Hale	Nelson	Stoddard
Brookins	Hartman	Newberry	Tuck
Caldwell	Haskell	Olson	White
Campbell	Holdoegel	Price	Wichman
Darting	Horchem	Reed	
Dutcher	Johnston	Scott	

Nays, none.

Absent or not voting, 12.

Banta	Buser	Rees	Slosson
Bergman	Cesna	Romkey	Smith
Browne	Perkins	Schmedika	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 House File No. 221, 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, 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 inserting the word "the" after the word "following" in line 2 of section 2.

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

Ayes, 41.

Abben	Dutcher	McIntosh	Shaff
Adams	Ethell	Mantz	Shane
Baird	Fulton	Mead	Shinn
Bowman	Gilchrist	Nelson	Snook
Brookhart	Goodwin	Newberry	Stoddard
Brookins	Hartman	Olson	Tuck
Buser	Haskell	Price	White
Caldwell	Holdoegel	Reed	Wichman
Campbell	Horchem	Rees	
Cessna	Johnston	Schmedika	
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 9.

Banta	Hale	Slosson
Bergman	Perkins	Smith
Browne	Romkey	Thurston

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	Dutcher	Kimberly	Romkey
Adams	Ethell	McIntosh	Schmedika
Baird	Fulton	Mantz	Scott
Brookhart	Gilchrist	Mead	Shane
Brookins	Goodwin	Nelson	Shinn
Buser	Hale	Newberry	Snook
Caldwell	Hartman	Olson	Stoddard
Campbell	Haskell	Price	White
Cessna	Holdoegel	Reed	Wichman
Darting	Horchem	Rees	

Nays, none.

Absent or not voting, 11.

Banta	Browne	Shaff	Thurston
Bergman	Johnston	Slosson	Tuck
Bowman	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 Brookhart House File No. 218, 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 compiled code of Iowa, relating to adoption, and master

and apprentice, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist was called to the chair at 2:25 p. m.

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, 39.

Abben	Darting	Johnston	Shaff
Adams	Dutcher	Kimberly	Shara
Baird	Ethell	McIntosh	Sheldon
Bowman	Gilchrist	Mantz	Shook
Brookhart	Goodwin	Nelson	Stoddard
Brookins	Hale	Newberry	Thurston
Browne	Hartman	Olson	Tuck
Buser	Haskell	Reed	White
Caldwell	Holdoegel	Schmedel	Wichman
Campbell	Horchem	Scott	

Nays, none.

Absent or not voting, 11.

Banta	Fulton	Price	Slosson
Bergman	Mead	Rees	Smith
Cessna	Perkins	Romkey	

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

SENATE FILES NOS. 218, 221 AND 34 WITHDRAWN

By unanimous consent Senator Brookhart withdrew Senate Files Nos. 218 and 221 from further consideration.

By unanimous consent Senator Wichman withdrew Senate File No. 34 from further consideration.

THIRD READING OF BILLS

On motion of Senator Haskell House File No. 166, a bill for an act to amend, revise, and codify section three thousand seven hundred seventy-seven (3777) 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 rules having been suspended.

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, 36.

Abben	Darting	Horchem	Reed
Baird	Dutcher	Johnston	Schmedika
Bowman	Ethell	Kimberly	Scott
Brookhart	Gilchrist	McIntosh	Shane
Brookins	Goodwin	Mantz	Shinn
Buser	Hale	Mead	Snook
Caldwell	Hartman	Nelson	Stoddard
Campbell	Haskell	Newberry	White
Cessna	Holdoegel	Olson	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Fulton	Romkey	Thurston
Banta	Perkins	Shaff	Tuck
Bergman	Price	Slosson	
Browne	Rees	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 Haskell withdrew Senate File No. 166 from further consideration.

The Journal of January 29th was corrected and approved.

Senator Shinn moved that the Senate adjourn until 9 a. m. Thursday.

Senator Brookhart moved to amend the motion by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 31, 1924.

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

Prayer was offered by Rev. Herbert Scott, pastor of the First Methodist Episcopal church, of Des Moines.

On motion of Senator Stoddard 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.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Bowman, from physicians of Waterloo, relative to alcoholic liquors used for non-beverage purposes. Suppression of intemperance.

By Senator Abben, from citizens of Paullina and Granville, protesting enactment of law making reading of the Bible compulsory in public schools. Public schools.

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. 31, 47, 105, 109, 273 and 289. Also House Files Nos. 160, 176 and 246.

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. 31, 47, 105, 109, 273 and 289. Also House Files Nos. 10, 174, 270, 160, 176 and 246.

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 thirty-first day of January, sent to the Governor for his approval, Senate File No. 31, a bill for an act relating to the time and manner of qualifying of elected or appointed officers.

Senate File No. 47, a bill for an act relating to the state of free employment bureau, free employment service, and employment agencies.

Senate File No. 105, a bill for an act relating to education.

Senate File No. 109, a bill for an act relating to education.

Senate File No. 273, a bill for an act relating to the release of common law or statutory liens on personal property.

Senate File No. 289, a bill for an act to legalize the levy and collection by the board of supervisors and treasurer of Monroe County, Iowa, of a cemetery tax of five-tenths (.5) of one mill (.001) on the dollar, of the taxable property of Monroe county, Iowa, for the year 1922.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 188, a bill for an act relating to the board of railroad commissioners, their jurisdiction and duties.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 23, a bill for an act relating to the nomination and election of judges of the supreme, district, and superior courts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 195, a bill for an act 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. 292, a bill for an act to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the school house fund of said school township.

Also: That the House concurs in Senate amendments to the following bill and refuses the request for its return: House File No. 246, a bill for an act relating to procedure in the supreme court and qualifications for admission to the bar.

Also: That the Speaker has appointed as a conference committee on the part of the House on House File No. 158, a bill for an act relating to municipal corporations—general powers, Representatives O'Donnell, Elliott, Harrison and Graham.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 188, 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 times and referred to committee on railroads.

CONCURRENT RESOLUTION NO. 11

Senator Caldwell offered the following concurrent resolution, by Senators Caldwell and Shane:

Whereas, On January 29, 1924, the Executive Council approved a resolution passed by the Board of Conservation on October 12, 1923, relative to levying a tax on sand and gravel taken from the meandered streams under the jurisdiction of the Board of Conservation, and

Whereas, This resolution carries no exemptions and goes into effect within ten days, therefore

Be It Resolved by the Senate, the House concurring: That it is their desire that the following exemptions shall be made:

1. Materials used by individuals for their private use.
2. Materials used for road and bridge constructions.
3. Materials used for public improvements in cities and towns.

The resolution was laid over under the rules.

MOTION TO RECONSIDER HOUSE FILE NO. 22 CONSIDERED

Senator Price moved that Senator McIntosh's motion to reconsider be laid on the table.

Senator Price raised the point of order that a motion to lay on the table is not debatable.

The President held the point well taken.

Senator Price's motion was lost.

Senator Holdoegel invoked rule 8.

On the question "Shall the motion by Senator McIntosh prevail?" the vote was:

Ayes, 21.

Abben	Hale	Olson	Stoddard
Baird	Haskell	Reed	Tuck
Banta	Holdoegel	Scott	Wichman
Brookins	Horchem	Shaff	
Dutcher	Mantz	Shane	
Gilchrist	Newberry	Smith	

Nays, 24.

Bowman	Cessna	Kimberly	Romkey
Brookhart	Darting	McIntosh	Schmedika
Browne	Ethell	Mead	Shinn
Buser	Fulton	Nelson	Slosson
Caldwell	Hartman	Price	Snook
Campbell	Johnston	Rees	White

Absent or not voting, 5.

Adams	Goodwin	Thurston
Bergman	Perkins	

The motion was lost.

SENATE FILE NO. 22 WITHDRAWN

By unanimous consent Senator Wichman withdrew Senate File No. 22 from further consideration.

HOUSE AMENDMENTS CONSIDERED

Senator Newberry called up for consideration Senate File No. 99, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out all of section twenty-nine (29) and substituting in lieu thereof the following:

"Sec. 29. Expenses of the county superintendent.

The county superintendent shall, on the first Monday of each month, file with the county auditor an itemized and verified statement of his actual and necessary expenses incurred during the previous month in the performance of his official duties within his county, and such expenses shall be allowed by the county board of supervisors and paid out of the county fund, as other expenses of the county, but the total amount so paid, exclusive of office stationery and postage, for any one year of the superintendent's term shall not exceed the sum of four hundred dollars (\$400.00)."

Amend Senate File No. 99 as follows:

Amend section eleven (11), subsection five (5), by placing a period after the word "county" in line thirty-six (36) and striking out the following words "and the board of supervisors shall furnish suitable rooms for all such examinations."

Also, by inserting in line thirty-four (34) following the words "county seat" the following: "in a suitable room provided by the board of supervisors."

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Abben	Ethell	Kimberly	Scott
Baird	Fulton	McIntosh	Shaff
Banta	Glchrist	Mantz	Shane
Brookins	Hale	Mead	Slosson
Caldwell	Hartman	Nelson	Smith
Campbell	Haskell	Newberry	Snook
Cessna	Holdoegel	Olson	Stoddard
Darting	Horchem	Reed	Wichman
Dutcher	Johnston	Schmedika	

Nays, none.

Absent or not voting, 15.

Adams	Browne	Price	Thurston
Bergman	Buser	Rees	Tuck
Bowman	Goodwin	Romkey	White
Brookhart	Perkins	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 Scott Senate File No. 203, 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, with report of committee recommending amendment

and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by striking out the word "par" at end of line 4, section 1, and the word "value" at beginning of line 5, section 1 and substituting for said words the following: "fair market value as determined by the executive council".

Senator Brookins moved that further action be deferred, which motion prevailed.

On motion of Senator Mantz Senate File No. 91, 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, 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 section 1 by striking out the word "exclusive" in line 1.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend section 6 by inserting after the word "annually" in line 1 the following: "until June 30, 1925,".

Senator Price moved the previous question on the amendment by Senator Buser, which motion prevailed.

Senator Brookins raised the point of order, that the Senators were not asking nor answering questions, but were indulging in debate after the previous question was ordered.

The President held the point well taken.

Senator Price raised the point of order that the matter before the Senate was the Buser amendment, and that the discussion did not apply to that alone.

The President held the point not well taken, as the discussion was evidently for the purpose of bringing out information having direct connection with the amendment.

Senator Price invoked rule 8.

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

Ayes, 20.

Brookhart	Campbell	McIntosh	Shane
Brookins	Ethell	Nelson	Shinn
Browne	Fulton	Price	Snook
Buser	Hartman	Romkey	Tuck
Caldwell	Johnston	Schmedika	White

Nays, 22.

Abben	Hale	Mead	Shaff
Baird	Haskell	Newberry	Smith
Banta	Holdoegel	Olson	Stoddard
Bowman	Horchem	Reed	Wichman
Darting	Kimberly	Rees	
Dutcher	Mantz	Scott	

Absent or not voting, 8.

Adams	Cessna	Goodwin	Slosson
Bergman	Gilchrist	Perkins	Thurston

The amendment was lost.

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.

Abben	Dutcher	Mantz	Shane
Baird	Gilchrist	Mead	Slosson
Banta	Hale	Nelson	Smith
Bowman	Haskell	Newberry	Stoddard
Brookins	Holdoegel	Olson	Tuck
Caldwell	Horchem	Reed	White
Campbell	Kimberly	Scott	Wichman
Darting	McIntosh	Shaff	

Nays, 6.

Brookhart	Romkey	Shinn
Johnston	Schmedika	Snook

Absent or not voting, 13.

Adams	Cessna	Hartman	Thurston
Bergman	Ethell	Perkins	
Browne	Fulton	Price	
Buser	Goodwin	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 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.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out section 2 and inserting in lieu thereof the following:

"Tuition in the college, laboratory and other fees may be fixed by the state board of education."

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

Ayes, 27.

Abben	Dutcher	Johnston	Shane
Adams	Ethell	McIntosh	Shinn
Browne	Fulton	Nelson	Snook
Buser	Goodwin	Price	Thurston
Campbell	Hartman	Reed	Tuck
Cessna	Haskell	Romkey	White
Darting	Holdoegel	Schmedika	

Nays, 18.

Baird	Caldwell	Mead	Smith
Banta	Hale	Newberry	Stoddard
Bowman	Horchem	Olson	Wichman
Brookhart	Kimberly	Shaff	
Brookins	Mantz	Slosson	

Absent or not voting, 5.

Bergman	Perkins	Scott
Gilchrist	Rees	

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, 43.

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

Nays, none.

Absent or not voting, 7.

Banta	Bowman	Perkins	Tuck
Bergman	Glichrist	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 Mantz, House File No. 92, 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, 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, 43.

Abben	Browne	Fulton	Johnston
Adams	Buser	Goodwin	Kimberly
Baird	Caldwell	Hale	McIntosh
Banta	Campbell	Hartman	Mantz
Bowman	Cessna	Haskell	Mead
Brookhart	Dutcher	Holdoegel	Nelson
Brookins	Ethell	Horchem	Newberry

Olson	Scott	Smith	Tuck
Price	Shaff	Snook	White
Reed	Shane	Stoddard	Wichman
Schmedika	Shinn	Thurston	

Nays, none.

Absent or not voting, 7.

Bergman	Gilchrist	Rees	Slosson
Darting	Perkins	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 Brookhart, the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

SENATE FILE NO. 92 WITHDRAWN

By unanimous consent Senator Mantz withdrew Senate File No. 92 from further consideration.

HOUSE FILE NO. 34 RECONSIDERED

Senator McIntosh moved that the vote by which House File No. 34 passed the Senate be reconsidered, which motion prevailed.

Senator McIntosh moved that the vote by which House File No. 34 passed to its third reading be reconsidered, which motion prevailed.

Senator McIntosh moved that the vote by which the following amendment to House File No. 34 was adopted be reconsidered:

Amend by inserting after the word "appointive" in line 1 of section 1 the following: "officer, except the insurance commissioner,".

On motion of Senator Brookhart further action was deferred.

THIRD READING OF BILLS

On motion of Senator Ethell House File No. 264, a bill for an act to amend, revise, and codify section thirty-two hundred thirty-one-a nine (3231-a9) of the supplement to the compiled code of Iowa, relating to compensation of county attorney, the committee having reported the bill out without recommendation,

was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out of lines 23, 24 and 25 of section 1 the following:

"The provisions of this paragraph shall apply from April fourteen, nineteen hundred twenty-three (1923)."

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

Ayes, 31.

Abben	Campbell	Horchem	Scott
Adams	Dutcher	Johnston	Shane
Banta	Fulton	Kimberly	Shinn
Bowman	Gilchrist	Mantz	Slosson
Brookhart	Hale	Nelson	Snook
Brookins	Hartman	Olson	Stoddard
Browne	Haskell	Reed	Thurston
Buser	Holdoegel	Schmedika	

Nays, 8.

Baird	Darting	Newberry	Shaff
Caldwell	Mead	Price	Wichman

Absent or not voting, 11.

Bergman	Goodwin	Rees	Tuck
Cessna	McIntosh	Romkey	White
Ethell	Perkins	Smith	

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend by adding following the period after the word "cases" in line 23 the following: "Said county attorney shall make quarterly and annual reports to the county auditor of all fees coming into his possession by virtue of his office as county attorney."

The amendment was lost.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking the comma (,) following the word "mortgages" in line 22 of section 1.

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, 41.

Abben	Ethell	Mantz	Shaff
Adams	Fulton	Mead	Shane
Baird	Gilchrist	Nelson	Shinn
Banta	Goodwin	Newberry	Slosson
Bowman	Hale	Olson	Stoddard
Brookhart	Hartman	Price	Thurston
Brookins	Haskell	Reed	White
Caldwell	Holdoegel	Rees	Wichman
Campbell	Horchem	Romkey	
Darting	Kimberly	Schmedika	
Dutcher	McIntosh	Scott	

Nays, 3.

Browne	Buser	Johnston
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Absent or not voting, 6.

Bergman	Perkins	Snook
Cessna	Smith	Tuck

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 Haskell Senate File No. 155, a bill for an act to amend, revise, and codify chapter five (5) of title thirteen (13) of the compiled code of Iowa and of the supplement to said code, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section one (1), line two (2), by striking out the following words: "the council shall provide by ordinance, for the appointment of", and inserting in lieu thereof the following: "having a paid fire department, the mayor, with the approval of the council, shall appoint".
2. Strike out all of section five (5) and insert in lieu thereof the following: "The provisions of this chapter shall apply to all members of the police and fire departments, except:

1. Chiefs of police.
2. Matrons, janitors, clerks, stenographers and secretaries.
3. Casual employes.

3. Amend section eight (8) by inserting a period (.) after the word "list" in line seven (7), and strike out all thereafter down to and including the period (.) after the word "power" in line nine (9), and insert the following: "In commission form cities, the superintendent of public safety, with the approval of the council; in cities under the manager plan, the manager; and in other cities, the chiefs of the respective departments shall make the appointments."

4. Amend section nine (9) by striking out the same and inserting in lieu thereof the following. "In cities under the commission plan the council shall appoint the chief of police and chief of the fire department; in cities under the manager plan the manager shall make such appointments, and in all other cities such appointments shall be made by the mayor."

5. Strike out all of section ten (10) and insert the following: "All appointive officers and employes of cities shall be selected with reference to their qualifications and fitness and for the good of the public service, and without reference to their political faith or party allegiance."

6. Amend by striking out all of section eleven (11) and inserting in lieu thereof the following: "No person shall be appointed or employed in any capacity in the fire or police department, or any department which is governed by the civil service, unless he is a citizen of the United States, a resident of the city for more than one (1) year, of good moral character, can read and write the English language, and is not a liquor or drug addict. The provision as to residence shall not apply to the chief of the fire department and the chief of the police department."

7. Amend by striking out all of section twelve (12) and inserting in lieu thereof the following: "No person appointed from the civil service list shall be removed arbitrarily, but may be removed, after hearing, by a majority vote of the civil service commission for misconduct or failure to properly perform his duties."

8. Amend section thirteen (13) by striking out of line two (2) the word "any" before the word "superintendent"; also strike from line two (2) the words "or foreman in charge of municipal work", and insert the words "of public safety". Also strike out of lines five (5), six (6), seven (7) and eight (8), the following: "In cities under the commission plan, such suspension or discharge shall be reported within twenty-four (24) hours to the superintendent of the department in which such suspension or discharge occurred", and insert the following: "Chiefs of police and fire departments of cities under the commission plan shall report suspensions or discharges made by them to the superintendent of public safety within twenty-four hours thereof."

9. Amend section sixteen (16) by adding the following at the end of line four (4): "If such charges are not so filed the person suspended or discharged may present the matter to the body to whom the appeal is to be taken by affidavit, setting forth the facts, and such body shall forth-

with enter an order reinstating the person suspended or discharged for want of prosecution."

10. Amend section twenty-one (21) by striking from lines two (2) and three (3) the following: "according to the very right thereof, and its decision shall be final", and inserting in lieu thereof the following: "on its merits". Also strike out of line five (5) the word "accordingly" and insert the following: "for such part of the period while suspended as the commission may determine."

By unanimous consent on request of Senator Stoddard the word "thereof" was stricken from the end of the eighth committee amendment and the word "thereafter" inserted in lieu thereof.

The committee 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.

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

Ayes, 40.

Abben	Darting	Kimberly	Scott
Adams	Fulton	McIntosh	Shaff
Baird	Gilchrist	Mantz	Shane
Banta	Goodwin	Nelson	Shinn
Brookhart	Hale	Newberry	Slosson
Brookins	Hartman	Olson	Smith
Buser	Haskell	Reed	Snook
Caldwell	Holdoegel	Rees	Stoddard
Campbell	Horchem	Romkey	White
Cessna	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Dutcher	Perkins	Tuck
Bowman	Ethell	Price	
Browne	Mead	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. 165, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by adding the word "purchase" after the word "may" in line three (3) of section one (1).
2. Amend the second line preceding section two (2) by inserting after the figures (3752) the words and figures "thirty seven hundred sixty (3760)".
3. Amend by striking out of said bill section two (2) thereof and substituting in lieu thereof the following: "The board of trustees of any free public library may contract with any city, town, school corporation, township or county for its use by their respective residents. The authority to contract for this purpose is reciprocal. Townships and counties may contract only for the residents outside of cities and towns. Such contract by a county shall supersede such contract by school corporations and townships within its limits. Also amend section four by changing the semi-colon after the word "town" in line four to a period and striking out the balance of said section.
4. Amend by striking out the three lines preceding section seven (7) and by striking out all of section seven (7).

The first amendment was adopted.

By unanimous consent on request of Senator Brookhart the word "and" was inserted in the second amendment immediately preceding the word "thirty".

The second and fourth amendments were adopted.

The third 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	Darting	Kimberly	Scott
Adams	Fulton	McIntosh	Shaff
Baird	Glichrist	Mantz	Shane
Banta	Goodwin	Nelson	Shinn
Bowman	Hale	Newberry	Slosson
Brookhart	Hartman	Olson	Snook
Brookins	Haskell	Price	Stoddard
Buser	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston	Schmedika	

Nays, none.

Absent or not voting, 11.

Bergman	Dutcher	Perkins	Thurston
Browne	Ethell	Romkey	Tuck
Cessna	Mead	Smith	

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

The Journal of January 30th 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, FEBRUARY 1, 1924.

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

Prayer was offered by Rev. A. P. Blough, president of the Waterloo Ministerial Association, Waterloo, Iowa.

On motion of Senator Brookins 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 Shaff for the day, on request of Senator Banta; Senator Shinn for the day, on request of Senator Bowman; Senator Olson for the day, on request of Senator Banta; Senator Perkins for the day, on request of Senator Fulton; Senator Scott for the day, on request of Senator Fulton; Senator Stoddard for the day, on request of Senator Abben.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Mead, from citizens of Greene, favoring the law relating to the reading of the Bible in public schools daily. Public schools.

By Senator Mead, from citizens of Waverly, and also from citizens of Readlyn, protesting the law relating to the reading of the Bible in public schools daily. Public schools.

By Senator Buser, from citizens of Columbus Junction, favoring the law relating to the reading of the Bible in public schools daily. Public schools.

Senator Brookins moved that action on Senate File No. 201 be deferred, which motion prevailed.

HOUSE FILE NO. 213 MADE SPECIAL ORDER

Senator Abben moved that House File No. 213 be made a special order for next Tuesday at 11 a. m., 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. 71, a bill for an act relating to estrays and trespassing animals.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 29, a bill for an act relating to election expenses of candidates.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 275, a bill for an act relating to the sale of public bonds.

Also: That the House insists on its amendments to Senate File No. 153, a bill relating to municipal corporations—incorporations, and requests a conference committee and the Speaker has appointed as such committee on the part of the House, Representatives Diltz, Graham, Blake and Noble.

Also: That the House concurs in Senate amendment to House File No. 221, a bill relating to superior courts.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House 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 three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) 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 times and referred to committee on agriculture.

THIRD READING OF BILLS

On motion of Senator Brookins, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amendment No. 1. Strike out of line one (1) in section eight (8) the words "and publication".

Amendment No. 2. Strike out of line three (3) of section ten (10) the word "actual" and insert in lieu thereof the word "salaries".

Amendment No. 3. Place a period (.) after the word "annually" in line eight (8) of section ten (10) and strike out the words "until July 1, 1925."

The first amendment was adopted.

The second amendment was adopted.

Senator Price moved the previous question on the third amendment.

Senator Fulton raised the point of order that Senator Price had debated the matter in connection with his motion and it was therefore out of order.

The President held the point well taken.

Senator Ethell moved the previous question on the third amendment, which motion prevailed.

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

Ayes, 13.

Abben	Darting	Holdoegel	Reed
Baird	Dutcher	Horchem	
Banta	Goodwin	Mantz	
Bowman	Hale	Newberry	

Nays, 27.

Brookhart	Campbell	Hartman	Price
Brookins	Cessna	Johnston	Rees
Browne	Ethell	Kimberly	Romkey
Buser	Fulton	McIntosh	Schmedika
Caldwell	Gilchrist	Nelson	Shane

Slosson Smith	Snook Thurston	Tuck White	Wichman
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Absent or not voting, 10.

Adams Bergman Haskell	Mead Olson Perkins	Scott Shaff Shinn	Stoddard
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The amendment was lost.

Senator Price moved that the vote by which the amendment was lost be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting after the word "amount" in line 8 of section 10 the following: "or so much thereof as may be necessary".

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, 37.

Abben	Darting	Kimberly	Shane
Baird	Dutcher	McIntosh	Slosson
Banta	Ethell	Mantz	Smith
Brookhart	Fulton	Mead	Snook
Brookins	Goodwin	Nelson	Thurston
Browne	Hale	Newberry	White
Buser	Hartman	Price	Wichman
Caldwell	Holdoegel	Reed	
Campbell	Horchem	Rees	
Cessna	Johnston	Romkey	

Nays, none.

Absent or not voting, 13.

Adams	Haskell	Scott	Tuck
Bergman	Olson	Shaff	
Bowman	Perkins	Shinn	
Gilchrist	Schmedika	Stoddard	

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

By unanimous consent Senator Banta withdrew Senate File No. 116 from further consideration.

On motion of Senator Brookhart, House 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by striking therefrom Sec. 4, and inserting in lieu thereof the following:

Sec. 4. Deposit of state funds.

All elective or appointive state officers, boards, commissions, and departments, except the state fair board, the state board of education and the board of control of state institutions, shall, within ten (10) days succeeding the collection thereof, deposit, with the treasurer of state, or to the credit of said treasurer in any depository by him designated, ninety per cent (90%) of all fees, commissions, and moneys collected or received; the balance actually collected in cash, remaining in the hands of any officer, board or department shall not exceed the sum of five thousand dollars (\$5,000) and no money collected shall be held more than thirty days.

2. Also amend section 12 by striking out the word "may" in line 2 and inserting in lieu thereof the word "shall".

By unanimous consent on request of Senator Banta the word "or" was stricken from the first line of the first amendment and the word "and" inserted in lieu thereof.

The first amendment was adopted.

The second amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking from lines 4 and 5 of section 10 the following: "to original notices required for the commencement of actions; nor".

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, 21.

Abben	Fulton	Horchem	Slosson
Baird	Gilchrist	Kimberly	Smith
Bowman	Goodwin	Mantz	Wichman
Brookhart	Hale	Mead	
Darting	Hartman	Newberry	
Dutcher	Holdoegel	Reed	

Nays, 16.

Brookins	Cessna	Price	Shane
Browne	Ethell	Rees	Snook
Buser	Johnston	Romkey	Thurston
Campbell	Nelson	Schmedika	White

Absent or not voting, 13.

Adams	Haskell	Scott	Tuck
Banta	McIntosh	Shaff	
Bergman	Olson	Shinn	
Caldwell	Perkins	Stoddard	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Romkey 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 Banta asked for a division of the motion.

On the question "Shall this matter be laid on the table?" the vote was:

Ayes, 10.

Buser	Nelson	Schmedika	Thurston
Ethell	Price	Shane	
Johnston	Romkey	Snook	

Nays, 26.

Abben	Darting	Holdoegel	Rees
Banta	Dutcher	Horchem	Slosson
Bowman	Fulton	Kimberly	Smith
Brookhart	Gilchrist	Mantz	White
Brookins	Goodwin	Mead	Wichman
Caldwell	Hale	Newberry	
Campbell	Hartman	Reed	

Absent or not voting, 14.

Adams	Cessna	Perkins	Stoddard
Baird	Haskell	Scott	Tuck
Bergman	McIntosh	Shaff	
Browne	Olson	Shinn	

The motion was lost.

Senator Brookhart moved that action on Senator Romkey's motion to reconsider be deferred until 10:30 a. m. next Tuesday.

On the question "Shall the motion prevail and action be deferred?" the vote was:

Ayes, 28.

Abben	Campbell	Hale	Nelson
Baird	Cessna	Hartman	Newberry
Banta	Darting	Holdoegel	Reed
Bowman	Dutcher	Horchem	Slosson
Brookhart	Fulton	Kimberly	Smith
Brookins	Gilchrist	Mantz	White
Caldwell	Goodwin	Mead	Wichman

Nays, 10.

Browne	Johnston	Romkey	Thurston
Buser	Price	Schmedika	
Ethell	Rees	Snook	

Absent or not voting, 12.

Adams	McIntosh	Scott	Shinn
Bergman	Olson	Shaff	Stoddard
Haskell	Perkins	Shane	Tuck

The motion prevailed and action was deferred until 10:30 a. m. Tuesday.

On motion of Senator Wichman, House 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by inserting following the article "a" in line 3 of section 5 the word "signed"; also strike out the comma following the word "cast" in line 4 and substitute a period therefor; also strike line 5 from said section.

Amend by striking out section 8 and substituting therefor the following: "If the error be in relation to a district or state officer, it shall be certified with the number of the excess to the state canvassers. If the error affects the result of the election, the canvass shall be suspended and a new vote ordered in the precinct where the error occurred. When there is a tie vote due to such an excess, there shall be a new election. No person residing in another precinct at the time of the general election shall be allowed to vote at such special election. When the new vote is taken and returned, the canvass shall be completed."

Amend by substituting for section 9 the following: "When the canvass is completed one (1) of the judges shall publicly announce the total number of votes received by each of the persons voted for, the office for which he is designated, as announced by the clerks, and the number of votes for, and the number of votes against, any proposition which shall have been submitted to a vote of the people."

The amendments were 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	Dutcher	Kimberly	Shane
Baird	Ethell	Mantz	Slosson
Brookhart	Fulton	Mead	Smith
Brookins	Gilchrist	Nelson	Snook
Browne	Goodwin	Newberry	Thurston
Caldwell	Hale	Price	Tuck
Campbell	Hartman	Reed	White
Cessna	Holdoegel	Rees	Wichman
Darting	Horchem	Schmedika	

Nays, none.

Absent or not voting, 15.

Adams	Buser	Olson	Shaff
Banta	Haskell	Perkins	Shnn
Bergman	Johnston	Romkey	Stoddard
Bowman	McIntosh	Scott	

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

By unanimous consent Senator Wichman withdrew Senate File No. 26 from further consideration.

The Journal of January 31st 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 John Ham-mill presiding.

REPORTS OF COMMITTEES

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 85, a bill for an act to amend, revise, and codify chapter 1 of title 10 and sections 2271, 2273, 2573, and 2575, of the compiled code, and sections 2274-a1, 2274-a2, and 2628, of the supplement to said code, relating to instruction in patriotism in the public schools, 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:

1. Amend section three (3), lines six (6) and seven (7), by striking out the words "in any course above the eighth grade" and substituting a period (.) for the comma (,) after the word "school" in line six (6).

2. Amend section four (4) by striking out the word and figure "two (2)" in line one (1) thereof; also by striking out the letter "s" at the end of the word "sections" in line two (2) thereof.

3. Amend by striking out all of sections eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), and sixteen (16).

4. Amend by striking out all of section seventeen (17) and substituting in lieu thereof the following:

"The Bible shall not be excluded from any public institution, and the teacher in charge of any public school shall read or cause to be read a portion of the Bible, daily, without comment, in every public school session room or class room, and no child shall be required to read the Bible against the wish of his parent or guardian."

5. Amend by renumbering the remaining sections of the bill according to the above amendments.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House 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, 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. 212, 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 the supplement to said code, relating to certain special liens, 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 27, line 3, by inserting preceding the word "notice" the words "actual or constructive".

Amend section 61, line 1, by striking therefrom "Any claimant of the property may release the lien" and inserting in lieu thereof the following: "Any claimant of personal property may release any lien thereon created by this act".

CARL W. REED, *Chairman.*

Ordered passed on file.

Senator Holdoegel moved that ex-Senator Joe Frailey be invited to address the Senate.

The motion prevailed and the President appointed Senator Holdoegel to escort Senator Frailey to the desk.

Senator Frailey addressed the Senate briefly.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 275, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend section one (1) by striking out of lines 5 and 6 the words "and in at least one (1) newspaper of general circulation in the state,".

Amend section three (3) by striking out all after the word "or" in line 2, and inserting in lieu thereof the following: "the bonds or any portion thereof may thereafter be sold at private sale to any one or more of such bidders, or other persons, by popular subscription or otherwise. In all cases the said bonds shall be sold as may best serve the interests of the public and on the best available terms."

Amend the bill by adding a new section, as follows:

"Sec. 8. Nothing in this act shall be deemed to prevent the exchange of bonds for legal indebtedness evidenced by bonds, warrants or judgments as otherwise provided by law."

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 26.

Abben	Cessna	Horchem	Schmedika
Baird	Dutcher	Johnston	Smith
Bowman	Ethell	Kimberly	Snook
Brookhart	Fulton	Mantz	White
Buser	Hale	Mead	Wichman
Caldwell	Hartman	Newberry	
Campbell	Holdoegel	Price	

Absent or not voting, 24.

Adams	Gilchrist	Perkins	Shane
Banta	Goodwin	Reed	Shinn
Bergman	Haskell	Rees	Slosson
Brookins	McIntosh	Romkey	Stoddard
Browne	Nelson	Scott	Thurston
Darting	Olson	Shaff	Tuck

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

CONFERENCE COMMITTEE ON SENATE FILE NO. 153

As members of the conference committee, on the part of the Senate, on Senate File No. 153, relating to incorporation, the President appointed Senators Baird, Fulton, Romkey and Horchem.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on January 30, 1924, he had signed Senate File No. 241. Also that on January 31, 1924, he had signed Senate Files Nos. 289, 273, 109, 47, 31 and 105.

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 Senate Files Nos. 151 and 175.

F. C. GILCHRIST, *Chairman Senate Committee.*

CHARLES RHINEHART, *Acting 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. 151 and 175.

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 first day of February, 1924, sent to the Governor for his approval, Senate File No. 151, a bill for an act relating to townships and township officers; Senate File No. 175, a bill for an act relating to municipal corporations.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

On motion of Senator Cessna the Senate adjourned until 10 a. m. Saturday

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA. FEBRUARY 2, 1924.

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

Prayer was offered by Rev. Edwin Hignett, 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 Shinn for the day, on request of Senator Bowman; Senator White for the day, on request of Senator Campbell; Senator Perkins for the day, on request of Senator Holdoegel; Senator Nelson for the day, on request of Senator Wichman; Senator Romkey for the day, on request of Senator Price; Senator Smith for the day, on request of Senator Goodwin; Senator Johnston for the day, on request of Senator Brookhart; Senator Cessna for the day, on request of Senator Shane; Senator Haskell for the day, on request of Senator Hale; Senator Stoddard for the day, on request of Senator Abben; Senator Dutcher for the day, on request of Senator Abben; Senator Scott for the day, on request of Senator Fulton.

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. 32 and 86.

F. C. GILCHRIST, *Chairman Senate Committee.*

CHARLES RHINEHART, *Acting 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. 32 and 86.

THIRD READING OF BILLS

On motion of Senator Wichman 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, 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 10 of the bill.

Amend by striking out section 39 of the bill.

Amend by striking out of Sec. 40, beginning with line 2 thereof the following: "for all elections held subsequent to the receipt of said applications" and inserting in lieu thereof the following: "for the election for which the applications have been made."

Senator Brookhart offered the following amendment and moved its adoption:

Amend by adding at the end of Sec. 8 the following: "But if the voter is absent from the county and requests said application by letter, or some one makes the request for him, after the ballots are printed, then the auditor may send him both the application and ballot at the same time."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking all of sections 37 and 38 and renumbering the remaining sections to correspond.

Senator Banta offered the following amendment as a substitute for the amendment by Senator Buser and moved its adoption:

Amend by inserting in line 2 of section 37 after the word "ballot" the words "other than ballot for primary election".

Senator Buser withdrew his amendment.

The amendment by Senator Banta was adopted.

Senator Banta offered the following amendment and moved its adoption:

Amend by renumbering the remaining sections to correspond.

The amendment was adopted.

Senator Fulton offered the following amendments and moved their adoption:

Amend by inserting in line 3 of section 1 after the word "municipal" the word "school."

Amend by inserting before the word "as" in line 4 of section 2 the following: "or to the secretary of the school board."

Amend by inserting the words "or school district" after the word "town" in line 2 of section 3.

Senator Fulton withdrew his amendments.

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.

Abben	Buser	Hartman	Rees
Adams	Caldwell	Holdoegel	Schmedika
Baird	Campbell	Horchem	Shane
Banta	Ethell	Kimberly	Sosson
Bowman	Fulton	Mead	Snook
Brookhart	Gilchrist	Newberry	Thurston
Brookins	Goodwin	Price	Wichman
Browne	Hale	Reed	

Nays, none.

Absent or not voting, 19.

Bergman	Johnston	Perkins	Smith
Cessna	McIntosh	Romkey	Stoddard
Darting	Mantz	Scott	Tuck
Dutcher	Nelson	Shaff	White
Haskell	Olson	Shinn	

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

The Journal of February 1st 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, FEBRUARY 4, 1924.

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

Prayer was offered by Rev. Raymond M. Shipman, pastor of Trinity Methodist church, of Des Moines.

On motion of Senator Shaff 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 Tuck for the day, on request of Senator McIntosh; Senator Shane for the day, on request of Senator Ethell; Senator Romkey for the day, on request of Senator Price; Senator Olson for the day, on request of Senator Mantz; Senator Campbell for the day, on request of Senator Thurston.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Brookhart, from Mrs. Weller Snyder, favoring the appropriation of \$5,000 for Childs Welfare Work. Appropriations.

By Senator Schmedika, from citizens of Webster City, protesting a law relative to the reading of the Bible daily in public schools. Public schools.

Petitions protesting the amendments to House File No. 213 were presented by Senator Price and Senator Hale and referred to judiciary No. 2.

AMENDMENTS FILED TO SENATE FILE NO. 283

MR. PRESIDENT: I move to amend Senate File No. 283 by striking from lines 37 and 38 of section 53 thereof the words: "emergency medical treatment by the physicians as defined by federal statutes" and by in-

serting in lieu thereof the following: "use by them as provided by federal statutes or regulations".

F. C. GILCHRIST.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 2, 1924, he had signed Senate Files Nos. 151 and 175.

THIRD READING OF BILLS

On motion of Senator Perkins Senate File No. 203, 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, 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 word "par" at end of line 4, section 1, and the word "value" at beginning of line 5, section 1 and substituting for said words the following: "fair market value as determined by the executive council".

Senator Price moved that further action be deferred until the Senator from Ida could be present, which motion was lost.

Senator Banta offered the following amendment and moved its adoption:

Amend by striking the word "shall" from line 1 of section 4 and inserting in lieu thereof the word "may".

Senator Banta withdrew his amendment.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting the words "when distributed" after the word "shall" in line 1 of section 4.

Senator Buser offered the following amendment as a substitute for the amendment offered by Senator Brookhart and moved its adoption:

Amend by changing the comma (,) after the word "shareholders" in line 2 of section 4 to a period (.) and striking out the following: "and upon the wages and salaries of employees."

The substitute amendment was lost.

The amendment by Senator Brookhart 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, 35.

Abben	Ethell	McIntosh	Scott
Baird	Fulton	Mantz	Shinn
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Perkins	Stoddard
Brookns	Hartman	Price	Thurston
Browne	Haskell	Reed	White
Buser	Johnston	Rees	Wichman
Cessna	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 15.

Adams	Darting	Nelson	Shane
Bergman	Dutcher	Olson	Smith
Caldwell	Holdoegel	Romkey	Tuck
Campbell	Horchem	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 Perkins 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, was substituted for Senate File No. 202, taken up and considered.

Senator Perkins offered the following amendments and moved their adoption:

Amend by striking out all of section 1 thereof, and inserting in lieu thereof the follow ng:

Section 1. Amount paid—certificate void—penalty violation.

No certificate or shares of stock shall be issued, delivered or transferred by any corporation, officer or agent thereof, or by the owner of such certificate or shares, without having indorsed on the face thereof what amount or portion of the par value has been paid to the corporation issuing the same, and whether such payment has been in money or property. Any certificate of stock issued, delivered, or transferred in violation of this section shall be void. Any person violating the provisions of this section,

or knowingly making a false statement on such certificate, shall be fined not less than one hundred dollars nor more than five hundred dollars, and shall stand committed to the county jail until such fine and costs are paid. This section shall not apply to railway or quasi public corporations organized before the first day of October, eighteen hundred ninety-seven.

Amend by striking out all of section 3 of the bill and renumbering the following sections.

By unanimous consent on request of Senator Scott the last sentence of the first amendment was stricken out.

Senator Thurston offered the following amendment to the amendment and moved its adoption:

Amend by striking out the period (.) following the word "void" in line 7 of section 1, and inserting a comma (,) and adding the following: "and the issuance, delivery or transfer of each certificate or share shall be considered a separate transaction."

Further action was deferred.

The Journal of February 2d was corrected and approved.

MESSAGE 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 No. 10 relating to the death of ex-president Wilson.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE RESOLUTION CONSIDERED

By unanimous consent Senator White called up the following resolution, and moved its adoption:

HOUSE RESOLUTION ON DEATH OF FORMER PRESIDENT WILSON

Whereas, We have heard with profound sorrow of the death in Washington, D. C., of our beloved former president, Woodrow Wilson; therefore,

Be It Resolved by the House, the Senate concurring: That we here express our heartfelt appreciation for his splendid ability, his unselfish and devoted service and the nobleness of his character, and we feel that in his passing America and the world have lost a most faithful public servant of unusual ability and fidelity, and one who has sacrificed his health and given his life for the ideal that was closest to his heart—the permanent peace of the world.

Be It Further Resolved: That the House and Senate do now adjourn

out of respect to the memory of our deceased and beloved former president until nine-thirty o'clock a. m. on Tuesday, February 5, 1924.

The resolution was unanimously adopted.

The President appointed Senators White, Horchem and Gilchrist as a committee to prepare and arrange for suitable exercises commemorative of the life and public services of Ex-president Wilson.

Under the resolution as adopted, the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1924.

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

Prayer was offered by Rev. L. A. Dale, pastor of the Methodist Episcopal church, of Pocahontas, Iowa.

On motion of Senator Shinn rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hartman, from citizens of Allamakee county urging support of Senate Files Nos. 42 and 92. Committee on labor and educational institutions, respectively.

By Senator McIntosh, from citizens of Shannon City, favoring the bill to refuse liquor permits. Suppression of intemperance.

By Senator Ethell, favoring the law compelling reading of the Bible in public schools daily, from members of Methodist Episcopal church, members of Christian church, members of United Brethren church, located at Moravia, and from citizens of Centerville, all of which were referred to public schools.

By Senator Ethell, from Civic League club, Bloomfield, approving the \$5,000 child welfare appropriation. Appropriations.

Senator Ethell, from citizens of Mystic, favoring the law compelling reading of the Bible in public schools daily. Public schools.

REPORT OF COMMITTEE

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 180, a bill for an act relating to municipal corporations—plans, 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:

1. Amend by striking the period after the word "known" in the last line of section 12 and inserting the following: "nor before an order has been entered by the District Court upon application of the parties desiring a replat to be made, that such replat is necessary. The court shall have jurisdiction of the matter upon proof of publication of notice of the application for at least two weeks in some newspaper of general circulation in the city or town."

2. Amend section 12 by inserting in line 7 after the word "is" and before the word "defective", the word "materially" and by striking from said line the words "in any manner".

3. Amend section 13 by inserting in line 11 after the word "or" and before the word "defective" the word "materially" and by striking from said line the words "in any manner".

4. Amend by adding to section 14 the following:

"If not so published then this act shall take effect as provided by the Constitution."

5. Amend by striking out of section 6 all after the period in line 4 and all of lines 5, 6, 7, 8, 9, and 10.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 102

MR. PRESIDENT: Your conference committee on House File No. 102 beg leave to report that they have had under consideration section four of said bill, over which there was a disagreement between the two houses, and beg leave to report that they recommend the adoption of the following in lieu of said section four:

"Sec. 4. The board of directors in any independent school district situated in whole or in part in any city having a population of twelve thousand (12,000) or over, in which there shall reside or be employed, or both, fifteen (15) or more children over fourteen (14) years of age and under sixteen (16) years of age, who are not in regular attendance in a full time day school, shall establish and maintain part time schools, departments or classes for such children. In districts situated in whole or in part in cities having less than twelve thousand (12,000) population, the board may establish and maintain such schools. When such part time schools have been established, all persons having custody of such children shall cause them to attend the same."

BYRON W. NEWBERRY
O. L. MEAD
P. C. HOLDOESSEL
H. J. MANTZ
FRANCIS JOHNSON
C. F. CLARK
HOWARD A. MATHEWS
S. L. GRAHAM

On motion of Senator Newberry Senate File No. 85 was made a special order for 11 a. m. Wednesday.

THIRD READING OF BILLS

On motion of Senator Reed House 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, 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, 36.

Abben	Cessna	Kimberly	Schmedika
Adams	Ethell	McIntosh	Scott
Baird	Goodwin	Mantz	Shaff
Banta	Hale	Nelson	Shane
Bowman	Hartman	Newberry	Slosson
Brookhart	Haskell	Perkins	Smith
Brookins	Holdoegel	Price	Snook
Buser	Horchem	Reed	Stoddard
Caldwell	Johnston	Romkey	Wichman

Nays, none.

Absent or not voting, 14.

Bergman	Dutcher	Olson	Tuck
Browne	Fulton	Rees	White
Campbell	Gilchrist	Shinn	
Darting	Mead	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 Reed withdrew Senate File No. 4 from further consideration.

On motion of Senator Reed House File No. 212, 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, 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 section 27, line 5, by inserting preceding the word "notice" the words "actual or constructive".

Amend section 61, line 1, by striking therefrom "Any claimant of the property may release the lien" and inserting in lieu thereof the following: "Any claimant of personal property may release any lien thereon created by this act".

Senator Adams moved that further action be deferred, which motion was lost.

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, 42.

Abben	Fulton	Mead	Shane
Adams	Gilchrist	Nelson	Shinn
Baird	Goodwin	Newberry	Smith
Banta	Hale	Olson	Snook
Bowman	Hartman	Perkins	Stoddard
Brookhart	Haskell	Price	Thurston
Brookins	Horchem	Reed	Tuck
Browne	Johnston	Rees	White
Buser	Kimberly	Schmedika	Wichman
Caldwell	McIntosh	Scott	
Ethell	Mantz	Shaff	

Nays, none.

Absent or not voting, 8.

Bergman	Cessna	Dutcher	Romkey
Campbell	Darting	Holdoegel	Slosson

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. 212 from further consideration.

The Senate resumed consideration of House File No. 202.

Senator Wichman offered the following amendment as a substitute for the amendment offered by Senator Thurston and moved its adoption:

Amend by striking out the words, "Any certificate of stock issued, delivered or transferred in violation of this section shall be void" and inserting in lieu thereof the following: "Any certificate of stock issued,

delivered or transferred in violation of this section when the corporation has not received payment therefor at par in money or property at a valuation approved by the executive council, shall be void".

Senator Thurston withdrew his amendment.

The amendment by Senator Wichman was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by inserting after the word "void" in the amendment as amended the words: "and the issuance, delivery or transfer of each certificate or share shall be considered a separate transaction."

By unanimous consent on request of Senator Perkins the words "or share" were stricken from Senator Thurston's amendment.

Senator Thurston's amendment was adopted.

Senator Perkins' amendments were adopted.

The bill was read for information.

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

Senator Perkins invoked rule 8.

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

Ayes, 31.

Abben	Hartman	Nelson	Smith
Baird	Haskell	Newberry	Snook
Banta	Holdoegel	Olson	Stoddard
Buser	Horchem	Perkins	Thurston
Dutcher	Johnston	Reed	Tuck
Fulton	Kimberly	Rees	White
Gilchrist	McIntosh	Scott	Wichman
Goodwin	Mantz	Shaff	

Nays, 14.

Adams	Browne	Hale	Shane
Bowman	Caldwell	Mead	Shinn
Brookhart	Cessna	Price	
Brookins	Ethell	Schmedika	

Absent or not voting, 5.

Bergman	Darting	Slosson
Campbell	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 Banta action on his motion to reconsider the vote by which House File No. 40 failed to pass the Senate 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 the following bill:

House File No. 264, a bill relating to compensation of county attorney.

Also: That the House has adopted the conference committee report and the amendments proposed therein on the following bill:

House File No. 102, a bill relating to education—evening schools.

Also: That the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 187, a bill for an act relating to the condemnation of private property for works of internal improvement and for other public uses and purposes.

Also: That the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 165, a bill for an act relating to municipal corporations—public libraries.

Also: That the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 231, a bill for an act relating to trial and judgment.

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

House File No. 168, a bill for an act relating to municipal corporations—streets and public grounds.

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

House File No. 68-a, a bill for an act relating to the eradication of bovine tuberculosis.

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

House File No. 142, a bill for an act relating to county public hospitals and detention hospitals for contagious diseases.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 168, a bill for an act to amend, revise, and 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 times and referred to committee on cities and towns.

House File No. 68-A, a bill for an act to repeal section ten (10) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter forty-four (44), acts of the thirty-ninth (39) general assembly, and by section one (1) of chapter forty-nine (49), acts of the fortieth (40) general assembly; section eleven (11) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter one hundred ninety-four (194), acts of the thirty-ninth (39) general assembly; sections twelve (12) and thirteen (13) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly; section three (3) of chapter one hundred sixty-nine (169), acts of the thirty-ninth (39) general assembly; chapter forty-eight (48), acts of the fortieth (40) general assembly; and section two (2), chapter forty-nine (49), acts of the fortieth (40) general assembly, relating to the eradication of bovine tuberculosis, and to enact a substitute therefor.

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

House File No. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases.

Read first and second times and referred to committee on county and township affairs.

CONCURRENT RESOLUTION RELATING TO FORMER PRESIDENT
WILSON CONSIDERED

By unanimous consent on request of Senator White the following resolution was taken up and considered:

SENATE CONCURRENT RESOLUTION NO. 12

Whereas, Former President Woodrow Wilson will be laid to rest, Wednesday, February 6th, 1924, and,

Whereas, suitable and fitting memorial services will be held in all parts of the civilized world, therefore

Be It Resolved by the Senate, the House concurring, That a joint convention of the two houses of the 40th General Assembly, in extraordinary session, be assembled and held on Wednesday, February 6th, at eleven o'clock a. m. for the purpose of conducting appropriate exercises in commemoration of the life, character and public services of our late beloved former war president.

The resolution was unanimously adopted.

THIRD READING OF BILLS

On motion of Senator Brookhart 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 sections sixty-six hundred thirty-seven (6637) and eighty-six hundred eighteen (8618) of the supplement to said code, relating to marriages and incest, was taken up and considered, the report of the committee and the committee amendments having been previously adopted.

Senator Gilchrist offered the following amendments and moved their adoption:

Amend House File No. 213 by adding as additional sections at the close of section two thereof the following:

"Sec. 2-a1. No license to marry shall be issued by the clerk to any male person before there shall have been presented to said clerk a certificate executed within ten days preceding the application showing that such male person is free from tuberculosis in the infectious stage and also free from all venereal disease.

No such license shall be issued to any female person before there shall have been presented to the clerk a certificate executed within ten days preceding the application showing that she is free from tuberculosis in the infectious stage.

Sec. 2-a2. Such certificate shall be executed by some reputable physician licensed to practice medicine or surgery in this state. Any physician who shall knowingly or willfully make any false statement in the certificate hereinabove provided for shall be guilty of perjury and be punished accordingly.

Sec. 2-a3. No license to marry shall be issued by the clerk to any person who is an idiot or an imbecile or who is under guardianship on

account of being a person of unsound mind; and the clerk may require proof to be made accordingly by affidavit or in some other satisfactory manner.

Sec. 2-a4. Any clerk of the district court who shall issue a license to marry without the presentation of the physician's certificate as above provided, or who shall knowingly and willfully issue such license contrary to the provisions of this act shall be guilty of misdemeanor and shall be punished accordingly."

Also amend the title to the bill by striking the period at the end of such title and by inserting in lieu thereof a semi-colon and by adding the following: "and to require certain qualifications for all applicants for marriage licenses."

Senator Shinn moved that the Senate adjourn until 9:00 a. m. Wednesday.

Senator Ethell moved to amend by making the time 1:30 p. m. today.

The amendment was adopted.

Senator Stoddard moved to amend by making the time 9:30 a. m. Wednesday.

Senator Brookhart raised the point of order that Senator Stoddard's motion was an amendment to an amendment and was therefore out of order.

The President held that as the amendment had been adopted it was now part of the motion and held the point not well taken. The amendment was lost.

The motion prevailed and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. Price presiding.

RESOLUTION RELATING TO INVESTIGATION

Senator Browne offered the following resolution:

1. Whereas, The Insurance Department has recently appeared in court and defended irregular proceedings in one Fire Insurance Company, and
2. Whereas, There is reason to believe that some companies have paid illegal dividends, and
3. Whereas, The Fire Insurance Companies of Iowa do not come under the Blue Sky provisions of the law and the people have no protec-

tion in these companies except that afforded by the report of the Insurance Commissioner, therefore

Be It Resolved By The Senate: That a non-partisan committee of seven, of whom not more than five shall be republicans, be appointed to investigate the Insurance Department and report within thirty days.

Laid over under the rules.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 213.

Senator Bowman offered the following amendment to the amendment and moved its adoption:

Amend by striking out of lines 1 and 2 of paragraph 1 the words "to any male person" and by striking the words "male person is" from lines 3 and 4 of the same paragraph and inserting in lieu thereof the words "contracting parties are".

Also amend by striking out paragraph 2.

By unanimous consent on request of Senator Bowman the word "such" was inserted before the second word "male" in his amendment and the words "each of the" were inserted immediately preceding the word "contracting".

The amendment was lost.

Senator Abben offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 4 of section 2-a1 the following: "tuberculosis in the infectious stage and also free from".

Also amend by striking out all of paragraph 2 of section 2-a1.

The amendment was adopted.

President Hammill took the chair at 3 p. m.

Senator Gilchrist offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking therefrom all of section 2-a1 following the word "application" in line 3 of the section as printed and by inserting in lieu thereof the following: "by a reputable physician stating that the physician has made a thorough examination of the applicant and has no reason to believe that the applicant has any venereal disease".

Senator Adams invoked rule 8.

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

Ayes, 31.

Abben	Gilchrist	Nelson	Shane
Adams	Goodwin	Newberry	Smith
Banta	Haskell	Olson	Snook
Bowman	Holdoegel	Perkins	Stoddard
Brookins	Johnston	Reed	Tuck
Caldwell	Kimberly	Romkey	White
Dutcher	Mantz	Scott	Wichman
Ethell	Mead	Shaff	

Nays, 14.

Baird	Cessna	Horchem	Slosson
Brookhart	Fulton	McIntosh	Thurston
Browne	Hale	Schmedika	
Buser	Hartman	Shinn	

Absent or not voting, 5.

Bergman	Darting	Rees
Campbell	Price	

The amendment to the amendment was adopted.

Senator Shaff invoked rule 8.

On the question "Shall the amendments as amended be adopted?" the vote was:

Ayes, 31.

Abben	Goodwin	Newberry	Smith
Adams	Haskell	Olson	Snook
Banta	Holdoegel	Perkins	Stoddard
Bowman	Johnston	Reed	Thurston
Brookins	Kimberly	Rees	Tuck
Caldwell	Mantz	Romkey	White
Fulton	Mead	Scott	Wichman
Gilchrist	Nelson	Shaff	

Nays, 13.

Baird	Cessna	McIntosh	Slosson
Brookhart	Hale	Schmedika	
Browne	Hartman	Shane	
Buser	Horchem	Shinn	

Absent or not voting, 6.

Bergman	Darting	Ethell
Campbell	Dutcher	Price

The amendments were adopted.

The bill was read for information.

Senator Holdoegel 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, 29.

Abben	Goodwin	Perkins	Stoddard
Adams	Holdoegel	Reed	Thurston
Banta	Johnston	Rees	Tuck
Bowman	Mantz	Romkey	White
Brookins	Mead	Scott	Wichman
Caldwell	Nelson	Shaff	
Fulton	Newberry	Smith	
Gilchrist	Olson	Snook	

Nays, 15.

Baird	Cessna	Horchem	Schmedika
Brookhart	Hale	Kimberly	Shinn
Browne	Hartman	McIntosh	Slosson
Buser	Haskell	Price	

Absent or not voting, 6.

Bergman	Darting	Ethell
Campbell	Dutcher	Shane

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 COMMITTEE

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, revise, 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.

AMENDMENTS FILED TO SENATE FILE NO. 85

Senator Horchem filed the following amendments to Senate File No. 85:

Amend Section 17 as amended by the committee, by adding thereto the following:

"Immediately upon the passage of this act, the governor shall appoint a committee of not more than seven members to serve without pay, of which the superintendent of public instruction shall be chairman ex-officio, whose duty shall be to select an extended list of Bible passages

suitable for daily reading in the public schools, and the department of public instruction shall furnish copies of said list free to the school boards of the state, and the passages read in the public schools as provided herein shall be chosen from said list."

MR. PRESIDENT: I move to amend the amendment to Senate File No. 85 as follows:

Insert after the word "the" in line 1 and before the word "teacher" in line 2 the following: "board of directors may require the". Also strike out the word "shall" in line 2 and insert in lieu thereof the word "to".

J. L. BROOKHART.

AMENDMENTS TO RESOLUTION FILED

We move to amend Senate concurrent resolution No. 11 by striking out all after the words and figures "October 12, 1923," and substituting in lieu thereof the following: "requiring a tax or royalty to be collected on sand and gravel taken from meandered streams under the jurisdiction of the Board of Conservation, and

Whereas, This resolution carries no exemptions and goes into effect within ten days; therefore,

Be It Resolved by the Senate, the House concurring: That all sand and gravel which is to be used for the construction or maintenance of public improvements, including levees or drainage projects, shall be excepted from the operation of such resolution."

W. A. CALDWELL
FRANK SHANE

MESSAGE 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 No. 12 providing for a joint convention in commemoration of the life, character and public services of the late President Wilson.

A. C. GUSTAFSON, *Chief Clerk*.

The Journal of February 4th was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 9:30 a. m. Wednesday.

Senator Brookhart moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1924.

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

Prayer was offered by Rev. H. B. Allen, of Marengo, Iowa.

On motion of Senator Brookhart rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Olson for the day, on request of Senator Mantz.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Adams, from citizens of Whittemore, and by Senator Nelson, from citizens of Jackson county, protesting legislation relative to reading of the Bible in public schools daily. Public schools.

By Senator Stoddard, from citizens of Pierson, favoring the legislation relative to reading of the Bible in public schools daily. Public schools.

By Senator Caldwell, from the W. C. T. U., University Park, favoring legislation relative to liquor permits to pharmacists. Suppression of intemperance.

By Senator Shinn, from W. C. T. U., and citizens of Arion, favoring legislation relative to liquor permits to pharmacists. Suppression of intemperance.

HOUSE AMENDMENTS CONSIDERED

Senator Reed called up for consideration Senate File No. 231, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by striking out of lines 6 and 7 the following:
 “, but no others.”

On the question “Shall the Senate concur?” the vote was:

Ayes, 36.

Abbea	Ethell	Mantz	Shinn
Banta	Fulton	Mead	Slosson
Brookhart	Gilchrist	Nelson	Smith
Baaser	Hale	Perkins	Snook
Caldwell	Haskell	Price	Stoddard
Campbell	Holdoegel	Reed	Thurston
Cessna	Horchem	Schmedika	Tuck
Darting	Johnston	Shaff	White
Dutcher	Kimberly	Shane	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Brookins	McIntosh	Romkey
Baird	Browne	Newberry	Scott
Bergman	Goodwin	Olson	
Bowman	Hartman	Rees	

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. 29, 99, 23, 195 and 292.

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. 29, 99, 23, 195 and 292.

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 sixth day of February, 1924, sent to the Governor for

his approval, Senate File No. 29, a bill for an act relating to the making of statements of expenses by candidates for office.

Senate File No. 99, a bill for an act relating to education.

Senate File No. 23, a bill for an act relating to the nomination and election of judges of the supreme, district, and superior courts.

Senate File No. 195, a bill for an act relating to steam and interurban railway crossings at grade and the duty of employees.

Senate File No. 292, a bill for an act to legalize the action of the board of directors, of the school township of Elkhorn, Plymouth county, Iowa, in the transfer of certain funds from the general fund to the school house fund of said school township.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

CONFERENCE COMMITTEE REPORT CONSIDERED

On motion of Senator Mead the following conference committee report on House File No. 102 was taken up and considered:

MR. PRESIDENT: Your conference committee on House File No. 102 beg leave to report that they have had under consideration section four of said bill, over which there was a disagreement between the two houses, and beg leave to report that they recommend the adoption of the following in lieu of said section four:

"Sec. 4. The board of directors in any independent school district situated in whole or in part in any city having a population of twelve thousand (12,000) or over, in which there shall reside or be employed, or both, fifteen (15) or more children over fourteen (14) years of age and under sixteen (16) years of age, who are not in regular attendance in a full time day school, shall establish and maintain part time schools, departments or classes for such children. In districts situated in whole or in part in cities having less than twelve thousand (12,000) population, the board may establish and maintain such schools. When such part time schools have been established, all persons having custody of such children shall cause them to attend the same."

BYRON W. NEWBERRY
O. L. MEAD
P. C. HOLDOEGEL
H. J. MANTZ
FRANCIS JOHNSON
C. F. CLARK
HOWARD A. MATHEWS
S. L. GRAHAM

Senator Mead moved that the conference committee report be adopted and the amendments proposed therein concurred in.

Senator Smith invoked rule 8.

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

Ayes, 23.

Abben	Caldwell	Horchem	Scott
Baird	Dutcher	Mantz	Shaff
Banta	Ethell	Nelson	Shane
Brookhart	Fulton	Newberry	Stoddard
Brookins	Gilchrist	Perkins	Wichman
Buser	Hale	Reed	

Nays, 18.

Adams	Haskell	Schmedika	Thurston
Browne	Johnson	Shinn	Tuck
Campbell	Kimberly	Slosson	White
Cessna	Mead	Smith	
Darting	Price	Snook	

Absent or not voting, 9.

Bergman	Hartman	Olson
Bowman	Holdoegel	Rees
Goodwin	McIntosh	Romkey

The motion was lost, not having received a constitutional majority, and the Senate refused to adopt and concur in the report.

MOTION TO RECONSIDER CONFERENCE COMMITTEE REPORT

I move to reconsider the vote whereby the Senate refused to adopt the report of the conference committee on House File No. 102.

W. G. HASKELL.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House refuses to concur in Senate amendments to the following bill:

House File No. 116, a bill for an act relating to education and the Iowa geological survey.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 198, a bill for an act relating to regulation of common carriers in respect to schedules of rates and charges.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 110, a bill for an act relating to school funds and bonds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 220, a bill for an act relating to municipal courts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 200, a bill for an act relating to interurban railways.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 220, 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 times and referred to committee on judiciary No. 1.

House File No. 110, a bill for an act to amend, revise, and codify sections two thousand six hundred fifty-three (2653), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public schools.

House File No. 200, 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-six (5246) and fifty-two hundred forty-nine (5249) of the compiled code of Iowa, relating to interurban railways.

Read first and second times and referred to committee on railroads.

House File No. 198, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-nine-a one (5179-a1) to fifty-one hundred seventy-nine-a thirteen (5179-a13), inclusive, of the supplement to the compiled code of Iowa, relating to regulation of common carriers in respect to schedules of rates and charges.

Read first and second times and referred to committee on railroads.

MOTION TO RECONSIDER HOUSE FILE NO. 40 CONSIDERED

Senator Banta's motion to reconsider the vote by which House File No. 40 failed to pass the Senate was taken up and considered. Further action 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 the direction of the sergeant-at-arms.

JOINT CONVENTION

As per concurrent resolution duly adopted, the joint convention 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 White moved that a committee of three be appointed to notify Governor Nathan E. Kendall and Hon. M. F. Healy that the joint convention was ready to receive them.

Motion prevailed and the President appointed as such committee, Senator White of Benton and Representatives Gilbert of Marshall and Moen of Lyon.

The committee reported and announced the arrival of Gov. Kendall and Hon. M. F. Healy.

Governor Kendall and Mr. Healy were escorted to the Speaker's station.

WILSON MEMORIAL SERVICES

The following program was carried out:

Invocation.....	Rev. Burtis R. MacHatton
Solo—"There Is No Death".....	Genevieve Wheat-Baal
Introduction.....	Gov. Nathan E. Kendall
Address.....	Hon. M. F. Healy, Ft. Dodge
Solo—"Lead Kindly Light".....	Genevieve Wheat-Baal

Harrison of Pottawattamie moved that the complete program of the memorial services and the remarks of each speaker be printed in the Journal.

Motion prevailed.

REMARKS OF HONORABLE NATHAN E. KENDALL

Mr. President, Mr. Speaker, Members of the Legislature, Citizens of Iowa:

The General Assembly of Iowa is at this hour convoked in joint session to render the tribute of the state to Woodrow Wilson who, throughout eight distracting years, occupied the most important public position in the civilized world. Without any executive experience, indeed without any experience in statecraft whatever, he was first summoned to the governorship of the state of New Jersey. His administration of the affairs of that great commonwealth was so adequate, so efficient, so progressive, that it commanded his nomination by his party to the Presidency of the Republic. The peculiar situation which existed in our politics in 1912 assured his overwhelming election, and at the expiration of four years his constituency, relying implicitly upon his ability, his integrity, and his Americanism, commissioned him with a renewed indorsement in 1916.

After the United States entered the war, he marshalled with marvelous sagacity and unremitting zeal the military power of a united people, and in his formal addresses he inspired his countrymen to irresistible fervor for freedom, for justice, for a brotherhood of nations safe for democracy. He was filled to overflowing with patriotic intensity, and as Wirt said of Henry arraigning despotism, he had only "to put out his hand and seize the thunderbolts of liberty as they went smoking by." He emerged from the successful conclusion of the unprecedented conflict the foremost man of all our world. Multitudes dissented from the program he proposed for the establishment of an international league, but none challenged his consecrated devotion to universal peace. Whatever may be your opinion or mine upon that debatable subject, the impartial verdict of history will be that all time has been enriched by the unswerving fidelity, the exalted vision, the transcendent idealism of Woodrow Wilson. And now he is dead, but dead he yet shall live,—live as Washington lives, as Lincoln lives, as Roosevelt lives,—in the triumphant immortality of his illustrious achievements.

But I must not attempt a review of his eventful and dramatic life, nor a recital of his varied and abundant service. His eulogy will be pronounced by another whom I now present. I have the distinguished honor to introduce to you as your selected orator for this occasion, the Honorable M. F. Healy of Fort Dodge.

REMARKS OF HONORABLE M. F. HEALY

Governor Kendall, Members and Officers of the Assembly, Ladies and Gentlemen:

Nearly two thousand years ago a multitude gathered upon a hillside in Judea to listen to the sacred accents of the Saviour's voice. Of all the beautiful and inspiring sentences then uttered, there is one that has come to us hallowed by the recollection of the centuries, filled with tenderness, with love and with mercy: "Blessed are they who mourn, for they shall be comforted."

In all ages and times the respect shown by the living to the dead has

been one of the tests of the civilization of peoples. This feeling of reverence and respect for those who have left our earthly scenes of trial and of suffering has been accounted for in different ways by scholars, scientists and theologians. The best thought of these men seems to be that this feeling comes from that feeling implanted in every human heart as to the immortality of the soul. There is in every human being, and there always has been, a yearning for a brighter and a happier land where sins and sorrows and wars shall be no more. Paganism and barbarism are filled with examples of devotion by the living to the dead, and Christianity has her noblest memorials in the monuments and epitaphs dedicated to her servants and her heroes. Forty years ago last Saturday Wendell Phillips, the great abolitionist of Massachusetts and New England, died. I was a student in a nearby college at the time, and next morning read in the Boston papers a poem containing a tribute to the memory of Wendell Phillips. I cut it out and memorized it and it has been in my memory ever since, and, my friends, how appropriate it is to the subject whom we honor today:

"Come, brothers, here to the funeral
 But weep not, rather, rejoice
 For his fearless life and his fearless death
 And his clear unequalled voice,
 Like a silver trumpet sounding
 The note of human right,
 For his brave heart always ready
 To enter the weak one's fight;
 For his soul unmoved mid the mob's wild shout
 Or the social sneers, disgrace
 For his free-born spirit that knew no lines
 Between class, nor creed, nor race.
 Nay, not for him shall we weep,
 For the silver cord must be worn,
 And the golden hours turned back at last,
 And the dust to its earth returned.
 And tears are never for those who die
 With their face to their duty done;
 But we mourn for the fledglings left on the waste
 And the fields where the wild waves run."

We speak, and your governor has, in a beautiful tribute, sketched the character of Woodrow Wilson. His parents born in Ohio, he was born in Virginia, and spent his boyhood days in Georgia. He was six or seven years old, the village preacher's little boy, at Augusta, Georgia, when the solemn tramp of the triumphant march of Sherman's army passed within a few miles. He went to school, a sickly boy, and to an academy in North Carolina. His health gave way and he returned to his home and later on found his way to Princeton university. No scholastic records were broken there; the curriculum of the time was the hard, hard list of Latin, Greek, mathematics and the scriptures. He managed to pass the examinations, then entered a law school, was but an indifferent lawyer—his tastes were not along that line, and after opening an

office in Atlanta, he abandoned it and became a teacher, first, in a young ladies' academy, as all girls' schools were called at that period. Later on, we find him at Princeton, a teacher with new ideas, a president of the university with new ideas, the ideas of democratizing the institution, that there should no longer be snobbery in the college yard. He was opposed to fraternities; opposed to the sons of the rich and the sons of the so-called quality hiving by themselves and snubbing and scorning their betters in the brilliant boys who were not favored by family or by wealth.

It was in a great struggle of this kind in which he was engaged when he was nominated and elected governor of New Jersey. Prior to that time he had written some works. He made an extended study of the English parliamentary system, as well as the so-called parliamentary systems of the past. Free government, how best to find it, how best to express it, and in this volume showed a decided favoritism for the English method of going to the country upon an adverse vote in the house of commons. Then as governor—this is neither time nor place to attempt a detailed account and I merely purpose to sketch it. Then we find a new character, a new man, a man who preached the doctrine of pitiless publicity in public affairs, the man who said that a boss in his party holding the power and patronage of a boss should not be United States senator because he was unfit and because in a former service he had disgraced his state. Something new in American politics. He won, and then came the presidency. Then came the long eight years. My friends, we honor ourselves when we get together on an occasion of this kind. Prior to this morning, the greatest personal honor that was given to me was to be selected by my fellow townsmen last August to say the word in behalf of that community at the funeral of President Harding. I said then, and I say now, that an occasion of this kind teaches us the necessity and the beauty of being kind and gentle and forbearing to each other while the pulses beat and the blood still throbs from a beating heart. Better to say three sentences of kindness to the living than write a book about him when the grave has closed over him. You remember that passage from George Elliott in which he scourges this idea of tears and blessings for the dead and sneers and curses for the living:

"Hear her while the heart beats; bruise it, it is your only opportunity. While the ear, that delicate messenger of the soul, can still take in the words of kindness, put it by, put it by. While the creative brain can throb with yearning for brotherly recognition, pass it by with envious affectation of indifference. By and by the eye will have ceased to entreat, the ear will be deaf, the brain will have ceased from all longing as well as from all want; the heart will be stilled forever; then you may remember the toil and the hardship and the struggles and the failures."

What a bitter indictment to human nature she gave utterance to in that sentiment. Many a tongue that was tipped with gall and tipped with poison in the last five years would give all if the words of unkindness and of bitterness could now be recalled. As it was true of Harding,

so it is true of Wilson. Idealism was laughed at; men talked of the president being in the clouds and that he did not know human nature. None knew it better. He knew what this war had cost, and on a bed of agony in his home in Washington he echoed, while his tears were dimmed and his lips were trembling, the sentiment of President Harding at Hoboken, standing there with the long tiers of the dead boys' coffins in front of him, with broken voice and trembling lips and tear-dimmed eyes, exclaimed: "This must not happen again." If it be idealism that is not of the worthy kind to pray for peace, to preach for peace, to beg of God Almighty for peace among the nations of the world and strive to attain it, then why teach our little children once a year to sing the sweetest song that was ever sung, the song of the angels sung over the stable in Bethlehem where the babe which was known as the Prince of Peace was born. Harding died with his last spoken utterance and plea for an organization of the nations of the world in a great international cause, and when all the bitternesses and passions of the hour and of the time and of the centuries have passed, history will speak of him and tell of what he asked in his dying breath—a world of peace and of law rather than a world of war. Wilson died with his last public utterance, the Armistice Day address over the radio, pleading for the same thing, under whatever name it may be called, hoping, pleading, dreaming and praying for the day when the nations of the earth should live in peace and in harmony. It is idealism. I have no patience with men in and out of politics who tell me that the world is still savage, that men are still savage, that it is useless to talk peace, and to say that it is useless to talk peace when there is no peace. That there is no more peace in the world than there is, is due to the United States. The dead president, as Lloyd George said the other day, could not walk over the little men. He says that big men will bear it to be walked over, but little men, never. And I have thought of our presidents; I will take them all in—surrounded as they are by every influence, surrounded as they are by charlatans, surrounded by men who know what they want and know exactly how to get it, to quote from a distinguished dead senator, that they must sometimes feel as the great Roosevelt felt, as Wilson felt, and as Harding felt many a time, and as Macbeth felt when the great interpreter of human passions and human actions puts into his mouth the words describing the delusions, or rather, the false promises of the witches to him: "Infected be the air whereon they ride and damned be those who trust them." Instead of abuse, instead of villification, instead of harping upon the little things, American citizenship demands that we should be behind our presidents. We should be behind them in every effort for human good, for everything that will make America greater and better and, to go back to the old expression, "to make our country a better place in which to live."

My friends, there is an old saying of the dead: "Nothing except what is good." An occasion of this kind would be largely a mockery unless there were some idea in it that we should forget the bitternesses and the passions of the passing hour. The time came when the shadow of a cross fell athwart President Wilson's life, and it lay there until the

end. He had the long days and the longer nights running into weeks and months and years to look into the great spaces of eternity. They were not waste spaces for him. His mind went back to all the panorama, to all that had happened in the last ten years: the wonderful changes that have come, the struggles, the trials, the triumphs, the failures, and then there was consolation there. There was consolation in the fact that throughout Europe and the United States he had been the voice of peoples struggling to be free; that he had been the voice of men and women held in subjection and slavery—some for but a few years and some for the centuries, and they lifted up their hearts and their eyes to this new figure that put into living language for them the hopes and aspirations of men and women who have yearned and struggled to be free during all the long centuries, blood-stained centuries of human effort and human endeavor to better the situation of the great masses of our people. Then this man who so expressed himself, this man with all his trials and his sufferings, this man who was doomed to live after the great triumph of the war and to see many of the objects in which he had pinned his faith and hope not carried out, there was something to him that makes me think of Job, and like holy Job in the faraway shadowy land of Uz six thousand years ago, I seem to hear President Wilson exclaiming in like triumphant tones: "I know that my Redeemer liveth and will raise me up on the last day in my own flesh," and down the long centuries that followed we hear him reverently repeat with the great Apostle Paul: "I have fought the good fight, I have run my course and have kept the faith." Not in presumption, not in pride and intolerance did he utter and feel these things, but with the humility of a child he uttered in his last and dying hours the consoling hope expressed in the lines of the great English churchman:

 "Lead kindly light amid the encircling gloom,
 Lead thou me on;
 The night is dark and I am far from home,
 Lead thou me on.
 Keep thou my feet, I do not ask to see
 The distant scene; one step enough for me.

I was not ever thus, nor prayed that thou
 Shouldst lead me on;
 I loved to choose my way and see, but now
 Lead thou me on.
 I loved the garish day, and spite of fears,
 Pride ruled my will. Remember not past years.

So long thy power hath helped me, sure it now
 Will lead me on
 O'er moor and fen, or crag and torrent, 'till
 The night is gone;
 And with the morn those Angel faces smile,
 Which I have loved long since and lost awhile.'

And may that vision of the dead president, the dead scholar, the dead patriot, the dead lover of his kind be visualized to the full when the Father of us all who holds us in the hollow of his hand receives the tired and worn spirit, the tired and broken body of Woodrow Wilson.

Healy of Hancock moved that the joint convention be now dissolved. Motion prevailed.

SENATE RESUMED SESSION

The Senate returned to the Senate chamber and resumed session.

Senator Reed moved that the Senate adjourn until 1:30 p. m.

Senator Shane moved to amend the motion making the hour 2 p. m.

The amendment was lost.

The motion prevailed and 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 House File No. 40.

On the question "Shall the Senate reconsider the vote by which House File No. 40 failed to pass?" the vote was:

Ayes, 32.

Abben	Darting	Horchem	Shaff
Adams	Dutcher	Kimberly	Shane
Banta	Fulton	Mantz	Slosson
Bowman	Gilchrist	Mead	Smith
Brookhart	Goodwin	Newberry	Stoddard
Brookins	Hale	Perkins	Tuck
Caldwell	Haskell	Reed	White
Campbell	Holdoegel	Scott	Wichman

Nays, 11.

Buser	Johnston	Rees	Snook
Cessna	Nelson	Schmedika	Thurston
Hartman	Price	Shinn	

Absent or not voting, 7.

Baird	Browne	McIntosh	Romkey
Bergman	Ethell	Olson	

The motion prevailed.

Senator Banta moved that the vote by which House File No. 40 passed to its third reading be reconsidered, which motion prevailed.

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, 32.

Abben	Darting	Holdoegel	Scott
Adams	Dutcher	Horchem	Shaff
Baird	Fulton	Kimberly	Shane
Banta	Gilchrist	Mantz	Slosson
Brookhart	Goodwin	Mead	Smith
Brookins	Hale	Newberry	Stoddard
Caldwell	Hartman	Perkins	White
Campbell	Haskell	Reed	Wichman

Nays, 12.

Browne	Johnston	Rees	Snook
Buser	Nelson	Schmedika	Thurston
Cessna	Price	Shinn	Tuck

Absent or not voting, 6.

Bergman	Ethell	Olson	Romkey
Bowman	McIntosh		

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

SENATE FILE NO. 213 WITHDRAWN

By unanimous consent Senator Brookhart withdrew Senate File No. 213 from further consideration.

REQUEST FOR INFORMATION

Whereas, There has been introduced in the Senate a resolution by the Senator from Jackson which in substance charges that those in charge of the insurance department of the state of Iowa have been guilty of misconduct in office; and

Whereas, The public records of this state show that the insurance department of Iowa under the present commissioner has been operated at a saving to the state over the preceding year of many thousands of dollars and in the securing for the state of revenues in excess of the revenues received for the preceding year of more than \$50,000, thus establishing a

record for economy and efficiency that should commend itself to the people of this state; and

Whereas, It appears that in every proceeding in which the present insurance commissioner has taken part in any of the courts of this state his position has been confirmed by the court without exception; and

Whereas, The resolution, if not based on facts, would wrongfully interfere with the general confidence which has been established in the insurance department of the state of Iowa as among the people of the state and of the United States; now, therefore,

MR. PRESIDENT: I move

(1) That the Senator from Jackson be requested by the Senate to file with the secretary within forty-eight hours a statement of the evidence, if any, in his possession upon which he has based the accusations contained in the resolution.

(2) That the Senator from Jackson be requested to amend his resolution and to state specifically whether or not his resolution is intended to apply to any acts of the present commissioner and if so what acts.

(3) That the consideration of the resolution be deferred until that information is before the Senate and that, if such evidence is not furnished, the resolution be expunged from the records.

P. C. HOLDOEGEL.

The Journal of February 5th was corrected and approved.

Senator Abben moved that the Senate adjourn until 9:30 a. m. Thursday.

Senator Brookhart moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1924.

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

Prayer was offered by Rev. Alfred T. Bishop, of Clarinda, Iowa.

On motion of Senator Stoddard rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Olson for the day, on request of Senator Mantz.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Abben, from Evangelical church, Ocheyedan, and from voters of Osceola county, and by Senator Nelson, from citizens of Atlantic, protesting legislation relative to compulsory reading of the Bible in public schools daily. Public schools.

PROOF OF PUBLICATION

I hereby certify that there has been filed with the Secretary of the Senate, the proof of publication of a proposed bill for the legalization of the official acts of Laura Smith Day, of Wapello county, Iowa, as a notary public.

L. W. AINSWORTH, *Secretary of the Senate.*

INTRODUCTION OF BILLS

Senate File No. 295, by Senator Shane, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public.

Read first and second times and referred to committee on judiciary No. 2.

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. 4 and 264.

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 Nos. 92, 166, 218 and 221.

F. C. GILCHRIST, *Chairman Senate Committee.*

CHARLES RHINEHART, *Acting 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. 4, 264, 92, 166, 218 and 221.

SENATE RECEDES FROM AMENDMENTS TO HOUSE FILE NO. 116

Senator Brookins moved that the Senate recede from its amendments to House File No. 116.

On the question "Shall the motion prevail and the Senate recede?" the vote was:

Ayes, 37.

Abben	Fulton	Mead	Shane
Baird	Gilchrist	Nelson	Shinn
Banta	Goodwin	Newberry	Slosson
Brookhart	Hale	Perkins	Snook
Brookins	Hartman	Reed	Stoddard
Buser	Haskell	Rees	Thurston
Caldwell	Holdoegel	Romkey	Wichman
Campbell	Horchem	Schmedika	
Cessna	Kimberly	Scott	
Ethell	McIntosh	Shaff	

Nays, 1.

Darting

Absent or not voting, 12.

Adams	Browne	Mantz	Smith
Bergman	Dutcher	Olson	Tuck
Bowman	Johnston	Price	White

The motion prevailed and the Senate receded from its amendments.

HOUSE AMENDMENTS CONSIDERED

Senator Haskell called up for consideration Senate File No. 165, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend by striking section 2 from the bill and inserting in lieu thereof the following:

"The board of trustees of any free public library may contract with any city, town, school corporation, township or county for its use by their respective residents. Townships and counties may contract only for the residents outside of cities and towns. Such contract by a county shall supersede all contracts between the library trustees and townships or school corporations outside of cities and towns."

Amend section six (6) by striking out of line three (3) and four (4) the words "be paid the library with which the contract is made" and inserting in lieu thereof the words "create a fund to fulfill its obligation under the contract".

Amend section four (4) by inserting in line four (4) after the word "town" the words "voting on the proposition at such election".

On the question "Shall the Senate concur?" the vote was:

Ayes, 1.

Banta

Nays, 43.

Abben	Ethell	Mantz	Shaff
Baird	Fulton	Mead	Shane
Brookhart	Gilchrist	Nelson	Shinn
Brookins	Hale	Newberry	Slosson
Browne	Hartman	Perkins	Smith
Fuser	Haskell	Price	Snook
Caldwell	Holdogel	Reed	Stoddard
Campbell	Horchem	Rees	Thurston
Cessna	Johnston	Romkey	White
Darting	Kimberly	Schmedika	Wichman
Dutcher	McIntosh	Scott	

Absent or not voting, 6.

Adams	Bowman	Olson	Tuck
Bergman	Goodwin		

The House amendments having failed to receive a constitu-

tional majority were declared to have failed to be adopted and concurred in by the Senate.

CONCURRENT RESOLUTION NO. 11 CONSIDERED

On motion of Senator Caldwell the following resolution was taken up and considered:

Whereas, On January 29, 1924, the Executive Council approved a resolution passed by the Board of Conservation on October 12, 1923, relative to levying a tax on sand and gravel taken from the meandered streams under the jurisdiction of the Board of Conservation, and

Whereas, This resolution carries no exemptions and goes into effect within ten days; therefore,

Be It Resolved by the Senate, the House concurring: That it is their desire that the following exemptions shall be made:

1. Materials used by individuals for their private use.
2. Materials used for road and bridge constructions.
3. Materials used for public improvements in cities and towns.

The following amendment by Senators Caldwell and Shane was adopted:

We move to amend Senate Concurrent Resolution No. 11 by striking out all after the words and figures "October 12, 1923," and substituting in lieu thereof the following: "requiring a tax or royalty to be collected on sand and gravel taken from meandered streams under the jurisdiction of the Board of Conservation, and

Whereas, This resolution carries no exemptions and goes into effect within ten days; therefore,

Be It Resolved by the Senate, the House concurring: That all sand and gravel which is to be used for the construction or maintenance of public improvements, including levees or drainage projects, shall be excepted from the operation of such resolution."

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

Ayes, 39.

Abben	E.hell	Mantz	Shane
Baird	Fulton	Mead	Slosson
Banta	Gilchrist	Perkins	Smith
Brookhart	Goodwin	Price	Snook
Brookins	Hartman	Reed	Stoddard
Buser	Haskell	Rees	Thurston
Caldwell	Holdoegel	Romkey	Tuck
Campbell	Horchem	Schmedika	White
Cessna	Kimberly	Scott	Wichman
Darting	McIntosh	Shaff	

Nays, none.

Absent or not voting, 11.

Adams	Browne	Johnston	Olson
Bergman	Dutcher	Nelson	Shinn
Bowman	Hale	Newberry	

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

THIRD READING OF BILLS

On motion of Senator Perkins Senate File No. 201, 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), five thousand four hundred forty-four (5444), and five thousand four hundred forty-eight (5448), of the compiled code of Iowa, relating to corporations for pecuniary profit, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments found in the Journal of January 29th, beginning on page 494, were considered.

Senator Buser offered the following amendments to the committee amendments and moved their adoption:

Amend by striking the following: "fifty-four hundred twenty-one (5421)" from line 3 of the title and also from the sub-enacting clause preceding section 1.

The amendments were adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend the amendment by striking from lines 1, 2 and 3 of paragraph 4 of section 5 the following: "the Federal Intermediate Credit Bank of Omaha under the provisions of the act of congress of 1923" and inserting in lieu thereof the following: "federal intermediate credit banks organized under the provisions of the act of congress of March 4, 1923, known as the federal farm loan act,".

The amendment to the amendment was adopted.

The committee amendments were adopted.

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, 41.

Abben	Dutcher	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Shinn
Banta	Goodwin	Nelson	Slosson
Brookhart	Hale	Newberry	Snook
Browne	Hartman	Perkins	Stoddard
Buser	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	Wichman
Campbell	Horchem	Rees	
Cessna	Johnston	Schmedika	
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 9.

Bergman	Ethell	Romkey	Tuck
Bowman	Olson	Smith	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 Newberry Senate File No. 85, 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), and twenty-five hundred seventy-five (2575) of the compiled code of Iowa, and sections twenty-two hundred seventy-four-a one (2274-a1), twenty-two hundred seventy-four-a two (2274-a2), and twenty-six hundred twenty-eight (2628) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section three (3), lines six (6) and seven (7), by striking out the words "in any course above the eighth grade" and substituting a period (.) for the comma (,) after the word "school" in line six (6).

2. Amend section four (4) by striking out the word and figure "two (2)" in line one (1) thereof; also by striking out the letter "s" at the end of the word "sections" in line two (2) thereof.

3. Amend by striking out all of sections eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), and sixteen (16).

4. Amend by striking out all of section seventeen (17) and substituting in lieu thereof the following:

"The Bible shall not be excluded from any public institution, and the teacher in charge of any public school shall read or cause to be read a por-

tion of the Bible, daily, without comment, in every public school session room or class room, and no child shall be required to read the Bible against the wish of his parent or guardian."

5. Amend by renumbering the remaining sections of the bill according to the above amendments.

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

Senator Brookhart withdrew his amendment as found on page 567 of the Journal and offered the following amendment as a substitute therefor and moved its adoption:

Amend the fourth committee amendment as follows:

Insert after the word "the" in line 1 and before the word "teacher" in line 2 the following: "board of directors may require the". Also strike out the word "shall" in line 2 and insert in lieu thereof the word "to".

Also amend by striking out of line 3 the words "without comment".

Senator McIntosh raised the point of order that the committee amendment should be adopted or rejected first and then the amendments to the amendment considered.

The President held the point not well taken.

Senator Horehem offered the following amendment to the fourth amendment and moved its adoption:

Amend by adding thereto the following:

"Immediately upon the passage of this act, the governor shall appoint a committee of not more than seven members to serve without pay, of which the superintendent of public instruction shall be chairman ex-officio, whose duty shall be to select an extended list of Bible passages suitable for daily reading in the public schools, and the department of public instruction shall furnish copies of said list free to the school boards of the state, and the passages read in the public schools as provided herein shall be chosen from said list."

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 85.

On the question "Shall the amendment offered by Senator Horchem be adopted?" the vote was:

Ayes, 30.

Abben	Dutcher	Mantz	Shane
Adams	Fulton	Mead	Snook
Baird	Gilchrist	Nelson	Stoddard
Banta	Goodwin	Newberry	Tuck
Caldwell	Hale	Perkins	White
Campbell	Hartman	Reed	Wichman
Cessna	Haskell	Scott	
Darting	Horchem	Shaff	

Nays, 8.

Brookhart	Kimberly	Schmedika	Smith
Johnston	Price	Slosson	Thurston

Absent or not voting, 12.

Bergman	Browne	Holdoegel	Rees
Bowman	Buser	McIntosh	Romkey
Brookins	Ethell	Olson	Shinn

The amendment was adopted.

Senator Ethell moved the previous question, which motion was lost.

On the question "Shall the amendment offered by Senator Brookhart be adopted?" the vote was:

Ayes, 17.

Brookhart	Goodwin	Reed	Smith
Browne	Hale	Rees	Stoddard
Cessna	Kimberly	Shinn	Tuck
Ethell	Mead	Slosson	Wichman
Gilchrist			

Nays, 28.

Abben	Campbell	Horchem	Schmedika
Adams	Darting	Johnston	Scott
Baird	Dutcher	McIntosh	Shaff
Banta	Fulton	Mantz	Shane
Brookins	Hartman	Newberry	Snook
Buser	Haskell	Perkins	Thurston
Caldwell	Holdoegel	Romkey	White

Absent or not voting, 5.

Bergman	Nelson	Olson	Price
Bowman			

The amendment was lost.

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

Ayes, 33.

Abben	Dutcher	Johnston	Schmedika
Adams	Fulton	McIntosh	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Shane
Brookins	Hartman	Newberry	Snook
Buser	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Rees	Thurston
Campbell	Horchem	Romkey	White
Darting			

Nays, 9.

Brookhart	Kimberly	Shinn	Smith
Browne	Reed	Slosson	Wichman
Hale			

Absent or not voting, 8.

Bergman	Cessna	Nelson	Price
Bowman	Ethell	Oison	Tuck

The fourth amendment was adopted.

The fifth amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 2 all after the period (.) in line 5 thereof.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from lines 1 and 2 of section 2 the words "and the authorities in charge of each private school".

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	Banta	Caldwell	Dutcher
Adams	Brookins	Campbell	Ethell
Baird	Buser	Darting	Fulton

Gilchrist	Johnston	Rees	Snook
Goodwin	McIntosh	Romkey	Stoddard
Hartman	Mantz	Schmedika	Thurston
Haskell	Mead	Scott	Tuck
Holdoegel	Newberry	Shaff	White
Horchem	Perkins	Shane	Wichman

Nays, 9.

Brookhart	Hale	Reed	Slosson
Browne	Kimberly	Shinn	Smith
Cessna			

Absent or not voting, 5.

Bergman	Nelson	Olson	Price
Bowman			

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. 296, by Senator Perkins, a bill for an act to legalize deeds of conveyance executed by the town of Grand Junction.

Read first and second times and referred to committee on judiciary No. 1.

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. 68, a bill for an act relating to animal industry.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 68, a bill for an act to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, and House File sixty-eight-a (68-a) of the special session of the fortieth general assembly, relating to animal industry.

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 House File No. 172, a bill for an act relating to municipal corporations—public utilities, 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 Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File No. 257, 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, 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:

1. Amend by inserting in line 4 of section 9 after the word "issuance" the words "or revocation."

2. Amend by adding at the end of section 10 the following: "Said bond shall be signed by the obligor as principal and by a surety company authorized to do business in this state; or by two sureties who shall each qualify in double the amount of the bond, and neither of whom shall be surety on any other like bond."

E. M. SMITH, *Chairman.*

Ordered passed on file.

Senator McIntosh submitted the following report:

MR. PRESIDENT: Your committee on suppression of intemperance, to which was referred Senate File No. 51, a bill for an act relating to intoxicating liquors, 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:

1. Amend Sec. 2 by striking out all after the caption and substituting in lieu thereof the following: "The word 'liquor' or the phrase 'intoxicating liquor' when used in this title, shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter, wine, spirituous, vinous and malt liquor, and all intoxicating liquor whatever, and in addition thereto any spiritous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented, or not, and by whatever name called, which can be used for beverage purposes, or which can be by any process rendered fit for beverage purposes."

2. Amend Sec. 5 by changing the period (.) in line 5 to a comma (,) and by adding the following: "or be imprisoned in the county jail for a period of not less than fifteen (15) nor more than sixty (60) days, or by both such fine and imprisonment."

3. Amend by striking out all of Sec. 6.

4. Amend Sec. 10 by changing the period (.) in line 7 to a comma (,) and by adding the following: "or be imprisoned in the county jail for a period of not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment."

5. Amend Sec. 69 by inserting in line 3 the word "to" between the words "taxed" and "and".

6. Amend Sec. 78 by striking out in line 6 the words "by the sheriff", and also amend by striking out in line 7 the word "for".

7. Amend Sec. 85 by striking out all the section and in lieu thereof inserting the following:

"Sec. 85. Information—return required.

The officer shall at once file an information against the accused before some court of the county other than the district court. In addition to the information, the officer shall also file with the said court a written return or statement setting forth a brief description of the conveyance, liquors, and vessels seized."

8. Amend Sec. 86 by striking out all the section and in lieu thereof inserting the following:

"Sec. 86. Forfeiture.

The court, upon conviction of a person so arrested, shall enter an order of forfeiture of the liquors, vessels, and conveyance seized and forthwith file with the clerk of the district court a certified transcript of such order. The district court or a judge thereof shall, on such notice as the court or judge may prescribe, proceed to adjudicate the legality and priority of all claims to and liens on said vehicle, and shall proceed against said liquors and vessels as in case of transcripts filed in search warrant proceedings."

9. Amend by adding the following new sections immediately following Sec. 86:

"Sec. 86-a1. Optional procedure as to liquors.

In lieu of declaring a forfeiture, under the last preceding section, of said liquors and vessels, the said court may, in any case, proceed against the said liquors and vessels, in the manner in which it would proceed had said liquors been seized on a duly issued search warrant.

Sec. 86-a2. Optional procedure as to conveyance.

In lieu of declaring a forfeiture, under the second preceding section, of said conveyance, the said court may, in any case, proceed as provided in the first following section."

10. Amend Sec. 87 by inserting after the word "filed" in line 2 the words "in the district court".

11. Amend Sec. 88 by striking out in lines 24 and 25 the words: "shall not be transcribed to the district court, but".

12. Amend Sec. 90 by striking out all the section and in lieu thereof insert the following:

"Sec. 90. Permissible claimant.

No conveyance shall be returned to any claimant, either as owner or lien holder, nor shall any claim be established when such claimant:

1. Fails to establish a legal and bona fide claim, or
2. Know or had reason to suspect that said conveyance was being employed in the illegal transportation of intoxicating liquors, or
3. Fails to overcome the presumption, if established, that such conveyance was being so used, with his knowledge and consent, or
4. Fails, in case of a motor vehicle, to establish the registration of the conveyance in the name of the claimant prior to the seizure, or
5. Fails to establish that his lien was duly recorded prior to the seizure."

13. Amend Sec. 100 by striking out all the section and in lieu thereof insert the following:

"Sec. 100. Evidence of general reputation.

In all actions to enjoin a nuisance or to establish a violation of the injunction, evidence of the general reputation of the place described in the petition or information shall be admissible for the purpose of proving the existence of the nuisance or the violation of the injunction."

14. Amend Sec. 111 by striking out the word "heretofore" in line 2. Also amend by striking out the period (.) in line 2 after the word "provided" and adding the words "in this title".

15. Amend by adding the following new sections immediately following Sec. 116:

"Sec. 116-a1. Abatement bonds—liens on real estate.

Undertakings of bond for abatement, shall, immediately after filing by the clerk of the district court, be docketed and entered upon the lien index as required for judgments in civil cases, and, from the time of such entries, shall be liens upon real estate of the persons executing the same, with like effect as judgments in civil actions.

Sec. 116-a2. Attested copies filed in proper counties.

Attested copies of such undertakings may be filed in the office of the clerk of the district court of the county in which the real estate is situated, in the same manner and with like effect as attested copies of judgments, and shall be immediately docketed and indexed in the same manner.

Sec. 116-a3. Forfeiture of abatement bond.

If the owner of the property who has filed said abatement bond as in this chapter provided, fails to abate the said liquor nuisance on the premises covered by the bond or fails to prevent the maintenance of any liquor nuisance on said premises at any time within the period of one year, the court must, after a hearing in which the said fact is established, direct an entry of such violation of the terms of his said bond, to

be made on the record, and the undertaking of his bond is thereupon forfeited.

Sec. 116-a4. Procedure.

The proceeding to forfeit said abatement bond shall be commenced by filing with the clerk of the court, by any citizen of the county where the bond is filed, an application, under oath, to forfeit said bond, setting out the alleged facts constituting the violation of the terms of said bond, upon which the judge or court shall direct by order attached to said application, that a notice be issued by the clerk of the district court, directed to the principal and sureties on said bond, to appear at a certain date fixed, to show cause, if any they have, why the said bond should not be forfeited and judgment entered for the penalty therein fixed.

Sec. 116-a5. Method of trial.

The trial shall be to the court and as in equity and be governed by the same rules as to evidence as in contempt proceedings.

Sec. 116-a6. Judgment.

If the court, after hearing, finds that a liquor nuisance has been maintained on the premises covered by the abatement bond and that liquor has been sold or kept for sale on the premises contrary to law, within one year from the date of the giving of said bond, then the court shall order the forfeiture of the bond and enter judgment for the full amount of said bond against the principal and sureties thereon and the lien on the real estate heretofore created, shall be decreed foreclosed and shall provide for a special and general execution for the enforcement of said decree and judgment.

Sec. 116-a7. Appeal.

Appeal may be taken as in any equity case and the cause be triable de novo, except that if applicant for forfeiture appeals, he need not file appeal or supersedeas bond.

Sec. 116-a8. Limitation of actions of forfeiture.

No application for forfeiture of abatement bond shall be considered or heard unless the same has been filed within one year after the termination of the one year period covered by the said bond, and after said period herein provided has fully elapsed the bond shall be deemed absolutely void and the lien created thereby fully satisfied."

16. Amend by adding the following new section immediately following Sec. 117:

"Sec. 117-a1. Prompt service of papers by peace officers.

It shall be a misdemeanor for any peace officer to delay service of original notice, writ of injunction, writ of abatement or precept for contempt, in any equity case filed for injunction of abatement, either by state or private citizen, under this chapter."

17. Amend by adding the following new sections immediately following Sec. 122:

"Sec. 122-a1. Transportation to one not holding permit.

If any person or corporation, or any one as the agent or employee thereof, shall transport or convey to any person within this state any intoxicating liquors, without first having been furnished with a certificate from the clerk of the court issuing the permit, showing that the consignee is a permit holder and authorized to sell or use liquors in the county to which the shipment is made, or without first having been furnished with an order of court showing that the consignee is authorized to receive such liquors, such person, corporation, agent, or employee thereof, shall, upon conviction, be fined, for each offense, in a sum not exceeding one thousand dollars (\$1,000.00) or be imprisoned in the county jail not exceeding one year, or by both such fine and imprisonment, and pay the costs of prosecution, including a reasonable attorney's fee to be taxed by the court.

Sec. 122-a2. Defense.

In a prosecution under the last preceding section, it shall be a defense that the character, circumstances, and contents of the shipment were not known to the accused or to his agent or employee.

Sec. 122-a3. Venue.

In any prosecution under this title for the unlawful transportation of intoxicating liquors, the offense shall be held to have been committed in any county in the state in which the liquors are received for transportation, through which they are transported, or in which they are delivered."

18. Amend the title by inserting after the words and figures "nine hundred seventy-nine (979)" the words and figures "nine hundred eighty (980)", also by inserting after the words and figures "ten hundred twenty-seven (1027), inclusive", the words and figures "ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267),".

Amend the sub-enacting clause by inserting after the words and figures "nine hundred seventy-nine (979)", the words and figures "nine hundred eighty (980)", also by inserting after the words and figures "ten hundred twenty-seven (1027), inclusive," the words and figures "ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267),".

J. A. McINTOSH, *Chairman*.

Ordered passed on file.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 140.

MR. PRESIDENT: We, your conference committee, to whom was referred House File No. 140, beg leave to report that we have had the same under consideration and have agreed as follows:

That Sections 12, 12-a1 and 12-a2 found on page 373 of the Senate Journal as substituted by the Senate, and also Section 12 of the bill be

stricken, and when the bill is so amended we recommend that the same do pass.

J. C. TUCK
 CHAS. M. DUTCHER
 W. J. GOODWIN
 J. L. BROOKHART
 W. J. COLBERT
 W. C. CHILDREN
 T. E. POWERS
 C. F. CLARK

PROOF OF PUBLICATION

I hereby certify, that the Secretary of the Senate has received proof of publication of a proposed bill to legalize deeds of conveyance executed by the town of Grand Junction, Iowa.

L. W. AINSWORTH, *Secretary of the Senate.*

AMENDMENTS FILED TO SENATE FILE NO. 51

I move to amend Senate File No. 51 by adding immediately after section 130 the following:

"That section ninety hundred fifteen (9015) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. Aiding escapes—bringing liquor or drugs to inmates.

Any person not authorized by law, who shall bring or pass or cause to be brought into any jail or into any institution which is under the control and management of the board of control of state institutions, or onto the grounds thereof, or into any inclosure, building, camp, quarry, farm, garden, or other place used in connection with any such institution in which prisoners, patients, or other inmates are required or permitted to be, any opium, morphine, cocaine, or other narcotic, or any intoxicating liquor, or any firearm, weapon, or explosive, of any kind, or any rope, ladder, or other instrument or device for use in making or attempting an escape, or shall in any manner aid in such an escape, shall be punished by imprisonment in the penitentiary or reformatory for a term not exceeding five years."

Also by inserting "section ninety hundred fifteen (9015) of the compiled code of Iowa," in the title.

P. C. HOLDOEGEL.

AMENDMENTS FILED TO HOUSE FILE NO. 172

MR. PRESIDENT: I move to amend House File No. 172 as follows:

Strike from lines one (1) and two (2), section four (4) the words and figures "the three (3) preceding sections" and insert in lieu thereof the words and figures "sections one (1) and three (3) thereof".

CARL W. REED.

REQUEST FOR INFORMATION CONSIDERED

On motion of Senator Holdoegel the following request for information was taken up and considered:

Whereas, There has been introduced in the Senate a resolution by the Senator from Jackson which in substance charges that those in charge of the insurance department of the state of Iowa have been guilty of misconduct in office; and

Whereas, The public records of this state show that the insurance department of Iowa under the present commissioner has been operated at a saving to the state over the preceding year of many thousands of dollars and in the securing for the state of revenues in excess of the revenues received for the preceding year of more than \$50,000, thus establishing a record for economy and efficiency that should commend itself to the people of this state; and

Whereas, It appears that in every proceeding in which the present insurance commissioner has taken part in any of the courts of this state his position has been confirmed by the court without exception; and

Whereas, The resolution, if not based on facts, would wrongfully interfere with the general confidence which has been established in the insurance department of the state of Iowa as among the people of the state and of the United States; now, therefore,

MR. PRESIDENT: I move

(1) That the Senator from Jackson be requested by the Senate to file with the secretary within forty-eight hours a statement of the evidence, if any, in his possession upon which he has based the accusations contained in the resolution.

(2) That the Senator from Jackson be requested to amend his resolution and to state specifically whether or not his resolution is intended to apply to any acts of the present commissioner and if so what acts.

(3) That the consideration of the resolution be deferred until that information is before the Senate and that, if such evidence is not furnished, the resolution be expunged from the records.

Senator Buser raised the point of order that the resolution introduced by Senator Holdoegel was out of order, in that it undertakes to interfere with the individual rights of every member of the Senate, who believes that certain things should be investigated.

The President held the point not well taken, as this was a matter of procedure for determination by the Senate, as distinguished from individual ideas, and was a question for direction by the Senate itself.

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

Amend by changing the comma (,) following the word "Senate" in paragraph 3 of the motion to a period (.) and striking out all following.

The amendment was lost.

Senator Dutcher moved that both Senator Browne's and Senator Holdoegel's resolutions be laid on the table and that any Senator be invited to submit in writing any charges he may have against the insurance department.

Senator Buser raised the point of order that for the reason that the Senate was not considering the resolution of Senator Browne it could not be laid on the table at the present time.

The President held the point well taken, as an examination of the proceedings would indicate that the question before the Senate was the resolution or motion of the Senator from Calhoun, and the resolution of the Senator from Jackson was not before the Senate for consideration and a motion to lay on the table, which included both the resolution before the Senate and another resolution which was not thus pending, would be, therefore, out of order.

Senator Dutcher withdrew his motion.

The Journal of February 6th was corrected and approved.

On motion of Senator Dutcher the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1924.

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

Prayer was offered by Rev. E. Merle Adams, pastor of the First Congregational church, of Spencer, Iowa.

On motion of Senator Brookins rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mantz for the day, on request of Senator Olson; Senator Hartman for the remainder of the week, on request of Senator Scott; Senator Hale for the remainder of the week, on request of Senator Reed.

PETITIONS AND MEMORIALS

The following petitions were presented, and referred to the designated committees:

By Senator Stoddard, from Mrs. T. B. Hutton, president of Federated Mission, Mrs. Walter Brittain, president of Parent Teacher's Association, Mrs. P. Peterson, president of Table League, Mrs. W. V. Tagg, president of W. C. T. U., Mrs. Nan V. Jones, Mrs. E. J. Stason, president of League of Women Voters, and Miss Catherine Brown, president of Women's Clubs, all of Sioux City, favoring repeal of law granting liquor permits to drug stores. Suppression of intemperance.

By Senator Wichman, from St. John's Lutheran church, of Concord township, Hancock county, protesting legislation relative to reading Bible in public schools daily. Public schools.

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. 231.

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. 231.

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 eighth day of February, 1924, sent to the Governor for his approval, Senate File No. 231, a bill for an act relating to trial and judgment.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

SENATE FILE NO. 264 WITHDRAWN

By unanimous consent Senator Ethell withdrew Senate File No. 264 from further consideration.

MOTION TO RECONSIDER HOUSE FILE NO. 102 CONSIDERED

On motion of Senator Newberry the following motion by Senator Haskell was taken up and considered:

I move to reconsider the vote whereby the Senate refused to adopt the report of the conference committee on House File No. 102.

The motion prevailed and the Senate reconsidered the vote by which it refused to concur in and adopt the report.

On the question "Shall the Senate concur in the report and adopt the amendments proposed?" the vote was:

Ayes, 37.

Abben	Buser	Gilchrist	McIntosh
Adams	Caldwell	Goodwin	Mead
Banta	Campbell	Haskell	Nelson
Bowman	Darting	Holdoegel	Newberry
Brookhart	Ethell	Horchem	Olson
Brookins	Fulton	Kimberly	Perkins

Reed	Scott	Stoddard	Wichman
Rees	Shane	Thurston	
Romkey	Slosson	Tuck	
Schmedika	Snook	White	

Nays, none.

Absent or not voting, 13.

Baird	Dutcher	Mantz	Smith
Bergman	Hale	Price	
Browne	Hartman	Shaff	
Cessna	Johnston	Shinn	

The report of the conference committee and the amendment proposed therein having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

The Senate resumed consideration of Senator Holdoegel's motion with reference to the resolution offered by Senator Browne.

Senator Holdoegel asked to call Senator Browne's resolution for consideration.

Senator Price raised the point of order that Senator Browne's resolution was a straight out resolution for an investigation based on specific charges, while the motion by Senator Holdoegel was a motion for specific statement and they were therefore separate matters.

The President held the point well taken.

Senator Dutcher moved that the resolution by the Senator from Jackson and the motion by the Senator from Calhoun be referred to a special committee of five Senators appointed by the President of the Senate, the duties of which committee shall be to hear the charges, if any, against the insurance department of the state of Iowa, presented by the Senator from Jackson, or any other Senator, and report the charges and evidence, together with their recommendations, back to the Senate within ten days.

Senator Ethell moved as a substitute motion for Senator Dutcher's motion that the resolution and motion be referred to an appropriate standing committee, instead of a special committee.

The substitute motion was lost.

The motion by Senator Dutcher was adopted.

THIRD READING OF BILLS

On motion of Senator Haskell House File No. 180, 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, 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:

1. Amend by striking the period after the word "known" in the last line of section 12 and inserting the following: "nor before an order has been entered by the District Court upon application of the parties desiring a replat to be made, that such replat is necessary. The court shall have jurisdiction of the matter upon proof of publication of notice of the application for at least two weeks in some newspaper of general circulation in the city or town."

2. Amend section 12 by inserting in line 7 after the word "is" and before the word "defective", the word "materially" and by striking from said line the words "in any manner".

3. Amend section 13 by inserting in line 11 after the word "or" and before the word "defective" the word "materially" and by striking from said line the words "in any manner".

4. Amend by adding to section 14 the following:

"If not so published then this act shall take effect as provided by the Constitution."

5. Amend by striking out of section 6 all after the period in line 4 and all of lines 5, 6, 7, 8, 9, and 10.

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, 36.

Abben	Darting	McIntosh	Shane
Adams	Dutcher	Nelson	Slosson
Baird	Ethell	Newberry	Smith
Banta	Fulton	Cison	Snook
Brookins	Gilchrist	Perkins	Stoddard
Browne	Goodwin	Reed	Thurston
Buser	Haskell	Rees	Tuck
Caldwell	Horchem	Schmedika	White
Campbell	Kimberly	Scott	Wichman

Nays, none.

Absent or not voting, 14.

Bergman	Hale	Mantz	Shaff
Bowman	Hartman	Mead	Shinn
Brookhart	Holdoegel	Price	
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 Haskell withdrew Senate File No. 180 from further consideration.

On motion of Senator Rees 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, 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, 39.

Baird	Dutcher	Mead	Scott
Banta	Ethell	Nelson	Shane
Bowman	Fulton	Newberry	Slosson
Brookhart	Gilchrist	Olson	Smith
Brookins	Goodwin	Perkins	Snook
Browne	Haskell	Price	Stoddard
Buser	Horchem	Reed	Tuck
Caldwell	Johnston	Rees	White
Campbell	Kimberly	Romkey	Wichman
Darting	McIntosh	Schmedika	

Nays, none.

Absent or not voting, 11.

Abben	Cessna	Holdoegel	Shinn
Adams	Hale	Mantz	Thurston
Bergman	Hartman	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 Rees withdrew Senate File No. 78 from further consideration.

The Journal of February 7th was corrected and approved.

On motion of Senator Newberry the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 9, 1924.

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

Prayer was offered by Rev. Mrs. Ida B. Wise Smith, director Christian Citizenship, National W. C. T. U.

On motion of Senator White rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Romkey for the day, on request of Senator Price; Senator Ethell for the day, on request of Senator Shane; Senator Dutcher for the day, on request of Senator Stoddard; Senator Brookhart for the day, on request of Senator Kimberly; Senator Hale for the day, on request of Senator Haskell; Senator Mead for the day, on request of Senator Haskell; Senator Schmedika for the day, on request of Senator Goodwin; Senator Shaff for the day, on request of Senator Perkins; Senator McIntosh for the day, on request of Senator Bowman.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 7, 1924, he had signed Senate Files Nos. 292, 29, 195, 23 and 99.

REPORTS OF COMMITTEES

Senator Fulton submitted the following report:

MR. PRESIDENT: Your committee on banks to which was referred House File No. 208, 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-five (5745), five thousand seven hundred forty-nine (5749) and five thousand seven hundred fifty-two (5752) of the compiled code of Iowa, relating to the banking department, 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 24 and 25, section 5, the following, "and their salaries to be fixed no greater than that" and substitute in lieu thereof the following: "their salaries to be not greater than those".

C. J. FULTON, *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. 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 of the supplement to said code, relating to trustees to manage cemetery funds, 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:

1. Amend line 4 of section 1 of the bill by inserting immediately after the word "moneys" the words "or property".

2. Amend line 2 of section 3 of the bill by inserting immediately after the word "money" the words "or other property".

3. Amend section 4 by inserting after the words "United States" in line 8 thereof the following: "federal farm loan bonds, bonds issued by authority of law by cities, towns, counties, school or drainage districts".

4. Amend line 5 of section 12 by striking therefrom the word "it" and by inserting in lieu thereof the word "them".

5. Amend section 13 by striking from lines 3, 4, 5 and 6 thereof the following language: "or municipal bonds, or certificates, or other evidence of indebtedness issued by authority of and in accordance with the laws of this or any state, when same are at or above par, and", and by inserting in lieu thereof the following: "federal farm loan bonds, bonds issued by authority of law by cities, towns, counties, school or drainage districts. Such money must be invested at the market value of such securities, and they".

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Senator Johnston submitted the following report:

MR. PRESIDENT: Your committee on mines and mining to which was referred Senate File No. 41, a bill for an act relating to coal mines, gypsum mines, and mining, 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:

1. Insert the following as an additional paragraph to section 3 without number:

"The board shall hold such meetings at such times and places as may be necessary for the examination of applicants for certificates of mine hoisting engineers and mine foremen. They shall prescribe and adopt such rules and regulations therefor as may be reasonably necessary for the conducting of such examinations, which shall include among other things to be determined by the board, the following:

Examination of Mine Foremen.

A knowledge on the part of such applicants of

- (a) the conditions relating to the safety of the underground workings of a mine;
- (b) the nature and properties of noxious, poisonous and explosive gases found in mines;
- (c) the different systems of working coal mines and ventilation thereof;
- (d) the administering of first aid treatment to injured workmen.

Examination of Hoisting Engineers.

A knowledge on the part of such applicants of

(a) the conditions relating to the safety of machinery in charge of a mine hoisting engineer, including all property connected therewith used in operating such machinery and also the machinery utilized at escape ways and shafts and ventilating apparatus.

Such questions shall not be exclusive of any other questions to be presented by the board, but the board shall prepare and present such additional questions as they may deem best to carry out the spirit and intent of the law.

The board shall issue to those examined and found to possess the requisite qualifications, certificates of competency for the position of mine foreman or mine hoisting engineers."

2. Amend section four by inserting after the words "the examination" as it occurs in line one of section 4 the following, "for mine inspectors."

3. Following the word "trial term" as the same appear in line 11 of section 8, insert the words "upon such hearing the court shall render and enter such order or decree as the evidence warrants in equity and justice."

4. Strike out the words and figures "fifteen dollars (\$15.00) per month" as the same appear at the end of line 7 beginning of line 8, section 11 and insert in lieu thereof "one hundred eighty dollars (\$180.00) per year."

5. Strike out the words "upon complaint of any person or" as the same appear in lines 1 and 2, section 12.

6. Following the word "vacation" at the end of line 8 in section 24, insert the words "upon such hearing the court shall render and enter such order or decree as the evidence warrants in equity and justice."

7. Strike out the word "other" following the word "or" and before the word "refuse" line 6, section 34.

8. Insert the words "not less than" following the words "in the mine and" and before the words "five hundred" as the same appear in line 3 of section 42.

9. Strike out the words and figures "where twenty (20) or more persons are employed" as the same appear at the end of line 3 and beginning of line 4, section 68.

10. Strike out the words and figures "employing twenty-five (25) or more persons" as the same appear in line 1 of section 76.

11. Strike out the words "to be" following the word "hereafter" as the same appear in line 1, section 81.

12. Strike out all of section 85 and substitute the following therefor:

"All wires or cables at or in any mine used for transmitting electrical current in excess of one hundred (100) volts shall be armored or insulated in so far as practicable, except trolley and all return wires or cables. But wires or cables used for conducting or transmitting current in excess of two hundred seventy-five (275) volts, shall be placed and protected for the safety of persons and animals as provided in the next section.

13. Strike out all of section 86 and insert in lieu thereof the following:

"All wires, cables or transformers used at or in any mine for transmitting, conducting or transforming electrical current in excess of two hundred seventy-five (275) volts shall be armored, insulated, isolated or placed that will prevent injury to persons and animals in so far as possible consistent with the use for which such instrumentalities are intended. At the approach to a transformer, if used, there shall be displayed a sign, with the word "danger" and the number of volts of electrical current conducted, indicated thereon in large plain letters and figures, on which light shall be thrown at all times when electrical current is being conducted or transmitted.

14. Strike out all of section 87 and insert in lieu thereof the following:

"Electric pumps and stationery electric machines, shall be insulated and grounded in their emplacement, by the use of wires or other equivalent means and inspected with such frequency and kept in such repair that contact therewith will be rendered harmless in so far as possible consistent with the use for which such machinery is intended."

15. Strike out all of section 88 and substitute therefor the following:

"It shall be unlawful for any person to inspect, repair, handle, disturb or interfere with any of the electrical equipment or machinery of a mine except the mine inspector, operator, superintendent, mine foreman or those designated by such persons to do such work, and those whom such designated persons may request or permit to aid in the work of handling or repairing."

16. Strike out the words and figures "where ten (10) or more miners are employed" as the same appears in line 1, and substitute capital letter "T" for the small "t" in the word "the" immediately preceding the word "operator" in line 1 of section 93.

17. Also insert following the word "corporations" line 8 of section 93, the following: "but upon demand all wages shall be paid in money as provided in the preceding section."

18. Insert the words "or health" following the words "the safety" at the beginning of line 3 of section 98.

19. Insert the words "or health" after the words "the safety" beginning line 3 of section 102.

20. Amend Senate File No. 41 as follows:

In the title change "chapters" to "chapter" in line 1.

Strike out of line 1 of the title the words and figures "and two (2)."

Strike out of the last line of the title the words "gypsum mines."

Strike out the sub-enacting clause preceding chapter 2 and all of chapter 2.

JAS. F. JOHNSTON, *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. 44, a bill for an act relating to child labor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 238, a bill for an act legalizing the issuance of certain warrants of the city of Sioux City, Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 189, a bill for an act relating to commerce counsel.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 53, a bill for an act relating to state fire marshal.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 35, a bill for an act relating to vacancies in office.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 155, a bill for an act relating to municipal corporations—civil service commission.

Also: That the House insists on its amendments to Senate File No. 275, a bill for an act relating to the sale of public bonds, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House Representatives Ontjes, Diltz, Storey and Forsling.

Also: That the House insists on its amendments to Senate File 165, a bill for an act relating to municipal corporations—public libraries, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House Representatives Weber, Himebauch, Gesman and Forsling.

Also: That the House has adopted the conference committee report on the following bill:

House File No. 140, a bill for an act relating to the support of the poor.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 26, a bill for an act relating to the canvass of votes at elections.

Also: That the House has amended by substitute and concurred in as amended Senate Concurrent Resolution No. 8 relating to the relief of agricultural industry.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House 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 times and referred to committee on labor.

House File No. 288, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued.

Read first and second times and referred to committee on judiciary No. 1.

THIRD READING OF BILLS

On motion of Senator Reed Senate File No. 257, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by inserting in line 4 of section 9 after the word "issuance" the words "or revocation."

2. Amend by adding at the end of section 10 the following: "Said bond shall be signed by the obligor as principal and by a surety company authorized to do business in this state; or by two sureties who shall each qualify in double the amount of the bond, and neither of whom shall be surety on any other like bond."

Senator Stoddard moved that further action be deferred.

Senator Stoddard withdrew his motion.

Senator Newberry moved that the bill be made a special order for 11 a. m. next Tuesday, which motion was lost.

The committee amendments were adopted.

Senator Fulton offered the following amendments and moved their adoption:

Amend by changing the period (.) at the end of line 2 of section 1 to a semi-colon (;) and adding the following: "the term 'paper' shall include 'wrapper' and 'tube'."

Also amend by striking from the bill wherever they occur, except in section 18, the words "wrappers or tubes"; and by inserting the word "or" between "cigarettes" and "cigarette papers" wherever made necessary by the change.

The amendments were adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by inserting a period (.) after the figures "\$5.00" in line 4 of section 5 and striking out the remainder of the sentence.

The amendment was lost.

Senator Bowman offered the following amendment and moved its adoption:

Amend by adding the following as section 3-a:

"Sec. 3-a. Any minor who misrepresents his age to a dealer in cigarettes for the purpose of making such a purchase shall, upon conviction, be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00), or imprisonment in the county jail for not more than thirty (30) days."

Senator Banta offered the following amendment to the amendment and moved its adoption:

Amend by striking from the amendment all following the figures and characters ("50.00").

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

Ayes, 21.

Banta	Goodwin	Perkins	Thurston
Bowman	Haskell	Reed	White
Brookins	Holdoegel	Rees	Wichman
Caldwell	Kimberly	Shane	
Campbell	Mantz	Shinn	
Gilchrist	Olson	Stoddard	

Nays, 15.

Abben	Darting	Nelson	Smith
Baird	Fulton	Newberry	Snook
Browne	Horchem	Price	Tuck
Buser	Johnston	Scott	

Absent or not voting, 14.

Adams	Dutcher	McIntosh	Shaff
Bergman	Ethell	Mead	Slosson
Brookhart	Hale	Romkey	
Cessna	Hartman	Schmedika	

The amendment to the amendment was adopted.

Senator Holdoegel offered the following amendment to the amendment and moved its adoption:

Amend by adding the following thereto: "but the fact that the minor has misrepresented his age does not in any manner absolve the dealer from responsibility in the sale."

The amendment to the amendment was lost.

Senator Price invoked rule 8.

On the question "Shall the amendment offered by Senator Bowman be adopted?" the vote was:

Ayes, 6.

Banta	Brookins	Olson	Snook
Bowman	Kimberly		

Nays, 31.

Abben	Gilchrist	Newberry	Slosson
Baird	Goodwin	Perkins	Smith
Browne	Haskell	Price	Stoddard
Buser	Holdoegel	Reed	Thurston
Caldwell	Horchem	Rees	Tuck
Campbell	Johnston	Scott	White
Darting	Mantz	Shane	Wichman
Fulton	Nelson	Shinn	

Absent or not voting, 13.

Adams	Dutcher	McIntosh	Shaff
Bergman	Ethell	Mead	
Brookhart	Hale	Romkey	
Cessna	Hartman	Schmedika	

The amendment by Senator Bowman 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, 33.

Abben	Gilchrist	Olson	Smith
Banta	Goodwin	Perkins	Snook
Bowman	Haskell	Price	Stoddard
Brookings	Holdoegel	Reed	Tuck
Buser	Horchem	Rees	White
Caldwell	Johnston	Scott	Wichman
Campbell	Kimberly	Shane	
Darting	Nelson	Shinn	
Fulton	Newberry	Slosson	

Nays, 2.

Browne	Thurston
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Absent or not voting, 15.

Adams	Cessna	Hartman	Romkey
Baird	Putcher	McIntosh	Schmedika
Bergman	Ethell	Mantz	Shaff
Brookhart	Hale	Mead	

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.

CONFERENCE COMMITTEES APPOINTED

The President appointed as conference committee on Senate File No. 275, on the part of the Senate, Senators Banta, McIntosh, Rees and Cessna.

The President appointed as conference committee on Senate File No. 165, on the part of the Senate, Senators Stoddard, Shane, Schmedika and Bowman.

The Journal of February 8th was corrected and approved.

On motion of Senator Nelson the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, February 11, 1924.

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

Prayer was offered by Rev. Wayne Lee Waters, pastor of the Waveland Park church, Des Moines.

On motion of Senator Ethell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Reed indefinitely, on request of Senator Holdoegel; Senator Abben for today and tomorrow on request of Senator Wichman; Senator Hale for the day, on request of Senator Haskell; Senator McIntosh for the day, on request of Senator Price; Senator Brookhart for the day, on request of Senator Kimberly; Senator Rees for the day, on request of Senator Ethell; Senator Tuck for the day, on request of Senator Holdoegel; Senator Shaff for the day, on request of Senator Newberry; Senator Hartman for the day, on request of Senator Scott; Senator Romkey for the day, on request of Senator Price; Senator Olson for the day, on request of Senator Mantz; Senator Smith for the day, on request of Senator Goodwin.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 8, 1924, he had signed Senate File No. 231.

CONFERENCE REPORT CONSIDERED

On motion of Senator Goodwin the following conference report was taken up and considered:

MR. PRESIDENT: We, your conference committee, to whom was referred House File No. 140, beg leave to report that we have had the same under consideration and have agreed as follows:

That sections 12, 12-a1 and 12-a2 found on page 373 of the Senate Journal as substituted by the Senate, and also Section 12 of the bill be

stricken, and when the bill is so amended we recommend that the same do pass.

J. C. TUCK
 CHAS. M. DUTCHER
 W. J. GOODWIN
 J. L. BROOKHART
 W. J. COLBERT
 W. C. CHILDREN
 T. E. POWERS
 C. F. CLARK

On the question "Shall the Senate concur in the report and adopt the amendments proposed therein?" the vote was:

Ayes, 31.

Baird	Fulton	Mantz	Shinn
Banta	Gilchrist	Nelson	Slosson
Bowman	Goodwin	Newberry	Snook
Browne	Haskell	Perkins	Stoddard
Buser	Holdoegel	Price	Thurston
Campbell	Horchem	Schmedika	White
Darting	Johnston	Scott	Wichman
Ethell	Kimberly	Shane	

Nays, none.

Absent or not voting, 19.

Abben	Caldwell	McIntosh	Romkey
Adams	Cessna	Mead	Shaff
Bergman	Dutcher	Olson	Smith
Brookhart	Hale	Reed	Tuck
Brookins	Hartman	Rees	

The conference report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Thurston called up for consideration Senate File No. 53, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 18 by striking from line five (5) the word and figures "twenty (20)" and inserting in lieu thereof the word and figures "thirty (30)".

Also amend by inserting after section twenty-two (22) the following:

Sec. 23. Appeal to supreme court.

Either party may appeal from a judgment or order of the district court within the time and in the manner provided by law for appeals in ordinary actions.

Sec. 24. Suspension of order pending appeal.

Any order of the fire marshal from which an appeal has been taken to the district or supreme court, shall remain suspended during the pendency of such appeal.

Also amend by renumbering all subsequent sections to correspond.

Amend by striking from section 32, line one (1), the words "except in cities of the first class".

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Baird	Darting	Kimberly	Shinn
Banta	Ethell	Mantz	Slosson
Bowman	Fulton	Nelson	Stoddard
Brookins	Gilchrist	Newberry	Thurston
Browne	Goodwin	Perkins	White
Buser	Haskell	Price	Wichman
Caldwell	Holdoegel	Schmedika	
Campbell	Horchem	Scott	
Cessna	Johnston	Shane	

Nays, none.

Absent or not voting, 17.

Abben	Hale	Reed	Smith
Adams	Hartman	Rees	Snook
Bergman	McIntosh	Romkey	Tuck
Brookhart	Mead	Shaff	
Dutcher	Olson		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Thurston called up for consideration Senate File No. 189, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 1 by striking out the words "the senate" in line five (5) and substituting in lieu thereof the words "two thirds of the members of the senate".

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Baird	Darting	Kimberly	Shinn
Banta	Ethell	Mantz	Slosson
Brookhart	Fulton	Nelson	Snook
Brookins	Gilchrist	Newberry	Stoddard
Browne	Goodwin	Perkins	Thurston
Buser	Haskell	Price	White
Caldwell	Holdoegel	Schmedika	Wichman
Campbell	Horchem	Scott	
Cessna	Johnston	Shane	

Nays, none.

Absent or not voting, 16.

Abben	Dutcher	Mead	Romkey
Adams	Hale	Olson	Shaff
Bergman	Hartman	Reed	Smith
Bowman	McIntosh	Rees	Tuck

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

AMENDMENT FILED TO S. F. 51

MR. PRESIDENT: I move to amend paragraph one (1) of amendments proposed by the committee on suppression of intemperance in reporting S. F. No. 51, as found on page 592 of the Journal of February 7, by striking from said amendment the word "can" as it appears in line eight (8) and substituting in lieu thereof the words "is fit to" and by further amending the same paragraph by inserting a period (.) in place of the comma (,) following the word "purposes" and striking out the remainder of the sentence.

WILLIAM J. GOODWIN.

The Journal of February 9th 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 Hammill presiding.

REPORTS OF COMMITTEES

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred House File No. 128, a bill for an act to amend, revise, and codify sections three thousand thirty-five (3035) to three thousand thirty-seven (3037), inclusive, and three thousand forty (3040) of the compiled code of Iowa, relating to the use 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. 126, a bill for an act to amend, revise, and codify chapter thirteen (13) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct

the view of public highways and railway tracks, 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 5 by striking out the word "highway" and inserting in lieu thereof the word "county" in line two thereof, and insert after the word "engineer" in said line two of section 5 the words "if no county engineer has been appointed then under the supervision of the board of supervisors".

Amend section 7 by striking out of lines 2 and 3 the words "traveled portion of the" and by inserting following the word "jurisdiction" in line 3 of said section the words "all trees located within the right of way which interfere with the construction, maintenance or use of the highways and from the traveled portion of the highways".

Amend by adding new sections as follows:

"Sec. 13. Billboards and signs in public highways.

Billboards and advertising signs shall not be placed, erected or maintained within the boundary lines of the public highways.

Sec. 14. Right and duty to remove.

All billboards and advertising signs as specified in the last preceding section shall, without liability in damages, be removable:

1. By the state highway commission or board of supervisors in case of primary roads.
2. By the board of supervisors in case of county roads.
3. By the township trustees in case of township roads."

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred House File No. 198, a bill for an act relating to schedules of rates and charges by common carriers, 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 which was referred House File No. 188, a bill for an act relating to board of railroad commissioners, 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 four (4) by adding after the word "railroad" in line three (3) the words "or other transportation" and by striking out the word "trains" in line three (3) thereof.

Amend section five (5) by adding after the words "railway companies" in line three (3) the words "motor carriers".

Amend section twenty-nine (29) by substituting a period (.) for the comma (,) after the word "extend" in line six (6) and striking out all of the said sentence following said comma. Also amend by striking out all of said section twenty-nine (29) after the word "cases" in line eleven (11) and adding the following:

"Sec. 30. Uniform gauge—inspection—order.

As often as it deems it expedient, the board shall examine all the railroads in the state that are less than four (4) feet eight and one-half (8½) inches gauge, and if, in the judgment of the board, it is necessary and reasonable to change the gauge of any such railroad to four (4) feet eight and one-half (8½) inches, it shall make an order in writing, fixing a reasonable time within which such gauge shall be changed, taking into consideration the life of the rolling stock of such narrow gauges, road and all other facts and conditions bearing on the length of time required to make such change.

Sec. 31. Rights and remedies not exclusive.

Nothing in this chapter shall abridge any rights or remedies existing at common law or by statute, but shall be in addition to such remedies."

H. C. ADAMS, *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. 101, a bill for an act to amend, revise, and codify sections 2535 to 2537 inclusive, 2542 to 2544 inclusive, 2549 to 2553 inclusive, 2557, 2559, 2560 and 2567 of the compiled code of Iowa, and sections 2545-a1 to 2545-a4 inclusive, 2558-a1, and 2578 of the supplement to the code, relating to school meetings, directors, powers and duties, 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 3, line 4, by striking out the word "make" and inserting before the word "or" in the same line the word "lease".

Also amend by striking out of line 6 of section 3 the words "of such sale" and inserting in lieu thereof the word "thereof".

Amend by striking out section 11 and inserting in lieu thereof the following:

"Sec. 11. Division into precincts.

The precincts for all school elections in districts in whole or in part in cities and towns shall be the same as for the last general state election but the board may consolidate two or more of such precincts into one unless there shall be filed with the secretary of the board at least twenty (20) days before the election a petition signed by twenty-five (25) or more electors of any precinct requesting that such precinct shall not be consolidated with any other precinct. To such petition shall be attached the affidavit of an elector of the precinct that all the signers thereof are electors of such precinct and that the signatures thereto are genuine. If there is within the school corporation any territory not within the limits of the city or town, the board shall attach the same for

school election purposes to such precinct or precincts as will afford the voters residing on such territory the most convenient place at which to vote, but the voters of such territory shall not be required to register. The board shall designate in each precinct a suitable and convenient voting place.

Sec. 11-a1. Registration districts.

For registration purposes, the board may consolidate precincts into registration districts as provided by the law applicable to registration for general elections, and shall designate suitable and convenient places for such registration."

Amend section 13 by striking out of lines 1 and 2 the following words: "The secretary of independent city or town and consolidated districts" and inserting in lieu thereof the words: "The secretary of school corporations in which registration is required".

Amend section 17 by striking out the first sentence and inserting in lieu thereof the following: "The board of directors of each school corporation shall meet and organize at two (2) o'clock P. M. or at seven-thirty (7:30) o'clock P. M. if so ordered by the president of the board, on the third Monday in March each year at some suitable place to be designated by the secretary. Notice of the place and hour of such meeting shall be given by the secretary to each member and each member elect of the board."

Amend section 18 by inserting after the period at the end of line 6 the following words: "If after the annual settlement it shall appear that there is a surplus in the general fund, the board may, in its discretion, transfer any or all of such surplus to the schoolhouse fund."

Amend section 19 by striking out of lines 4 and 5 the following: "or may provide that the county treasurer shall perform the duties of the treasurer of the school corporation", also strike out the comma (,) after the word "treasurer" at the end of line 3 and insert in lieu thereof a period (.)

Amend section 21 by inserting in line 7 after the word "child" and before the word "so" the words: "who in its judgment is". Also, by inserting after the word "tobacco" in line 11 the words: "and other narcotics".

Amend section 23 by inserting the words "or school" after the word "calendar" in line 9.

Amend by striking out all of section 25.

Amend by striking out all of section 29.

Amend section 33 by inserting after the word "districts" in line 1 the following: "where school has been closed as provided in the preceding section".

Amend by inserting as section 39-a1 the following:

"Sec. 39-a1. Tuition in charitable institutions.

When any child is cared for in any charitable institution in this state which does not maintain a school providing secular instruction, and which institution is organized and operating under the laws of Iowa, and

the domicile of the child is in another school district than that wherein the institution is situated, then such child shall be entitled to attend school in the district where such institution is located. In such case, the district which provides schooling for such child shall be entitled to receive tuition not exceeding the average cost thereof in the department of the school in which schooling is given, and not exceeding eight dollars (\$8.00) per month for tuition in schools below the high school grade, and not exceeding twelve dollars (\$12.00) per month for tuition in high school grades. Such tuition shall be paid by the county of the domicile of such child. Any county so paying tuition shall be entitled to recover the amount paid therefor from the parent of such child. This section shall not apply to charitable institutions which are maintained at state expense."

Amend by renumbering the sections according to the above amendments.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 20, a bill for an act relating to time of holding elections—terms of officers, 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 to said bill the following as Sec. 23:

Sec. 23. Sex no disqualification.

No person shall be disqualified on account of sex from holding any office created by the statutes of this state.

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

CONCURRENT RESOLUTION NO. 13

Senator Banta offered the following resolution:

Whereas, The passage of the Code Commissioners' Bills before this extraordinary session of the General Assembly could be more expeditiously accomplished by an orderly arrangement of their presentation to both houses of the legislature, and

Whereas, Delays in the consideration of said bills, when the same have been reported for passage, could be avoided by a definite assignment of the work of presenting them upon the floor, and

Whereas, Owing to the peculiar character of the work of this code revision session, it will be impracticable and unfeasible to operate with a sifting committee; therefore,

Be It Resolved by the Senate, the House Concurring:

That the President of the Senate appoint two members from said body, and the Speaker of the House appoint three members of said body, who

shall comprise a special committee known as the whip committee whose duty shall be as follows:

1. Ascertain the status of all pending bills.
2. Call attention of the respective bodies to any delinquency of committees and sub-committees and be chargeable with the duty of enforcing any standing rules, looking to the expeditious action upon pending bills.
3. Provide for attendance at each regular session of some member or members who will be able to handle any bill that may be reached in its order.
4. Pass upon each and every amendment proposing new legislative matter, and no bill or amendment proposing new matter shall be in order for consideration by either body until the same has been submitted to and approved by said whip committee.

GEORGE S. BANTA.

The resolution was laid over under the rules.

REPORT OF CONFERENCE COMMITTEE ON S. F. 165

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and the House on Senate File No. 165, a bill for an act to amend, revise and codify sections thirty-four hundred forty-three (3443) and thirty-seven hundred forty-nine (3749) of the compiled code, and sections thirty-seven hundred fifty-two (3752) and thirty-seven hundred sixty (3760) of the supplement to said code relating to municipal corporations, beg leave to report that they have had the same under consideration and submit the following report:

First, that the House amendment to section two (2) be amended as follows and when so amended the Senate concur therein: Amend by substituting the following therefor: "Contracts may be made between the board of trustees of any free public library and may contract with any city, town, school corporation, township or county for its use by their respective residents. Townships and counties may enter into such contracts but may only contract for the residents outside of cities and towns. Such contract by a county shall supersede all contracts between the library trustees and townships or school corporations outside of cities and towns."

Second, that the Senate concur in all other amendments.

FRED S. HIMEBAUCH,
L. B. FORSLING,
J. H. WEBER,

Conferees on Part of House.

B. M. STODDARD,
M. L. BOWMAN,
FRANK SHANE,
WM. SCHMEDIKA,

Conferees on Part of Senate.

On motion of Senator Stoddard the conference committee report on Senate File No. 165 was taken up and considered:

On the question "Shall the conference committee report be concurred in and the amendments proposed therein adopted?" the vote was:

Ayes, 31.

Adams	Ethell	Mantz	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Nelson	Snook
Buser	Goodwin	Newberry	Stoddard
Caldwell	Holdoegel	Perkins	Thurston
Campbell	Horchem	Price	White
Cessna	Johnston	Schmedika	Wichman
Darting	McIntosh	Scott	

Nays, none.

Absent or not voting, 19.

Abben	Browne	Kimberly	Shaff
Bergman	Dutcher	Olson	Slosson
Bowman	Hale	Reed	Smith
Brookhart	Hartman	Rees	Tuck
Brookins	Haskell	Romkey	

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

On motion of Senator Stoddard the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 12, 1924.

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

Prayer was offered by Rev. John A. Branson, pastor of the Methodist Episcopal church, of Luther, Iowa.

On motion of Senator Shinn rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Slosson for the day, on request of Senator Brookhart.

INTRODUCTION OF BILLS

Senate File No. 297, by Senator Schmedika, a bill for an act to legalize a special election held in the city of Iowa Falls, Iowa, for the erecting and equipping of a Liberty Memorial Building and the issuance of bonds to pay the cost thereof.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 298, by Senator Wichman, a bill for an act to legalize the transfer of funds by the city council of the city of Forest City, Iowa.

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. 236, a bill for an act relating to estates of decedents.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 247, a bill for an act relating to carrying dangerous weapons.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 202, a bill for an act relating to corporate shares of stock.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 212, a bill for an act relating to certain special liens.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 236, 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 decedents.

Read first and second times and referred to committee on judiciary No. 1.

CONCURRENT RESOLUTION NO. 9 CONSIDERED

On motion of Senator Stoddard the following resolution was taken up and considered:

Be It Resolved by the Senate, the House concurring: That the legislature recess from February 27, 1924, until October 8, 1924, and that no salaries be paid to members of the legislature or any of the extra help now employed by the legislature, except for so much of the services of the Secretary of the Senate and the Chief Clerk of the House, and one assistant for each during said recess as may be considered necessary by the committee on retrenchment and reform.

Senator Stoddard moved to amend by striking out the word and figure "October 8" and inserting in lieu thereof the word and figure "March 5".

Senator Price moved that the resolution be laid on the table.

On the question "Shall the resolution be laid on the table?" the vote was:

Ayes, 12.

Brookins
Buser
Caldwell

Fulton
Johnston
Kimberly

McIntosh
Nelson
Price

Schmedika
Shinn
Wichman

Nays, 25.

Adams	Dutcher	Mantz	Shaff
Baird	Ethell	Mead	Shane
Banta	Gilchrist	Newberry	Slosson
Brookhart	Goodwin	Perkins	Stoddard
Campbell	Hartman	Rees	
Cessna	Holdoegel	Romkey	
Darting	Horchem	Scott	

Absent or not voting, 13.

Abben	Hale	Smith	Tuck
Bergman	Haskell	Snook	White
Bowman	Olson	Thurston	
Browne	Reed		

The motion was lost.

The amendment offered by Senator Stoddard was adopted.

Senator Price moved to amend by striking out all of the resolution following the word and figures "March 5, 1924".

By unanimous consent on request of Senator Brookhart the figures and letters "10 a. m." were inserted after the word "until" in the resolution.

On the question "Shall the amendment offered by Senator Price be adopted?" the vote was:

Ayes, 25.

Adams	Dutcher	Mead	Slosson
Baird	Fulton	Nelson	Snook
Banta	Hartman	Price	Thurston
Brookhart	Horchem	Romkey	Wichman
Brookins	Johnston	Shaff	
Caldwell	Kimberly	Shane	
Darting	McIntosh	Shinn	

Nays, 11.

Buser	Ethell	Holdoegel	Stoddard
Campbell	Goodwin	Mantz	White
Cessna	Haskell	Rees	

Absent or not voting, 14.

Abben	Gilchrist	Perkins	Smith
Bergman	Hale	Reed	Tuck
Bowman	Newberry	Schmedika	
Browne	Olson	Scott	

Senator Price's amendment was adopted.

Senator Buser moved to amend by striking out the figures "27" and inserting in lieu thereof the figures "28".

Senator Holdoegel moved as a substitute amendment for the

amendment offered by Senator Buser that the figures "27" be stricken and the figures "25" be inserted.

The substitute amendment was lost.

On the question "Shall the amendment offered by Senator Buser be adopted?" the vote was:

Ayes, 18.

Adams	Campbell	Rees	Thurston
Brookins	Fulton	Schmedika	White
Browne	Johnston	Shinn	Wichman
Buser	Mantz	Slosson	
Caldwell	Price	Snook	

Nays, 22.

Baird	Ethell	Kimberly	Scott
Banta	Gilchrist	McIntosh	Shaff
Brookhart	Goodwin	Nelson	Shane
Cessna	Hartman	Newberry	Stoddard
Darting	Holdoegel	Perkins	
Dutcher	Horchem	Romkey	

Absent or not voting, 10.

Abben	Hale	Olson	Tuck
Bergman	Haskell	Reed	
Bowman	Mead	Smith	

Senator Buser's amendment was lost.

Senator White moved to amend by striking out the figure "5" and inserting in lieu thereof the figure "3".

Senator Romkey invoked rule 8.

On the question "Shall the amendment offered by Senator White be adopted?" the vote was:

Ayes, 17.

Banta	Campbell	Rees	Slosson
Bowman	Fulton	Schmedika	White
Browne	Mead	Shaff	Wichman
Buser	Nelson	Shinn	
Caldwell	Price		

Nays, 26.

Adams	Ethell	Johnston	Scott
Baird	Gilchrist	Kimberly	Shane
Brookhart	Goodwin	McIntosh	Snook
Brookins	Hartman	Mantz	Stoddard
Cessna	Haskell	Newberry	Thurston
Darting	Holdoegel	Perkins	
Dutcher	Horchem	Romkey	

Absent or not voting, 7.

Abben	Hale	Reed	Tuck
Bergman	Olson	Smith	

Senator White's amendment was lost.

Senator Price invoked rule 8.

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

Ayes, 30.

Adams	Gilchrist	McIntosh	Shane
Baird	Goodwin	Mantz	Shinn
Banta	Hartman	Mead	Slosson
Brookhart	Haskell	Newberry	Snook
Cessna	Holdoegel	Perkins	Stoddard
Darting	Horchem	Romkey	Thurston
Dutcher	Johnston	Scott	
Ethell	Kimberly	Shaff	

Nays, 13.

Bowman	Caldwell	Price	White
Brookins	Campbell	Rees	Wichman
Browne	Fulton	Schmedika	
Buser	Nelson		

Absent or not voting, 7.

Abben	Hale	Reed	Tuck
Bergman	Olson	Smith	

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

INSURANCE INVESTIGATION COMMITTEE

Committee appointed to investigate insurance conditions under the motion of the Senator from Johnson as a result of the resolution filed in the Senate by the Senator from Jackson and the motion of the Senator from Calhoun: Senator from Hancock (Wichman), Senator from Benton (White), Senator from Mills, (Darting), Senator from Pocahontas (Gilchrist), Senator from Wapello (Shane).

Senator Stoddard moved that, in observance of Lincoln's Birthday, when the Senate adjourns today it be until 1:30 p. m., and that the President appoint a committee of three to arrange a suitable program.

The motion prevailed and the President appointed as such committee, Senators Stoddard, Bowman and Kimberly.

President pro tem. John R. Price took the chair at 10:50 a. m.

COCURRENT RESOLUTION NO. 13 CONSIDERED

On motion of Senator Banta the following resolution was taken up and considered:

Whereas, The passage of the Code Commissioners' Bills before this extraordinary session of the General Assembly could be more expeditiously accomplished by an orderly arrangement of their presentation to both houses of the legislature, and

Whereas, Delays in the consideration of said bills, when the same have been reported for passage, could be avoided by a definite assignment of the work of presenting them upon the floor, and

Whereas, Owing to the peculiar character of the work of this code revision session, it will be impracticable and unfeasible to operate with a sifting committee; therefore,

Be It Resolved by the Senate, the House concurring: That the President of the Senate appoint two members from said body, and the Speaker of the House appoint three members of said body, who shall comprise a special committee known as the whip committee whose duty shall be as follows:

1. Ascertain the status of all pending bills.
2. Call attention of the respective bodies to any delinquency of committees and sub-committees and be chargeable with the duty of enforcing any standing rules, looking to the expeditious action upon pending bills.
3. Provide for attendance at each regular session of some member or members who will be able to handle any bill that may be reached in its order.
4. Pass upon each and every amendment, proposing new legislative matter and no bill or amendment proposing new matter shall be in order for consideration by either body until the same has been submitted to and approved by said whip committee.

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking out all of paragraph 4.

The amendment was adopted.

Senator Nelson offered the following amendment and moved its adoption:

Amend by adding thereto as Sec. 5 the following:

"Sec. 5. Upon the adoption of this resolution and the appointment of said committee the rest of the membership of said legislature may recess subject to the call of the 'whip'."

Senator Nelson withdrew his amendment.

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking from line 3 of paragraph 4 the words "known as the whip committee".

Senator White moved the previous question, which motion prevailed.

The amendment offered by Senator Cessna was adopted.

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

Ayes, 9.

Banta	Cessna	Mantz	White
Bowman	Ethell	Perkins	
Campbell	Holdoegel		

Nays, 30.

Adams	Fulton	McIntosh	Shinn
Baird	Gilchrist	Mead	Slosson
Brookhart	Goodwin	Nelson	Smith
Brookins	Hartman	Price	Snook
Browne	Haskell	Rees	Thurston
Buser	Horchem	Romkey	Wichman
Caldwell	Johnston	Schmedika	
Darting	Kimberly	Shane	

Absent or not voting, 11.

Abben	Hale	Reed	Stoddard
Bergman	Newberry	Scott	Tuck
Dutcher	Olson	Shaff	

The resolution having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Bowman was called to the chair at 11:30 a. m.

THIRD READING OF BILLS

On motion of Senator Johnston 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 of the supplement to said code, relating to coal mines, gypsum mines, and mining, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. John R. Price presiding.

MEMORIAL EXERCISES

In accordance with the motion adopted in the forenoon the Senate proceeded with memorial exercises.

The veteran doorkeepers of the Senate were escorted to the desk.

Arthur Wadsworth, the Lieutenant Governor's page, read Lincoln's Gettysburg address.

The following addressed the Senate briefly:

Col. Doke, sergeant-at-arms.

Dr. Lowery, chief doorkeeper.

Jack Heffelfinger, doorkeeper.

Senator Ray P. Scott.

Senator Ed M. Smith.

Senator B. M. Stoddard.

THIRD READING OF BILLS

On motion of Senator Haskell Senate File No. 171, 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, was taken up and considered, the report of the committee having been previously adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from section 4 thereof the words and figures "five per cent (5%)" where the same appear in line 10, and inserting in lieu thereof the words and figures "six per cent (6%)".

The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking from line 6 of section 3 the words "of so much".

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.

Adams	Ethell	Kimberly	Shane
Baird	Fulton	McIntosh	Shinn
Bowman	Gilchrist	Nelson	Smith
Brookins	Goodwin	Price	Snook
Buser	Hartman	Rees	Stoddard
Caldwell	Haskell	Romkey	White
Campbell	Holdoegel	Schmedika	Wichman
Cessna	Horchem	Scott	
Darting	Johnston	Shaff	

Nays, none.

Absent or not voting, 16.

Abben	Browne	Mead	Reed
Panta	Dutcher	Newberry	Slosson
Bergman	Hale	Olson	Thurston
Brookhart	Mantz	Perkins	Tuck

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. 41.

The committee amendments were taken up.

The following amendment was adopted:

1. Insert the following as an additional paragraph to section 3 without number:

"The board shall hold such meetings at such times and places as may be necessary for the examination of applicants for certificates of mine hoisting engineers and mine foremen. They shall prescribe and adopt such rules and regulations therefor as may be reasonably necessary for the conducting of such examinations, which shall include among other things to be determined by the board, the following:

Examination of Mine Foremen.

A knowledge on the part of such applicants of

- (a) the conditions relating to the safety of the underground workings of a mine;
- (b) the nature and properties of noxious, poisonous and explosive gases found in mines;
- (c) the different systems of working coal mines and ventilation thereof;
- (d) the administering of first aid treatment to injured workmen.

Examination of Hoisting Engineers.

A knowledge on the part of such applicants of

(a) the conditions relating to the safety of machinery in charge of a mine hoisting engineer, including all property connected therewith used in operating such machinery and also the machinery utilized at escape ways and shafts and ventilating apparatus.

Such questions shall not be exclusive of any other questions to be presented by the board, but the board shall prepare and present such additional questions as they may deem best to carry out the spirit and intent of the law.

The board shall issue to those examined and found to possess the requisite qualifications, certificates of competency for the position of mine foreman or mine hoisting engineers."

The following amendment was adopted:

2. Amend section four by inserting after the words "the examination" as it occurs in line one of section 4 the following, "for mine inspectors."

The following amendment was adopted:

3. Following the word "trial term" as the same appear in line 11 of section 8, insert the words "upon such hearing the court shall render and enter such order or decree as the evidence warrants in equity and justice."

The following amendment was adopted:

4. Strike out the words and figures "fifteen dollars (\$15.00) per month" as the same appear at the end of line 7 beginning of line 8, section 11 and insert in lieu thereof "one hundred eighty dollars (\$180.00) per year."

The following amendment was adopted:

5. Strike out the words "upon complaint of any person or" as the same appear in lines 1 and 2, section 12.

The following amendment was adopted:

6. Following the word "vacation" at the end of line 8 in section 24, insert the words "upon such hearing the court shall render and enter such order or decree as the evidence warrants in equity and justice."

The following amendment was adopted:

7. Strike out the word "other" following the word "or" and before the word "refuse" line 6, section 34.

The following amendment was adopted:

8. Insert the words "not less than" following the words "in the mine and" and before the words "five hundred" as the same appear in line 3 of section 42.

The following amendment was adopted:

9. Strike out the words and figures "where twenty (20) or more per-

sons are employed" as the same appear at the end of line 3 and beginning of line 4, section 68.

The following amendment was adopted:

10. Strike out the words and figures "employing twenty-five (25) or more persons" as the same appear in line 1 of section 76.

The following amendment was adopted:

11. Strike out the words "to be" following the word "hereafter" as the same appear in line 1, section 81.

The following amendments were considered:

12. Strike out all of section 85 and substitute the following therefor:

"All wires or cables at or in any mine used for transmitting electrical current in excess of one hundred (100) volts shall be armored or insulated in so far as practicable, except trolley and all return wires or cables. But wires or cables used for conducting or transmitting current in excess of two hundred seventy-five (275) volts, shall be placed and protected for the safety of persons and animals as provided in the next section.

13. Strike out all of section 86 and insert in lieu thereof the following:

"All wires, cables or transformers used at or in any mine for transmitting, conducting or transforming electrical current in excess of two hundred seventy-five (275) volts shall be armored, insulated, isolated or placed that will prevent injury to persons and animals in so far as possible consistent with the use for which such instrumentalities are intended. At the approach to a transformer, if used, there shall be displayed a sign, with the word "danger" and the number of volts of electrical current conducted, indicated thereon in large plain letters and figures, on which light shall be thrown at all times when electrical current is being conducted or transmitted.

14. Strike out all of section 87 and insert in lieu thereof the following:

"Electric pumps and stationary electric machines, shall be insulated and grounded in their emplacement, by the use of wires or other equivalent means and inspected with such frequency and kept in such repair that contact therewith will be rendered harmless in so far as possible consistent with the use for which such machinery is intended."

15. Strike out all of section 88 and substitute therefor the following:

"It shall be unlawful for any person to inspect, repair, handle, disturb or interfere with any of the electrical equipment or machinery of a mine except the mine inspector, operator, superintendent, mine foreman or those designated by such persons to do such work, and those whom such designated persons may request or permit to aid in the work of handling or repairing."

By unanimous consent on request of Senator Shane the words "that will" were stricken from line 5 of amendment No. 13 and the words "so as to" were inserted in lieu thereof.

The amendments were adopted.

The following amendments were considered:

16. Strike out the words and figures "where ten (10) or more miners are employed" as the same appear in line 1, and substitute capital letter "T" for the small "t" in the word "the" immediately preceding the word "operator" in line 1 of section 93.

17. Also insert following the word "corporations" line 8 of section 93, the following: "but upon demand all wages shall be paid in money as provided in the preceding section."

By unanimous consent on request of Senator Shane a comma (,) was inserted in amendment No. 16 between the word "employed" and the quotation marks (")

The amendments were adopted.

The following amendments were adopted:

18. Insert the words "or health" following the words "the safety" at the beginning of line 3 of section 98.

19. Insert the words "or health" after the words "the safety" beginning line 3 of section 102.

The following amendment was adopted:

20. Amend Senate File No. 41 as follows:

In the title change "chapters" to "chapter" in line 1.

Strike out of line 1 of the title the words and figures "and two (2)."

Strike out of the last line of the title the words "gypsum mines."

Strike out the sub-enacting clause preceding chapter 2 and all of chapter 2.

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, 38.

Adams	Dutcher	Kimberly	Shinn
Baird	Ethell	McIntosh	Smith
Bowman	Fulton	Nelson	Snook
Brookhart	Gilchrist	Perkins	Stoddard
Brookins	Goodwin	Price	Thurston
Buser	Hartman	Rees	Tuck
Caldwell	Haskell	Schmedika	White
Campbell	Holdoegel	Scott	Wichman
Cessna	Horchem	Shaff	
Darting	Johnston	Shane	

Nays, none.

Absent or not voting, 12.

Abben	Browne	Mead	Reed
Banta	Hale	Newberry	Romkey
Bergman	Mantz	Olson	Slosson

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 Fulton House File No. 208, 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, 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 24 and 25, section 5, the following, "and their salaries to be fixed at rates no greater than that" and substitute in lieu thereof the following: "their salaries to be not greater than those".

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, 30.

Adams	Ethell	Nelson	Smith
Baird	Fulton	Perkins	Snook
Brookhart	Hartman	Rees	Thurston
Buser	Haskell	Schmedika	Tuck
Caldwell	Holdoegel	Scott	White
Campbell	Horchem	Shaff	Wichman
Cessna	Kimberly	Shane	
Dutcher	McIntosh	Shinn	

Nays, none.

Absent or not voting, 20.

Abben	Browne	Johnston	Price
Banta	Darting	Mantz	Reed
Bergman	Gilchrist	Mead	Romkey
Bowman	Goodwin	Newberry	Slosson
Brookins	Hale	Olson	Stoddard

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 No. 208.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 187, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking from line twenty-three (23) in sub-section four (4) of section four (4) the words "public road" and inserting in lieu thereof the words "public way".

Amend section six (6) by inserting after line six (6) thereof the words "or from".

Amend section nineteen (19) by striking out the same and inserting in lieu thereof the following:

"Sec. 19. Procedure provided.

The procedure for the condemnation of private property for works of internal improvement, and for other public uses and purposes, unless and except as otherwise provided by law, shall be in accordance with the provisions of this chapter."

Amend section forty-two (42) by striking out of line two (2) thereof the words "or of any part of the curtilage thereof" and inserting in lieu thereof the following: "dwelling house, out house, orchard or garden".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Adams	Cessna	Horchem	Scott
Baird	Dutcher	Johnston	Shane
Banta	Ethell	Kimberly	Shinn
Bowman	Fulton	McIntosh	Smith
Brookhart	Goodwin	Nelson	Snook
Euser	Hartman	Price	Stoddard
Caldwell	Haskell	Rees	Thurston
Campbell	Holdoegel	Schmedika	White

Nays, none.

Absent or not voting, 18.

Abben	Gilchrist	Olson	Slosson
Bergman	Hale	Perkins	Tuck
Brookins	Mantz	Reed	Wichman
Browne	Mead	Romkey	
Darting	Newberry	Shaff	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Brookhart moved that the Senate refuse to concur in the following amendment to Senate File No. 187:

Amend by inserting after section forty-one (41) as renumbered by the Senate the following:

"Sec. 41-a1. Tender by public authorities. . .

After the report of the commission is filed with the sheriff, the public officer, board or commission, having authority to allow claims for the purchase price of the land, may cause to be allowed and issued a warrant in favor of the claimant for the amount of the damages as returned by the commissioners. The warrant drawing officer shall, in writing, notify the claimant, his agent or attorney that said warrant will, on demand, be delivered to such claimant or to any person authorized by the payee in writing to receive it, and thereafter, so long as funds are available for the immediate payment of said warrant, the same shall have the same force and effect and create the same rights as a deposit of money with the sheriff."

On the question "Shall the Senate concur?" the vote was:

Ayes, 2.

Adams Haskell

Nays, 34.

Baird	Dutcher	McIntosh	Smith
Banta	Ethell	Nelson	Snook
Bowman	Fulton	Perkins	Stoddard
Brookhart	Goodwin	Price	Thurston
Buser	Hartman	Rees	Tuck
Caldwell	Holdoegel	Schmedika	White
Campbell	Horchem	Scott	Wichman
Cessna	Johnston	Shane	
Darting	Kimberly	Shinn	

Absent or not voting, 14.

Abben	Gilchrist	Newberry	Shaff
Bergman	Hale	Olson	Slosson
Brookins	Mantz	Reed	
Browne	Mead	Romkey	

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

SENATE RESOLUTION

Senator Bowman offered the following resolution:

Whereas, Our primary road system consists of some 6600 miles, and

Whereas, Not to exceed 3000 miles of said primary road system is believed to need hard surfacing for some years to come, and

Whereas, Under our present primary road law, county bond money for primary road surfacing can only be used for hard surfacing; therefore,

Be It Resolved by the Senate: That the Code Commission be instructed to prepare Code Commissioner's Bill No., amending the primary road law so that counties may vote bonds for graveling as well as hard surfacing.

M. L. BOWMAN	B. J. HORCHEM
W. G. HASKELL	J. E. WICHMAN
O. L. MEAD	D. W. KIMBERLY
CARL W. REED	P. C. HOLDOEGEL
B. M. STODDARD	H. C. ADAMS
W. A. CALDWELL	W. S. BAIRD
CHAS. OLSON	W. J. GOODWIN
R. P. SCOTT	I. N. SNOOK
B. W. NEWBERRY	H. A. DARTING
GEO. B. PERKINS	F. C. GILCHRIST
C. J. FULTON	A. T. BROOKINGS
BEN C. ABBEN	H. J. MANTZ
S. C. REES	J. O. SHAFF
J. M. SLOSSON	

The resolution was laid over under the rules.

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which 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, 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. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public, 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 Thurston submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred House File No. 44, a bill for an act relating to child labor, begs leave to report it has had the same under consideration and recommends the same do pass.

LLOYD THURSTON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on labor to which was referred House File No. 46, a bill for an act relating to labor bureau and commissioner, begs leave to report it has had the same under consideration and recommends the same do pass.

LLOYD THURSTON, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED TO SENATE FILE NO. 51

MR. PRESIDENT: I move to amend Senate File No. 51 as follows: Amend by striking out all after the comma following the word "section" in line 2 of section 5, and inserting in lieu thereof the following: "shall be punished as a bootlegger as provided in this act".

J. L. BROOKHART.

AMENDMENTS FILED TO HOUSE FILE NO. 126

MR. PRESIDENT: I move to amend House File No. 126 as follows:

By striking out the word "highway" preceding the word "engineer" in line two (2) of section four (4) and by inserting in lieu thereof the word "county";

Also insert following the word "engineer" in line two (2) of section four (4) the following: "if no county engineer has been appointed, then under the supervision of the board of supervisors".

P. C. HOLDOEGEL.

The Journal of February 11th was corrected and approved.

Senator Shane moved that the Senate adjourn until 10 a. m. Wednesday.

Senator Campbell moved to amend by making the hour 9 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1924.

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

Prayer was offered by Rev. Chas. G. Fort, pastor of the Methodist Episcopal church of Shell Rock, Iowa.

On motion of Senator Brookhart rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Abben for the day, on request of Senator Stoddard.

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. 35, 53 and 189. Also House Files Nos. 78, 102, 116 and 202.

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. 35, 53 and 189.

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 thirteenth day of February, sent to the Governor for his

approval, Senate File No. 35, a bill for an act relating to vacancies in office. Senate File No. 53, a bill for an act relating to the state fire marshal and the prevention and investigation of fires; to provide the method of procedure in effecting appeals; also to provide a penalty for a violation thereof. Senate File No. 189, a bill for an act relating to commerce counsel.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

THIRD READING OF BILLS

On motion of Senator McIntosh Senate File No. 51, a bill for an act to amend, revise, and codify sections nine hundred sixteen (916), nine hundred seventeen (917), nine hundred nineteen (919), nine hundred sixty-two (962), nine hundred sixty-five (965) to nine hundred sixty-seven (967), inclusive, nine hundred sixty-nine (969) to nine hundred seventy-three (973), inclusive, nine hundred seventy-eight (978), nine hundred seventy-nine (979), nine hundred eighty-one (981) to nine hundred ninety-seven (997), inclusive, nine hundred ninety-nine (999) to ten hundred eighteen (1018), inclusive, ten hundred twenty (1020), ten hundred twenty-three (1023), and ten hundred twenty-five (1025) to ten hundred twenty-seven (1027), inclusive, of the compiled code of Iowa, and sections nine hundred fourteen (914), nine hundred fifteen (915), nine hundred eighteen (918), nine hundred sixty-eight (968), nine hundred seventy-four-a one (974-a1) to nine hundred seventy-four-a three (974-a3), inclusive, nine hundred seventy-five (975), nine hundred seventy-six-a one (976-a1) to nine hundred seventy-six-a six (976-a6), inclusive, nine hundred seventy-seven-a one (977-a1) to nine hundred seventy-seven-a seven (977-a7), inclusive, nine hundred ninety-eight (998), ten hundred nineteen (1019), ten hundred twenty-a one (1020-a1), and ten hundred twenty-four (1024) of the supplement to said code, relating to intoxicating liquors, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments were taken up.

The following amendment was considered:

1. Amend Sec. 2 by striking out all after the caption and substituting in lieu thereof the following: "The word 'liquor' or the phrase 'intoxicating liquor' when used in this title, shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter, wine, spirituous, vinous and

malt liquor, and all intoxicating liquor whatever, and in addition thereto any spiritous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented, or not, and by whatever name called, which can be used for beverage purposes, or which can be by any process rendered fit for beverage purposes."

Senator Goodwin offered the following amendment and moved its adoption:

Amend paragraph one (1) of the amendments proposed by the committee by striking therefrom the word "can" as it appears in line eight (8) and substituting in lieu thereof the words "is fit to"; also by inserting a period (.) in place of the comma (,) following the word "purposes" and striking out the remainder of the sentence.

The amendment to the amendment was adopted.

The amendment was adopted.

The following amendment was considered:

2. Amend Sec. 5 by changing the period (.) in line 5 to a comma (,) and by adding the following: "or be imprisoned in the county jail for a period of not less than fifteen (15) nor more than sixty (60) days, or by both such fine and imprisonment."

Senator Brookhart offered the following amendment as a substitute for the committee amendment and moved its adoption:

Amend by striking out all after the comma following the word "section" in line 2 of section 5, and inserting in lieu thereof the following: "shall be punished as a bootlegger as provided in this act".

The substitution was made.

The amendment was adopted.

The following amendment was adopted:

3. Amend by striking out all of section 6.

The following amendment was adopted:

4. Amend Sec. 10 by changing the period (.) in line 7 to a comma (,) and by adding the following: "or be imprisoned in the county jail for a period of not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment."

The following amendment was adopted:

5. Amend Sec. 69 by inserting in line 3 the word "to" between the words "taxed" and "and".

The following amendment was adopted:

6. Amend Sec. 78 by striking out in line 6 the words "by the sheriff", and also amend by striking out in line 7 the word "for".

The following amendment was adopted:

7. Amend Sec. 85 by striking out all the section and in lieu thereof inserting the following:

"Sec. 85. Information—return required.

The officer shall at once file an information against the accused before some court of the county other than the district court. In addition to the information, the officer shall also file with the said court a written return or statement setting forth a brief description of the conveyance, liquors, and vessels seized."

The following amendment was adopted:

8. Amend Sec. 86 by striking out all the section and in lieu thereof inserting the following:

"Sec. 86. Forfeiture.

The court, upon conviction of a person so arrested, shall enter an order of forfeiture of the liquors, vessels, and conveyance seized and forthwith file with the clerk of the district court a certified transcript of such order. The district court or a judge thereof shall, on such notice as the court or judge may prescribe, proceed to adjudicate the legality and priority of all claims to and liens on said vehicle, and shall proceed against said liquors and vessels as in case of transcripts filed in search warrant proceedings."

The following amendment was adopted:

9. Amend by adding the following new sections immediately following Sec. 86:

"Sec. 86-a1. Optional procedure as to liquors.

In lieu of declaring a forfeiture, under the last preceding section, of said liquors and vessels, the said court may, in any case, proceed against the said liquors and vessels, in the manner in which it would proceed had said liquors been seized on a duly issued search warrant.

Sec. 86-a2. Optional procedure as to conveyance.

In lieu of declaring a forfeiture, under the second preceding section, of said conveyance, the said court may, in any case, proceed as provided in the first following section."

The following amendment was adopted:

10. Amend Sec. 87 by inserting after the word "filed" in line 2 the words "in the district court".

The following amendment was adopted:

11. Amend Sec. 88 by striking out in lines 24 and 25 the words: "shall not be transcribed to the district court, but".

The following amendment was adopted:

12. Amend Sec. 90 by striking out all the section and in lieu thereof insert the following:

"Sec. 90. Permissible claimant.

No conveyance shall be returned to any claimant, either as owner or lien holder, nor shall any claim be established when such claimant:

1. Fails to establish a legal and bona fide claim, or
2. Know or had reason to suspect that said conveyance was being employed in the illegal transportation of intoxicating liquors, or
3. Fails to overcome the presumption, if established, that such conveyance was being so used, with his knowledge and consent, or
4. Fails, in case of a motor vehicle, to establish the registration of the conveyance in the name of the claimant prior to the seizure, or
5. Fails to establish that his lien was duly recorded prior to the seizure."

The following amendment was adopted:

13. Amend Sec. 100 by striking out all the section and in lieu thereof insert the following:

"Sec. 100. Evidence of general reputation.

In all actions to enjoin a nuisance or to establish a violation of the injunction, evidence of the general reputation of the place described in the petition or information shall be admissible for the purpose of proving the existence of the nuisance or the violation of the injunction."

The following amendment was adopted:

14. Amend Sec. 111 by striking out the word "heretofore" in line 2. Also amend by striking out the period (.) in line 2 after the word "provided" and adding the words "in this title".

The following amendment was considered:

15. Amend by adding the following new sections immediately following Sec. 116:

"Sec. 116-a1. Abatement bonds—liens on real estate.

Undertakings of bond for abatement, shall, immediately after filing by the clerk of the district court, be docketed and entered upon the lien index as required for judgments in civil cases, and, from the time of such entries, shall be liens upon real estate of the persons executing the same, with like effect as judgments in civil actions.

Sec. 116-a2. Attested copies filed in proper counties.

Attested copies of such undertakings may be filed in the office of the clerk of the district court of the county in which the real estate is situated, in the same manner and with like effect as attested copies of judgments, and shall be immediately docketed and indexed in the same manner.

Sec. 116-a3. Forfeiture of abatement bond.

If the owner of the property who has filed said abatement bond as in this chapter provided, fails to abate the said liquor nuisance on the premises covered by the bond or fails to prevent the maintenance of any liquor

nuisance on said premises at any time within the period of one year, the court must, after a hearing in which the said fact is established, direct an entry of such violation of the terms of his said bond, to be made on the record, and the undertaking of his bond is thereupon forfeited.

Sec. 116-a4. Procedure.

The proceeding to forfeit said abatement bond shall be commenced by filing with the clerk of the court, by any citizen of the county where the bond is filed, an application, under oath, to forfeit said bond, setting out the alleged facts constituting the violation of the terms of said bond, upon which the judge or court shall direct by order attached to said application, that a notice be issued by the clerk of the district court, directed to the principal and sureties on said bond, to appear at a certain date fixed, to show cause, if any they have, why the said bond should not be forfeited and judgment entered for the penalty therein fixed.

Sec. 116-a5. Method of trial.

The trial shall be to the court and as in equity and be governed by the same rules as to evidence as in contempt proceedings.

Sec. 116-a6. Judgment.

If the court, after hearing, finds that a liquor nuisance has been maintained on the premises covered by the abatement bond and that liquor has been sold or kept for sale on the premises contrary to law, within one year from the date of the giving of said bond, then the court shall order the forfeiture of the bond and enter judgment for the full amount of said bond against the principal and sureties thereon and the lien on the real estate heretofore created, shall be decreed foreclosed and shall provide for a special and general execution for the enforcement of said decree and judgment.

Sec. 116-a7. Appeal.

Appeal may be taken as in any equity case and the cause be triable de novo, except that if applicant for forfeiture appeals, he need not file appeal or supersedeas bond.

Sec. 116-a8. Limitation of actions of forfeiture.

No application for forfeiture of abatement bond shall be considered or heard unless the same has been filed within one year after the termination of the one year period covered by the said bond, and after said period herein provided has fully elapsed the bond shall be deemed absolutely void and the lien created thereby fully satisfied."

Senator Wichman offered the following amendment to the committee amendment and moved its adoption:

Amend committee amendment No. 15 by adding thereto the following:

"Sec. 116-a9. County attorney to prosecute.

It shall be the duty of the county attorney to prosecute all forfeitures of abatement bonds and the foreclosure of the same."

The amendment to the amendment was adopted.

The amendment was adopted.

The following amendment was adopted:

16. Amend by adding the following new section immediately following Sec. 117:

"Sec. 117-a1. Prompt service of papers by peace officers.

It shall be a misdemeanor for any peace officer to delay service of original notice, writ of injunction, writ of abatement or precept for contempt, in any equity case filed for injunction of abatement, either by state or private citizen, under this chapter."

The following amendment was considered:

17. Amend by adding the following new sections immediately following Sec. 122:

"Sec. 122-a1. Transportation to one not holding permit.

If any person or corporation, or any one as the agent or employee thereof, shall transport or convey to any person within this state any intoxicating liquors, without first having been furnished with a certificate from the clerk of the court issuing the permit, showing that the consignee is a permit holder and authorized to sell or use liquors in the county to which the shipment is made, or without first having been furnished with an order of court showing that the consignee is authorized to receive such liquors, such person, corporation, agent, or employee thereof, shall, upon conviction, be fined, for each offense, in a sum not exceeding one thousand dollars (\$1,000.00) or be imprisoned in the county jail not exceeding one year, or by both such fine and imprisonment, and pay the costs of prosecution, including a reasonable attorney's fee to be taxed by the court.

Sec. 122-a2. Defense.

In a prosecution under the last preceding section, it shall be a defense that the character, circumstances, and contents of the shipment were not known to the accused or to his agent or employee.

Sec. 122-a3. Venue.

In any prosecution under this title for the unlawful transportation of intoxicating liquors, the offense shall be held to have been committed in any county in the state in which the liquors are received for transportation, through which they are transported, or in which they are delivered."

The amendment was lost.

The following amendment was adopted:

18. Amend the title by inserting after the words and figures "nine hundred seventy-nine (979)" the words and figures "nine hundred eighty (980)", also by inserting after the words and figures "ten hundred twenty-seven (1027), inclusive", the words and figures "ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267);".

Amend the sub-enacting clause by inserting after the words and figures "nine hundred seventy-nine (979)", the words and figures "nine hundred eighty (980)", also by inserting after the words and figures "ten hundred twenty-seven (1027), inclusive," the words and figures "ninety-two hundred sixty-six (9266) and ninety-two hundred sixty-seven (9267),".

Senator Holdoegel offered the following amendment and moved its adoption:

Amend by adding immediately after section 130 the following:

"That section ninety hundred fifteen (9015) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 131. Aiding escapes—bringing liquor or drugs to inmates.

Any person not authorized by law, who shall bring or pass or cause to be brought into any jail or into any institution which is under the control and management of the board of control of state institutions, or onto the grounds thereof, or into any inclosure, building, camp, quarry, farm, garden, or other place used in connection with any such institution in which prisoners, patients, or other inmates are required or permitted to be, any opium, morphine, cocaine, or other narcotic, or any intoxicating liquor, or any firearm, weapon, or explosive, of any kind, or any rope, ladder, or other instrument or device for use in making or attempting an escape, or shall in any manner aid in such an escape, shall be punished by imprisonment in the penitentiary or reformatory for a term not exceeding five years."

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend by striking the word "five" from the last line of the proposed section 131 and inserting in lieu thereof the word "ten".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Holdoegel offered the following amendment to the title and moved its adoption:

Amend by adding thereto the following:

"Also amending section nine thousand fifteen (9015) of the compiled code referring to the penalties for smuggling liquors, narcotics, firearms or other devices for escape into jails and penal institutions of this state."

The amendment to the title 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, 41.

Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Newberry	Smith
Bowman	Hale	Perkins	Snook
Brookhart	Hartman	Price	Stoddard
Browne	Haskell	Rees	Thurston
Buser	Holdoegel	Romkey	Tuck
Caldwell	Horchem	Schmedika	White
Campbell	Johnston	Scott	Wichman
Cessna	Kimberly	Shaff	
Darting	McIntosh	Shane	
Ethell	Mantz	Shinn	

Nays, none.

Absent or not voting, 9.

Abben	Brookins	Goodwin	Olsen
Adams	Dutcher	Mead	Reed
Bergman			

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

On motion of Senator Haskell House File No. 172, 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), and three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, and section four thousand six (4006) 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.

Senator Price offered the following amendment and moved its adoption:

Amend by striking from lines 1 and 2 of section 4 the words and figures "the three (3) preceding sections" and inserting in lieu thereof the words and figures "sections 1 and 3 hereof".

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 172.

Senator Cessna offered the following amendment as a substitute for the amendment offered by Senator Price and moved its adoption:

Amend line 3 of section 3 by striking out the words "for such works or plants" and inserting, after the word "purchase" the following: "of heat, gas, water, or electric current for either light or power purposes,".

By unanimous consent on request of Senator Brookhart the words "shall be" were inserted in the substitute amendment immediately following the last word "purchase".

Senator Dutcher offered the following amendment to the substitute amendment and moved its adoption:

Amend by inserting the words "as provided in the preceding sections" between the words "purchase" and "shall be".

Senator McIntosh moved that the bill be rereferred to the committee, which motion was lost.

The amendment offered by Senator Dutcher was adopted.

The substitution was made.

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend by renumbering sections 13 and 14 as sections 12 and 13.

Senator Gilchrist offered the following amendment as a substitute amendment for the amendment offered by Senator Shaff and moved its adoption:

Amend by inserting the following:

"Sec. 12. Free service—discriminatory rates—penalty.

No person or public corporation shall give or receive free service from any of the public utility plants mentioned in this chapter, nor give or receive such service at a more favorable rate than that accorded to the general public. Any person or corporation violating either directly or indirectly the provisions of this section shall be punished by a fine of not less than three hundred dollars (\$300.00) or sixty (60) days in jail, or both, for each and every offense."

By unanimous consent on request of Senator Gilchrist the words "under like conditions or for similar service" were inserted in line 4 after the word "public".

By unanimous consent on request of Senator Gilchrist the words "to or" were inserted in line 2 after the word "service".

By unanimous consent on request of Senator Brookhart the word "to" was inserted in line 1 after the word "give".

On the question "Shall the substitution be made?" the yote was:

Ayes, 10.

Campbell	Johnston	Snook	White
Darting	McIntosh	Thurston	Wichman
Gilchrist	Smith		

Nays, 28.

Baird	Fulton	Kimberly	Romkey
Banta	Goodwin	Mantz	Schmedika
Bowman	Hale	Nelson	Scott
Brookhart	Hartman	Newberry	Shaff
Buser	Haskell	Perkins	Shinn
Cessna	Holdoegel	Price	Slosson
Dutcher	Horchem	Rees	Stoddard

Absent or not voting, 12.

Abben	Brookins	Ethell	Reed
Adams	Browne	Mead	Shane
Bergman	Caldwell	Olson	Tuck

The substitute was lost.

The amendment offered by Senator Shaff was adopted.

The bill was read for information.

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

Senator Snook invoked rule 8.

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

Ayes, 24.

Baird	Darting	Gilchrist	Haskell
Banta	Dutcher	Goodwin	Holdoegel
Brookhart	Fulton	Hale	Horchem

Kimberly	Perkins	Slosson	Stoddard
Mantz	Price	Smith	White
Newberry	Scott	Snook	Wichman

Nays, 17.

Bowman	Ethell	Rees	Shinn
Browne	Hartman	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck
Campbell	McIntosh	Shaff	
Cessna	Nelson		

Absent or not voting, 9.

Abben	Brookins	Mead	Reed
Adams	Caldwell	Olson	Shane
Bergman			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Holdoegel, House File No. 128, a bill for an act to amend, revise, and codify sections three thousand thirty-five (3035) to three thousand thirty-seven (3037), inclusive, and three thousand forty (3040) of the compiled code of Iowa, relating to the use of public highways, 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.

Baird	Ethell	Mantz	Slosson
Banta	Fulton	Nelson	Smith
Bowman	Gilchrist	Newberry	Snook
Brookhart	Hale	Perkins	Stoddard
Browne	Hartman	Price	Tuck
Campbell	Holdoegel	Rees	Wichman
Cessna	Liorchem	Romkey	
Darting	Kimberly	Schmedika	
Dutcher	McIntosh	Scott	

Nays, none.

Absent or not voting, 17.

Abben	Caldwell	Olson	Shinn
Adams	Goodwin	Reed	Thurston
Bergman	Haskell	Shaff	White
Brookins	Johnston	Shane	
Buser	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 Holdoegel withdrew Senate File No. 128 from further consideration.

MOTION TO RECONSIDER HOUSE FILE NO. 172 FILED.

MR. PRESIDENT: I move to reconsider the vote by which House File No. 172 failed to pass the Senate.

J. O. SHAFF.

The Journal of February 12th was corrected and approved.

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. 78, 102, 116 and 202.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Caldwell for the afternoon, on request of Senator Holdoegel; Senator Mead for the afternoon, on request of Senator Holdoegel.

Senator Price moved that the Senate adjourn until tomorrow morning.

Senator Campbell moved to amend by making the hour to reconvene 9 a. m. Thursday.

Senator Stoddard moved to amend by making the hour 10 a. m.

On the question "Shall the amendment fixing the hour at 10 a. m. be adopted?" the vote was:

Ayes, 21.

Baird	Fulton	McIntosh	Snook
Banta	Gilchrist	Perkins	Stoddard
Bowman	Hartman	Rees	Tuck
Brookhart	Holdoegel	Shaff	Wichman
Browne	Johnston	Slosson	
Darting	Kimberly		

Nays, 11.

Campbell	Hale	Romkey	Thurston
Dutcher	Mantz	Schmedika	White
Goodwin	Price	Shinn	

Absent or not voting, 18.

Abben	Caldwell	Mead	Scott
Adams	Cessna	Nelson	Shane
Bergman	Ethell	Newberry	Smith
Brookins	Haskell	Olson	
Buser	Horchem	Reed	

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1924

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

Prayer was offered by Rev. Carl Brown, pastor of the Methodist Episcopal church, of Shannon City, Iowa.

On motion of Senator Mead rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Adams for the day, on request of Senator Haskell; Senator Smith for the day, on request of Senator Goodwin; Senator Abben for the forenoon on request of Senator Stoddard; Senator Browne for the day, on request of Senator Buser.

REPORTS OF COMMITTEES

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 288, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued, begs leave to report it has had the same under consideration and recommends the same be referred to the committee on judiciary No. 2.

JOHN R. PRICE, *Chairman.*

The report was adopted and the bill referred to the committee on judiciary No. 2.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 250, a bill for an act to amend, revise, and codify sections ninety hundred fifty-one (9051) to ninety hundred fifty-four (9054), inclusive, and sections ninety hundred fifty-eight (9058) to ninety hundred sixty-two (9062), inclusive, of the compiled code of Iowa, relating to magistrates and peace officers, begs leave to report it

has had the same under consideration and recommends the same do pass.

JOHN R. PRICE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Judiciary No. 1 to which was referred Senate File No. 298, a bill for an act to legalize the transfer of funds by the city council, of the city of Forest City, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN R. PRICE, *Chairman.*

Ordered passed on file.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File No. 71, a bill for an act to amend, revise, and codify chapter twenty-two (22) of title eight (8) and section 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 three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) 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, 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:

1. Amend section three (3) by striking from line one (1) "any animal trespassing upon land, fenced as provided by law, may be distrained by the owner of such land and held" and insert in lieu thereof: "Any trespassing animal may be distrained and held by the owner of the land trespassed upon".

2. Amend section eleven (11) by adding to the end of said section the following: "The trustees shall immediately fix a time for the assessment of such damages and notify the owner of the animal accordingly."

3. Strike out of section thirty-five (35) in lines three (3) and four (4), "and if only a part of the stock thus included is" and insert "and if fewer than the whole number of animals thus included are".

4. In section thirty-nine (39), line three (3), insert the words "bred and" following the word "be".

J. D. BUSER, *Chairman.*

Ordered passed on file.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 212

Senator Mantz moved that the Senate insist on its amendments to House File No. 212.

On the question "Shall the Senate insist on its amendments?" the vote was:

Ayes, 36.

Baird	Ethell	Mantz	Scott
Banta	Fulton	Mead	Shaff
Brookhart	Gilchrist	Nelson	Shane
Buser	Hale	Newberry	Shinn
Caldwell	Hartman	Olson	Slosson
Campbell	Horchem	Perkins	Stoddard
Cessna	Johnston	Price	Thurston
Darting	Kimberly	Rees	White
Dutcher	McIntosh	Schmedika	Wichman

Nays, none.

Absent or not voting, 14.

Abben	Brookins	Holdoegel	Snook
Adams	Browne	Reed	Tuck
Bergman	Goodwin	Romkey	
Bowman	Haskell	Smith	

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on House File No. 212, on the part of the Senate, Senators Mantz, Perkins, Hartman and Brookins.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate concurrent resolution No. 9, relating to recess, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out the figures "27th" and inserting in lieu thereof the figures "28th".

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Banta	Campbell	Fulton	Kimberly
Bowman	Cessna	Hartman	McIntosh
Brookins	Darting	Haskell	Mantz
Buser	Dutcher	Holdoegel	Mead
Caldwell	Ethell	Johnston	Nelson

Newberry	Schmedika	Snook	White
Olson	Shaff	Stoddard	Wichman
Perkins	Shane	Thurston	
Rees	Slosson	Tuck	

Nays, 1.

Brookhart

Absent or not voting, 15.

Abben	Browne	Horchem	Scott
Adams	Gilchrist	Price	Shinn
Baird	Goodwin	Reed	Smith
Bergman	Hale	Romkey	

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. 228, a bill for an act relating to manner of commencing actions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 144, a bill for an act relating to relief for soldiers, sailors, and marines.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 91, a bill for an act relating to the state university.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 117, a bill for an act relating to the establishment of highways.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 119, a bill for an act relating to state highway commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 125, a bill for an act relating to the destruction of weeds.

Also: That the House has adopted the conference committee report and the amendments proposed therein on the following bill:

Senate File No. 165, a bill for an act relating to municipal corporations—public libraries.

Also: That the House has receded from its amendment adding section 41-a1 to the following bill:

Senate File No. 187, a bill for an act relating to eminent domain.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 208, a bill for an act relating to the banking department.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 40, a bill for an act 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.

Also: That the House has concurred in Senate amendment to the following bill:

House File No. 180, a bill for an act relating to municipal corporations.

Also: That the House has adopted the following resolution in which the concurrence of the Senate is asked:

Concurrent Resolution No. 11 relating to the selling price of gasoline.

Also: That the House has amended and adopted the following resolution in which the concurrence of the House was asked:

Concurrent Resolution No. 9 relating to the March first recess of the General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 144, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors, and marines.

Read first and second times and referred to committee on county and township affairs.

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 times and referred to committee on judiciary No. 2.

THIRD READING OF BILLS

On motion of Senator Wichman House 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, 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 to said bill the following as Sec. 23:

Sec. 23. Sex no disqualification.

No person shall be disqualified on account of sex from holding any office created by the statutes of this state.

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, 35.

Banta	Ethell	Mead	Shaff
Bowman	Fulton	Nelson	Shane
Brookhart	Hale	Newberry	Slosson
Brookins	Hartman	Olson	Stoddard
Buser	Haskell	Perkins	Thurston
Caldwell	Johnston	Rees	Tuck
Campbell	Kimberly	Romkey	White
Cessna	McIntosh	Schmedika	Wichman
Dutcher	Mantz	Scott	

Nays, none.

Absent or not voting, 15.

Abben	Browne	Holdoegel	Shinn
Adams	Darting	Horchem	Smith
Baird	Gilchrist	Price	Snook
Bergman	Goodwin	Reed	

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 by striking the period (.) at the end of the title and adding the following: "and authorizing the holding of office."

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

Ayes, 35.

Banta	Ethell	Newberry	Shinn
Bowman	Fulton	Olson	Slosson
Brookhart	Hale	Perkins	Snook
Brookins	Haskell	Rees	Stoddard
Buser	Johnston	Romkey	Thurston
Caldwell	Kimberly	Schmedika	Tuck
Campbell	McIntosh	Scott	White
Cessna	Mead	Shaff	Wichman
Dutcher	Nelson	Shane	

Nays, none.

Absent or not voting, 15.

Abben	Browne	Hartman	Price
Adams	Darting	Holdoegel	Reed
Baird	Gilchrist	Horchem	Smith
Bergman	Goodwin	Mantz	

The amendment was adopted, and the title, as amended, was agreed to.

By unanimous consent Senator Wichman withdrew Senate File No. 20 from further consideration.

On motion of Senator Newberry 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 Wichman 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 and of the supplement to said code, relating to the removal of obstructions from public highways and to advertising signs and billboards which obstruct the view of public highways and railway tracks, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend section 5 by striking out the word "highway" and inserting in lieu thereof the word "county" in line two thereof, and insert after the

word "engineer" in said line two of section 5 the words "if no county engineer has been appointed then under the supervision of the board of supervisors".

Amend section 7 by striking out of lines 2 and 3 the words "traveled portion of the" and by inserting following the word "jurisdiction" in line 3 of said section the words "all trees located within the right of way which interfere with the construction, maintenance or use of the highways and from the traveled portion of the highways".

Amend by adding new sections as follows:

"Sec. 13. Billboards and signs in public highways.

Billboards and advertising signs shall not be placed, erected or maintained within the boundary lines of the public highways.

Sec. 14. Right and duty to remove.

All billboards and advertising signs as specified in the last preceding section shall, without liability in damages, be removable:

1. By the state highway commission or board of supervisors in case of primary roads.
2. By the board of supervisors in case of county roads.
3. By the township trustees in case of township roads."

The first amendment was adopted.

Senator Nelson moved the previous question on the second amendment, which motion was lost.

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

Ayes, 3.

Brookins	Holdoegel	Wichman
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Nays, 34.

Brookhart	Hale	Newberry	Shinn
Buser	Hartman	Olson	Slosson
Caldwell	Haskell	Perkins	Snook
Campbell	Johnston	Price	Stoddard
Cessna	Kimberly	Rees	Thurston
Darting	McIntosh	Romkey	Tuck
Dutcher	Mantz	Schmedika	White
Ethell	Mead	Shaff	
Fulton	Nelson	Shane	

Absent or not voting, 13.

Abben	Bergman	Goodwin	Scott
Adams	Bowman	Horchem	Smith
Baird	Browne	Reed	
Banta	Gilchrist		

The amendment was lost.

Senator Dutcher offered the following amendment to the third amendment and moved its adoption:

Amend the third committee amendment by striking out all of section 13 of said amendment except the first line thereof and inserting in lieu thereof the following: "Billboards and advertising signs shall not hereafter be placed or erected within the boundary lines of the public highways".

The amendment to the amendment was adopted.

Senator Dutcher offered the following amendment to the third amendment and moved its adoption:

Amend by striking out the following language in section 14 of the amendment, "All billboards and advertising signs as specified in the last preceding section shall, without liability in damages, be removable," and inserting in lieu thereof the following: "All billboards and advertising signs now placed or erected within the boundary lines of the public highways shall, without liability in damages, be removable:"

The amendment to the amendment was adopted.

The third amendment as amended was adopted.

Senator Holdoegel offered the following amendments and moved their adoption:

Amend by striking out the word "highway" preceding the word "engineer" in line two (2) of section four (4) and by inserting in lieu thereof the word "county".

Also insert following the word "engineer" in line two (2) of section four (4) the following: "if no county engineer has been appointed, then under the supervision of the board of supervisors".

The amendments were adopted.

Senator Tuck offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 2 the word and figures "thirty (30)" and inserting in lieu thereof the word and figures "ninety (90)".

Senator Tuck withdrew his amendment.

Senator Tuck offered the following amendment and moved its adoption:

Amend by striking out all of section 2 and inserting in lieu thereof the following:

"Sec. 2. Poles used for telephone, telegraph, or other transmission purposes, shall not be removed until notice, in writing, of not less than thirty (30) days, has been given to the owner or company operating such lines; and in case of fences, notice in writing of not less than ninety (90)

days has been given to the owner, occupant or agent of the land inclosed by said fence."

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, 27.

Banta	Goodwin	Newberry	Shane
Bowman	Hartman	Olson	Snook
Brookhart	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Rees	Tuck
Dutcher	Horchem	Romkey	White
Ethell	Kimberly	Scott	Wichman
Fulton	Mantz	Shaff	

Nays, 11.

Buser	Johnston	Nelson	Slosson
Caldwell	McIntosh	Schmedika	Thurston
Hale	Mead	Shinn	

Absent or not voting, 12.

Abben	Bergman	Cessna	Price
Adams	Browne	Darting	Reed
Baird	Campbell	Gilchrist	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 Holdoegel withdrew Senate File No. 126 from further consideration.

On motion of Senator Dutcher House File No. 198, a bill for an act to amend, revise, and codify sections fifty-one hundred seventy-nine-a one (5179-a1) to fifty-one hundred seventy-nine-a thirteen (5179-a13), inclusive, of the supplement to the compiled code of Iowa, relating to regulation of common carriers in respect to schedules of rates and charges, 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, 37.

Banta	Ethell	Mantz	Slosson
Bowman	Fulton	Mead	Snook
Brookhart	Goodwin	Nelson	Stoddard
Brookins	Hartman	Newberry	Thurston
Buser	Haskell	Olson	Tuck
Caldwell	Holdoegel	Perkins	White
Campbell	Horchem	Schmedika	Wichman
Cessna	Johnston	Scott	
Darting	Kimberly	Shaff	
Dutcher	McIntosh	Shane	

Nays, none.

Absent or not voting, 13.

Abben	Browne	Reed	Shinn
Adams	Gilchrist	Rees	Smith
Baird	Hale	Romkey	
Bergman	Price		

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

By unanimous consent Senator Dutcher withdrew Senate File No. 198 from further consideration.

On motion of Senator Thurston House File No. 188, 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, 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 section four (4) by adding after the word "railroad" in line three (3) the words "or other transportation" and by striking out the word "trains" in line three (3) thereof.

Amend section five (5) by adding after the words "railway companies" in line three (3) the words "motor carriers".

Senator Dutcher offered the following amendment and moved its adoption:

Amend by striking out the word "gauges" and the comma (,) following said word in the eighth line of section 30, and inserting in lieu thereof the word "gauged".

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, 40.

Baird	Fulton	Mantz	Scott
Banta	Gilchrist	Mead	Shaff
Brookhart	Hale	Nelson	Shane
Brookins	Hartman	Newberry	Shinn
Buser	Haskell	Olson	Snook
Caldwell	Holdoegel	Perkins	Stoddard
Campbell	Horchem	Price	Thurston
Cessna	Johnston	Rees	Tuck
Darting	Kimberly	Romkey	White
Ethell	McIntosh	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Abben	Bowman	Goodwin	Slosson
Adams	Browne	Reed	Smith
Bergman	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 Newberry Senate File No. 101, a bill for an act to amend, revise, and codify sections two thousand five hundred thirty-five (2535) to two thousand five hundred thirty-seven (2537), inclusive, two thousand five hundred forty-two (2542) to two thousand five hundred forty-four (2544), inclusive, two thousand five hundred forty-nine (2549) 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 sections two thousand five hundred forty-five-a one (2545-a1) to two thousand five hundred forty-five-a four (2545-a4), inclusive, two thousand five hundred fifty-eight-a one (2558-a1), and

two thousand five hundred seventy-eight (2578) of the supplement to said code, relating to education, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend section 3, line 4, by striking out the word "make" and inserting before the word "or" in the same line the word "lease".

Also amend by striking out of line 6 of section 3 the words "of such sale" and inserting in lieu thereof the word "thereof".

Amend by striking out section 11 and inserting in lieu thereof the following:

"Sec. 11. Division into precincts.

The precincts for all school elections in districts in whole or in part in cities and towns shall be the same as for the last general state election but the board may consolidate two or more of such precincts into one unless there shall be filed with the secretary of the board at least twenty (20) days before the election a petition signed by twenty-five (25) or more electors of any precinct requesting that such precinct shall not be consolidated with any other precinct. To such petition shall be attached the affidavit of an elector of the precinct that all the signers thereof are electors of such precinct and that the signatures thereto are genuine. If there is within the school corporation any territory not within the limits of the city or town, the board shall attach the same for school election purposes to such precinct or precincts as will afford the voters residing on such territory the most convenient place at which to vote, but the voters of such territory shall not be required to register. The board shall designate in each precinct a suitable and convenient voting place.

Sec. 11-a1. Registration districts.

For registration purposes, the board may consolidate precincts into registration districts as provided by the law applicable to registration for general elections, and shall designate suitable and convenient places for such registration."

Amend section 13 by striking out of lines 1 and 2 the following words: "The secretary of independent city or town and consolidated districts" and inserting in lieu thereof the words: "The secretary of school corporations in which registration is required".

Amend section 17 by striking out the first sentence and inserting in lieu thereof the following: "The board of directors of each school corporation shall meet and organize at two (2) o'clock P. M. or at seven-thirty (7:30) o'clock P. M. if so ordered by the president of the board, on the third Monday in March each year at some suitable place to be designated by the secretary. Notice of the place and hour of such meeting shall be given by the secretary to each member and each member elect of the board."

Amend section 18 by inserting after the period at the end of line 6 the following words: "If after the annual settlement it shall appear that there is a surplus in the general fund, the board may, in its discretion, transfer any or all of such surplus to the schoolhouse fund."

Amend section 19 by striking out of lines 4 and 5 the following: "or may provide that the county treasurer shall perform the duties of the treasurer of the school corporation", also strike out the comma (,) after the word "treasurer" at the end of line 3 and insert in lieu thereof a period (.).

Amend section 21 by inserting in line 7 after the word "child" and before the word "so" the words: "who in its judgment is". Also, by inserting after the word "tobacco" in line 11 the words: "and other narcotics".

Amend section 23 by inserting the words "or school" after the word "calendar" in line 9.

Amend by striking out all of section 25.

Amend by striking out all of section 29.

Amend section 33 by inserting after the word "districts" in line 1 the following: "where school has been closed as provided in the preceding section".

Amend by inserting as section 39-a1 the following:

"Sec. 39-a1. Tuition in charitable institutions.

When any child is cared for in any charitable institution in this state which does not maintain a school providing secular instruction, and which institution is organized and operating under the laws of Iowa, and the domicile of the child is in another school district than that wherein the institution is situated, then such child shall be entitled to attend school in the district where such institution is located. In such case, the district which provides schooling for such child shall be entitled to receive tuition not exceeding the average cost thereof in the department of the school in which schooling is given, and not exceeding eight dollars (\$8.00) per month for tuition in schools below the high school grade, and not exceeding twelve dollars (\$12.00) per month for tuition in high school grades. Such tuition shall be paid by the county of the domicile of such child. Any county so paying tuition shall be entitled to recover the amount paid therefor from the parent of such child. This section shall not apply to charitable institutions which are maintained at state expense."

Amend by renumbering the sections according to the above amendments.

By unanimous consent on request of Senator Holdoegel the last committee amendment, with reference to renumbering the sections, was withdrawn.

The committee amendments were adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 1 of section 24 the words "or school township".

Senator Buser withdrew his amendment.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting after the word "township" in line 2 of section 24 the words "where there is a township high school".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out of section 10 the following: "In the application of the absent voters' law, the secretary of the board shall perform the duties therein imposed upon the county auditor or clerk of the city or town."

The amendment was adopted.

Senator Holdoegel offered the following amendment and moved its adoption:

Amend by striking the word "rule" from line 5 of section 24 and inserting in lieu thereof the words "rules adopted by the board".

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, 38.

Banta	Fulton	Mantz	Shane
Bowman	Goodwin	Mead	Shinn
Brookhart	Hale	Nelson	Snook
Brookins	Hartman	Newberry	Stoddard
Buser	Haskell	Olson	Thurston
Caldwell	Holdoegel	Perkins	Tuck
Campbell	Horchem	Rees	White
Cessna	Johnston	Schmedika	Wichman
Darting	Kimberly	Scott	
Dutcher	McIntosh	Shaff	

Nays, none

Absent or not voting, 12.

Abben	Bergman	Gilchrist	Romkey
Adams	Browne	Price	Slosson
Baird	Ethell	Reed	Smith

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

Senator Brookhart offered the following amendment to the title and moved its adoption:

Amend the title by changing the period at the end of the title to a comma and adding the following: "and to provide tuition for children in certain charitable institutions".

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

Ayes, 37.

Baird	Darting	Kimberly	Shaff
Banta	Dutcher	McIntosh	Shane
Bowman	Fulton	Mantz	Snook
Brookhart	Goodwin	Mead	Stoddard
Brookins	Hale	Nelson	Thurston
Browne	Hartman	Newberry	White
Buser	Haskell	Olson	Wichman
Caldwell	Holdoegel	Perkins	
Campbell	Horchem	Rees	
Cessna	Johnston	Schmedika	

Nays, 1.

Shinn

Absent or not voting, 12.

Abben	Ethell	Reed	Slosson
Adams	Gilchrist	Romkey	Smith
Bergman	Price	Scott	Tuck

The amendment to the title was adopted and the title, as amended, was agreed to.

SENATE FILE NO. 40 WITHDRAWN

By unanimous consent Senator Brookhart withdrew Senate File No. 40 from further consideration.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 119, amended as follows by the House:

Amend section five (5), line five (5), by striking out the words "trav-

eling and other"; also amend section five (5) by inserting between the words "all" and "necessary" in line five (5) thereof the word "actual".

Amend by striking out all of subsection ten of section six, and inserting in lieu thereof the following:

"Establish a system of uniform guide and warning signs for use upon the primary road system, and furnish said signs to the several boards of supervisors upon application of said board at actual cost. The work of marking said primary road system shall be done by the board of supervisors under the supervision of the highway commission and paid for out of the county's allotment of the primary road fund."

Senator Brookhart offered the following amendment to the House amendments and moved its adoption:

Amend by adding the following after the word "fund" in the last line: "Providing that where primary roads are now well marked such uniform marking shall be deferred until the present markings need renewing".

Senator Holdoegel offered the following amendment to Senator Brookhart's amendment and moved its adoption:

Amend by inserting after the word "marked" the words "in conformity with the recommendation of the highway commission".

On the question "Shall the amendment to Senator Brookhart's amendment be adopted?" the vote was:

Ayes, 12.

Abben	Caldwell	Newberry	Shaff
Banta	Goodwin	Olson	White
Brookins	Holdoegel	Perkins	Wichman

Nays, 26.

Baird	Fulton	Mantz	Scott
Bowman	Hale	Mead	Shinn
Brookhart	Hartman	Nelson	Snook
Buser	Haskell	Price	Stoddard
Campbell	Horchem	Rees	Thurston
Cessna	Johnston	Romkey	
Ethell	Kimberly	Schmedika	

Absent or not voting, 12.

Adams	Darting	McIntosh	Slosson
Bergman	Dutcher	Reed	Smith
Browne	Gilchrist	Shane	Tuck

The amendment was lost.

Senator Brookhart's amendment was adopted.

Senator Dutcher offered the following amendment to the House amendment and moved its adoption:

Amend by striking from the third line of the proposed subsection 10 of section 6 the words "upon application of said board".

The amendment was lost.

Senator Brookhart moved that the Senate concur in the House amendments.

On the question "Shall the Senate concur?" the vote was:

Ayes, 20.

Baird	Darting	Johnston	Schmedika
Brookhart	Ethell	Nelson	Shinn
Buser	Fulton	Price	Snook
Campbell	Hale	Rees	Thurston
Cessna	Hartman	Romkey	White

Nays, 19.

Abben	Dutcher	Mantz	Shaff
Banta	Goodwin	Mead	Stoddard
Bowman	Haskell	Newberry	Tuck
Brookins	Holdoegel	Olson	Wichman
Caldwell	Kimberly	Scott	

Absent or not voting, 11.

Adams	Gilchrist	Perkins	Slosson
Bergman	Horchem	Reed	Smith
Browne	McIntosh	Shane	

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

AMENDMENTS FILED TO SENATE FILE NO. 277

MR. PRESIDENT: I move to amend Senate File No. 277 by adding immediately after section 185 the following:

"Sec. 185-a1. Stationery unlighted vehicle.

No person shall, during any part of the time from one-half hour after sunset to one-half hour before sunrise, permit a motor vehicle, under his control, to stand upon the traveled portion of any highway with the front or rear lights extinguished unless said highway is artificially lighted at the place where the vehicle is located to such extent as to clearly indicate the presence of said vehicle. A violation of this section shall constitute a misdemeanor and be punished accordingly.

Sec. 185-a2. Exception.

The last preceding section shall not apply when an accident extinguishes said lights and renders the vehicle incapable of use, and when the person in control of the vehicle erects, at the earliest opportunity

after the accident, such proper lights at or near the vehicle as will give warning of the presence of said vehicle."

B. M. STODDARD.

The Journal of February 13th was corrected and approved.

Senator Shinn moved that the Senate adjourn until 9 a. m. Friday.

Senator Brookins moved to amend the motion by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1924.

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

Prayer was offered by Rev. Carl Brown, pastor of the Methodist Episcopal church, of Shannon City, Iowa.

On motion of Senator Stoddard 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 Nelson; Senator Browne for the day, on request of Senator Nelson; Senator Adams for the day, on request of Senator Thurston.

INTRODUCTION OF BILLS

Senate File No. 299, by Senator Ethell, a bill for an act legalizing the transfer of certain funds by the county treasurer of Appanoose county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

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. 180 and 208.

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. 180 and 208.

RESIGNATION OF MEMBER OF COMMITTEE

MR. PRESIDENT: Since my appointment as a member of the special investigating committee appointed under the resolution asking for the investigation of certain things in connection with the office of the Insurance Commissioner, I have been elected a member of the board of directors of an insurance company, and I deem it advisable, in view of such fact, to resign as a member of said committee, and do hereby tender my resignation.

FRANK SHANE.

The resignation was accepted.

HOUSE CONCURRENT RESOLUTION NO. 11 CONSIDERED

On the motion of Senator Baird the following resolution was taken up and considered:

Whereas, The retail selling price of gasoline has been increased six cents per gallon in the state of Iowa, within the past forty days by all companies operating in the state, and

Whereas, There appears to be no economic condition in the oil industry that justifies such an advance in price or the maintenance of the present retail price, and

Whereas, It is apparent that the advance in price and the maintenance of the present retail price and the adherence to such prices by all companies is due to an unlawful combination controlling the industry, and

Whereas, The President of the United States has ordered the department of justice to make an investigation of the causes of the recent advances and the present high prices of the commodity; now, therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring: That we most earnestly commend President Coolidge upon his action in ordering a full and complete investigation of the present high price of gasoline and of conditions relating to the production and sale of the product for the purpose of determining whether there exists an unlawful combination in connection therewith and that we pledge to him the unqualified support of this legislature and that of the people of our state in his endeavor to prevent oppression of the people by what appears to be an unlawful combination and an unfair trade practice; and

Be It Further Resolved, That a copy of this resolution be forwarded to the President and to each of the members of Congress from this state.

The resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Thurston House File No. 46, a bill for

an act to amend, revise, and codify sections eight hundred seventy-three (873) to eight hundred eighty (880), 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, 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, 37.

Abben	Darting	Mantz	Shaff
Baird	Ethell	Mead	Shane
Banta	Fulton	Nelson	Shinn
Bowman	Gilchrist	Newberry	Snook
Brookhart	Hale	Olson	Thurston
Brookins	Haskell	Perkins	Tuck
Buser	Holdoegel	Price	White
Caldwell	Horchem	Rees	
Campbell	Johnston	Romkey	
Cessna	McIntosh	Schmedika	

Nays, none.

Absent or not voting, 13.

Adams	Goodwin	Reed	Smith
Bergman	Hartman	Scott	Stoddard
Browne	Kimberly	Slosson	Wichman
Dutcher			

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.

By unanimous consent Senator Thurston withdrew Senate File No. 46 from further consideration.

On motion of Senator Brookhart 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.

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, 39.

Abben	Darting	Kimberly	Romkey
Baird	Dutcher	McIntosh	Schmedika
Banta	Fulton	Mantz	Scott
Bowman	Gilchrist	Mead	Shaff
Brookhart	Hale	Nelson	Shane
Brookins	Hartman	Newberry	Shinn
Buser	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Thurston
Campbell	Horchem	Price	Tuck
Cessna	Johnston	Rees	

Nays, none.

Absent or not voting, 11.

Adams	Ethell	Slosson	White
Bergman	Goodwin	Smith	Wichman
Browne	Reed	Snook	

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. 252 from further consideration.

On motion of Senator Thurston House 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, 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	Fulton	Mantz	Scott
Baird	Gilchrist	Mead	Shaff
Banta	Hale	Nelson	Shane
Bowman	Hartman	Newberry	Shinn
Brookhart	Haskell	Olson	Snook
Brookins	Holdoegel	Perkins	Stoddard
Buser	Horchem	Price	Thurston
Caldwell	Johnston	Rees	Tuck
Campbell	Kimberly	Romkey	White
Cessna	McIntosh	Schmedika	

Nays, none.

Absent or not voting, 11.

Adams	Darting	Goodwin	Smith
Bergman	Dutcher	Reed	Wichman
Browne	Ethell	Slosson	

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

By unanimous consent Senator Thurston withdrew Senate File No. 44 from further consideration.

On motion of Senator Shane Senate File No. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public, 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 the following words at the end of the last section "without expense to the state".

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	Dutcher	Johnston	Romkey
Baird	Fulton	Kimberly	Schmedika
Banta	Gilchrist	Mantz	Scott
Bowman	Goodwin	Nelson	Shane
Brookhart	Hale	Newberry	Shinn
Brookins	Hartman	Olson	Stoddard
Caldwell	Haskell	Perkins	Thurston
Campbell	Holdoegel	Price	Tuck
Cessna	Horchem	Rees	White

Nays, none.

Absent or not voting, 14.

Adams	Darting	Reed	Snook
Bergman	Ethell	Shaff	Wichman
Browne	McIntosh	Slosson	
Buser	Mead	Smith	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to. The Journal of February 14th was corrected and approved.

Senator McIntosh moved that the Senate adjourn until 4 p. m.

Senator Price moved to amend the motion making the hour 3 p. m.

Senator Buser moved as a substitute amendment that the hour be made 1:30 p. m.

The substitute amendment was lost.

The amendment by Senator Price was adopted.

The motion prevailed and the Senate adjourned until 3 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President John Hammill presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Holdoegel called up for consideration Senate File No. 125, amended as follows by the House:

(1) Amend by striking therefrom all of sections 5, 6 and 6-a1 and inserting in lieu thereof the following:

"Sec. 5. Order for destruction.

The board of supervisors of each county shall, at their April meeting of each year, by resolution make an order fixing the time for destruction of noxious weeds on private lands and may fix different times for the destruction of different varieties of weeds.

Sec. 6. Notice of order.

Notice of aforesaid order shall be given by one publication in the official newspapers of the county and shall be directed to all property owners. Said notice shall state:

1. Time for destruction.
2. Manner of destruction if other than cutting above the surface of the ground.

3. That unless said order is complied with the trustees (or council or commissioners as the case may be) will cause said weeds to be destroyed and the cost thereof to be taxed to the owner of the property."

(2) Also amend by striking from lines 5 and 6 of section 9 the words "given in the same manner as originally given to owners as hereinbefore provided" and inserting in lieu thereof the following "personally served if the owner is a resident of the township, city or town".

(3) Amend by striking out section 9-a1 and inserting in lieu thereof the following:

"Where the owner is not a resident of the township, city or town, said notice of assessment may be given by mailing the same by registered letter to the last known address of the person owning or controlling the premises."

(4) Amend by inserting after the word "order" in line 3 of section 7 the words "or a failure to destroy weeds on highways between the dates fixed".

Amend the title to read as follows:

"A bill for an act to amend, revise, and codify sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008), and three thousand nine (3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code, relating to the destruction of weeds on private lands and public highways."

Amend the sub-clause following the enacting clause by striking all of said clause and inserting in lieu thereof the following:

"That sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008) and three thousand nine (3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code are amended, revised and codified to read as follows:".

Amend section seven (7) by striking from line 5 the word "shall" as it appears between the words "meetings" and "be" and inserting the word "may"; also by striking the word "paid" as it appears between the words "be" and "from" and inserting the word "advanced"; also by placing a period following the word "be" in line 7 and striking the remainder of said section.

Amend section two (2) by inserting before the word "and" in line 8 the following: "sow thistles (*souchus arvensis*)".

Senator Holdoegel offered the following amendments to the House amendments and moved their adoption:

Amend House amendment to section 6 of Senate File No. 125 by adding as subsection 4 the following:

"4. Before expense for the eradication of weeds is incurred, the record owner of said land shall be notified, either in person or by registered mail, at least ten (10) days prior to the time that the weeds are to be removed, by the official acting as secretary or clerk of the body issuing said order

that the weeds are to be destroyed, and the certified statement of the official serving the notice shall be conclusive evidence that the notice has been served."

Amend House amendment to section 9-a1 by striking out the period at the end thereof and inserting in lieu thereof a comma (.) and by adding thereto the following: "and the certified statement of the person serving the notice that the notice has been so served shall be conclusive evidence of its service."

Senator Rees offered the following amendment to Senator Holdoegel's amendment and moved its adoption:

Amend by striking the word and figures "ten (10)" from the proposed subsection 4 and inserting in lieu thereof the word and figures "fifteen (15)".

The amendment was lost.

Senator Holdoegel offered the following amendment to his amendment and moved its adoption:

Amend by inserting after the word "notified" in line 3 of the proposed subsection 4 the following: "at his last known postoffice address and if his postoffice address is unknown, notice is unnecessary."

On motion of Senator Holdoegel further action was deferred.

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. 130, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards of supervisors, 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 House File No. 144, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors, and marines, 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 in section 10, line 2, the words "in which such person died" and inserting in lieu thereof the words "of which such person was a resident."

JOHN J. ETHELL, *Chairman.*

Ordered passed on file.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 168, a bill for an act relating to municipal corporations—streets and public grounds, 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. 154, a bill for an act relating to municipal corporations—organization and officers, 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 nine (9), line five (5), by striking the words and figures "two per cent (2%)" and inserting in lieu thereof the words and figures "two and one-half per cent (2½%)".

W. G. HASKELL, *Chairman.*

Ordered passed on file.

AMENDMENT FILED TO HOUSE FILE NO. 71

MR. PRESIDENT: I move to amend House File No. 71 as follows:

By inserting the word "frightening" and a comma (,) after the word "worrying" as it occurs in line 3 of section 82.

FRANK SHANE.

AMENDMENTS TO HOUSE AMENDMENTS

Senator Holdoegel filed the following amendment to the House amendments to Senate File No. 117:

Amend the House amendments to section ten (10) of Senate File No. 117 by striking therefrom the following:

"amend said section by striking out the period after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing to such owner and mortgagee of record, by registered mail, addressed to his last known address with a copy of such notice.'", and by inserting in lieu thereof the following:

"Amend said section by striking out the period after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing by registered mail a copy of such notice to

such owner and mortgagee of record addressed to his last known address and the county auditor shall furnish to the board of supervisors his affidavit that such notice has been sent, which affidavit shall be conclusive evidence of the mailing of such notice."

On motion of Senator Gilchrist the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 16, 1924.

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

Prayer was offered by Rev. S. C. Wadding, pastor of the Park Avenue Presbyterian church, of Des Moines.

On motion of Senator Thurston rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Senator Abben presented a petition from citizens of Ocheyedan, endorsing the appropriation of \$5,000 for Iowa Child Welfare Commission. Referred to committee on appropriations.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Wichman for the day, on request of Senator Nelson; Senator Haskell for the day, on request of Senator Mead; Senator Adams for the day, on request of Senator Thurston; Senator Campbell for the day, on request of Senator Thurston; Senator Scott for the day, on request of Senator Cessna; Senator Shinn for the day, on request of Senator Cessna; Senator Stoddard for the day, on request of Senator Abben; Senator Dutcher for the day, on request of Senator Banta; Senator Romkey for the day, on request of Senator Price; Senator Brookhart for the day, on request of Senator Price; Senator Shaff for the day, on request of Senator Newberry; Senator Darting for the day, on request of Senator Mead.

The roll was called to ascertain whether there was a quorum present.

The roll call revealed the presence of a quorum.

REPORT OF COMMITTEE

Senator Slosson submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 277, a bill for an act to amend, revise and codify

chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matter, 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:

1. Amend section one (1) by striking all of subsection one (1) and inserting in lieu thereof the following: Subsection one (1): The term "motor vehicle" except where otherwise expressly provided shall include all vehicles propelled by any power other than muscular power, except traction engines, road rollers, fire wagons and engines, police patrols, city and town ambulances, city and government vehicles, clearly marked as such, and such vehicles as will run only upon tracks or rails.

2. Amend section thirty-seven (37) by striking from line one (1) following the word "person" the following: "firm or corporation".

3. Amend section thirty-eight (38) by striking the period at the end of the second paragraph and adding thereto the following "or trailer."

4. Amend section one hundred twenty (120) by inserting after the word "lenses" in line one (1) the following "or devices." Also by inserting after the word "lenses" in line three (3) "or devices." Also by inserting after the word "chapter" in line four (4) the following "and when installed."

5. Amend section one hundred twenty-one (121) by inserting in line two (2) after the word "lenses" "and devices". Also insert "and devices" at the end of line two (2). Also after the word "lenses" in line five (5) "and devices".

6. Also amend section one hundred twenty-nine (129) by adding as section one hundred twenty-nine-a (129-a) the following:

"The board of supervisors of any county may designate certain public highways whereon heavily laden vehicles may be excluded and make such other reasonable regulation in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvement thereon."

7. Amend section one hundred thirty (130) by striking the period at the end of line four (4) and inserting in lieu thereof the following: "and to designate by ordinance the conditions under which vehicles may be parked in public streets or alleys during the hours of darkness".

8. Amend section one hundred thirty-two (132) by inserting after the word "registration" in line eleven (11) of subsection three (3) the following: "and each transfer."

9. Amend section one hundred forty-four (144) by inserting in line three (3) after the word "license" the following "and transfer".

10. Amend section one hundred sixty (160) by inserting after the word "a" appearing in line one (1) the word "motor".

11. Amend by striking from the bill sections one hundred sixty-two-a1 (162-a1) and one hundred sixty-two-a two (162-a2).

12. Amend section one hundred ninety-nine-a one (199-a1) by striking from line one (1) the following "he who" and insreting in lieu thereof "any person who".

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 237, a bill for an act relating to wills and letters of administration.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 93, a bill for an act relating to the state college of agriculture and mechanic arts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 254, a bill for an act relating to labor and material on public improvements.

Also: That the House has passed the following bill in which the concurrence of the Senate is askēd:

House File No. 30, a bill for an act relating to contest on state officers.

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 relating to guardianship and estate matters.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 65, a bill for an act relating to the department of agriculture.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 50, a bill for an act relating to the suspension of state officers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 54, a bill for an act relating to propagation and protection of fish, game, wild birds, and animals.

Also: That the Speaker has appointed as conference committee on the part of the House on House File No. 212, a bill for an act relating to certain special liens, Representatives Doolittle, Vincent, McClune and Saunders.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

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 times and referred to committee on elections.

House 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 times and referred to committee on elections.

House File No. 65, a bill for an act to amend, revise, and codify sections nine hundred seven (907), fourteen hundred forty (1440), fourteen hundred forty-three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six (1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1) to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, and seventeen hundred eleven (1711) of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations.

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

House 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 of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals.

Read first and second times and referred to committee on fish and game.

House File No. 254, a bill for an act to amend, revise, and codify 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 times and referred to committee on judiciary No. 1.

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), sixty-six hundred seventy (6670), 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 persons deceased.

Read first and second times and referred to committee on judiciary No. 2.

THIRD READING OF BILLS

On motion of Senator Buser, House 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 three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) 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, 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:

1. Amend section three (3) by striking from lines one (1) and two (2) "any animal trespassing upon land, fenced as provided by law, may be distrained by the owner of such land and held" and insert in lieu thereof: "Any trespassing animal may be distrained and held by the owner of the land trespassed upon".

2. Amend section eleven (11) by adding to the end of said section the following: "The trustees shall immediately fix a time for the assessment of such damages and notify the owner of the animal accordingly."

3. Strike out of section thirty-five (35) in lines three (3) and four (4), "and if only a part of the stock thus included is" and insert "and if fewer than the whole number of animals thus included are".

4. In section thirty-nine (39), line three (3), insert the words "bred and" following the word "be".

Senator Shane offered the following amendment and moved its adoption:

Amend by inserting the word "frightening" and a comma (,) after the word "worrying" as it occurs in line 3 of section 82.

Senator Shane offered the following amendment to his amendment and moved its adoption:

Amend by striking out the word "frightening" and inserting in lieu thereof the word "chasing".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Ethell offered the following amendments and moved their adoption:

Amend by striking the word "January" from line 2 of section 55 and line 1 of section 56 and inserting in lieu thereof the word "March".

Also amend by striking out all of section 59.

The amendments were adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 7 the word "reasonable" and inserting in lieu thereof the word "immediate".

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, 33.

Abben	Fulton	Mantz	Slosson
Baird	Gilchrist	Nelson	Smith
Banta	Hale	Newberry	Snook
Brookins	Hartman	Olson	Thurston
Browne	Holdoegel	Price	Tuck
Buser	Horchem	Reed	White
Caldwell	Johnston	Rees	
Cessna	Kimberly	Schmedika	
Ethell	McIntosh	Shane	

Nays, none.

Absent or not voting, 17.

Adams	Darting	Mead	Shaff
Bergman	Dutcher	Perkins	Shinn
Bowman	Goodwin	Romkey	Stoddard
Brookhart	Haskell	Scott	Wichman
Campbell			

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. 71 from further consideration.

On motion of Senator Reed, House File No. 250, 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, 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 pill bass?" the vote was:

Ayes, 29.

Abben	Fulton	Mantz	Shane
Baird	Goodwin	Mead	Slosson
Banta	Hale	Nelson	Smith
Brookins	Hartman	Newberry	Snook
Buser	Holdoegel	Price	Thurston
Caldwell	Johnston	Reed	
Cessna	Kimberly	Rees	
Ethell	McIntosh	Schemdika	

Nays, none.

Absent or not voting, 21.

Adams	Darting	Olson	Shinn
Bergman	Dutcher	Perkins	Stoddard
Rowman	Gilchrist	Romkey	Tuck
Brookhart	Haskell	Scott	White
Browne	Horchem	Shaff	Wichman
Campbell			

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. 250 from further consideration.

The Journal of February 15th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 18, 1924.

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 Price rule 33 was suspended for the day.

REPORT OF COMMITTEE

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 68-a, a bill for an act to repeal section ten (10) of chapter two hundred eighty-seven (287), acts of the Thirty-eighth (38) General Assembly, as amended by chapter forty-four (44), acts of the Thirty-ninth (39) General Assembly, and by section one (1) of chapter forty-nine (49), acts of the Fortieth (40) General Assembly; section eleven (11) of chapter two hundred eighty-seven (287), acts of the Thirty-eighth (38) General Assembly, as amended by chapter one hundred ninety-four (194), acts of the Thirty-ninth (39) General Assembly; sections twelve (12) and thirteen (13) of chapter two hundred eighty-seven (287), acts of the Thirty-eighth (38) General Assembly; section three (3) of chapter one hundred sixty-nine (169), acts of the Thirty-ninth (39) General Assembly, etc., relating to the eradication of bovine tuberculosis, and to enact a substitute 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:

1. Amend section twenty-eight (28) by striking out all after the word "dollars" in line 7 down to and including the word "imprisonment" in line 9 of said section, and by placing a period after the word "dollars".
2. Amend section twenty-eight (28), line 10, by inserting after the word "the" the word "breeding".
3. Amend section twenty-eight (28), line 11, by changing the word "his" to the word "said".

J. D. BUSER, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Haskell, House File No. 154, 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 and section thirty-five hundred eleven-a one (3511-a1) of the supplement to said code, relating to municipal corporations, 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 nine (9), line five (5), by striking the words and figures "two per cent (2%)" and inserting in lieu thereof the words and figures "two and one-half per cent (2½%)".

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.

Abben	Darting	Johnston	Schmedika
Adams	Dutcher	Kimberly	Scott
Baird	Ethell	McIntosh	Shinn
Banta	Fulton	Mantz	Slosson
Bowman	Gilchrist	Mead	Snook
Brookins	Goodwin	Newberry	Stoddard
Browne	Hale	Price	Thurston
Buser	Haskell	Reed	White
Campbell	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 14.

Bergman	Hartman	Perkins	Shane
Brookhart	Holdoegel	Rees	Smith
Caldwell	Nelson	Shaff	Tuck
Cessna	Olson		

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

By unanimous consent Senator Haskell withdrew Senate File No. 154 from further consideration.

On motion of Senator Haskell, House File No. 168, a bill for an act to amend, revise, and 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, 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.

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

Ayes, 36.

Abben	Darting	Kimberly	Scott
Adams	Dutcher	McIntosh	Shinn
Baird	Ethell	Mantz	Slosson
Banta	Fulton	Newberry	Snook
Bowman	Gilchrist	Price	Stoddard
Brookins	Goodwin	Reed	Thurston
Buser	Hale	Rees	Tuck
Campbell	Haskell	Romkey	White
Cessna	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 14.

Bergman	Hartman	Nelson	Shaff
Brookhart	Holdoegel	Olson	Shane
Browne	Johnston	Perkins	Smith
Caldwell	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 Haskell withdrew Senate File No. 168 from further consideration.

On motion of Senator Ethell, House File No. 144, a bill for an act to amend, revise, and codify sections thirty-three hundred forty-two (3342) to thirty-three hundred forty-four (3344), inclusive, thirty-three hundred forty-six (3346) and thirty-three hundred forty-seven (3347) of the compiled code of Iowa, and section thirty-three hundred forty-five (3345) of the supplement to said code, relating to relief for soldiers, sailors and marines, 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 in section 10, line 2, the words "in which such person died" and inserting in lieu thereof the words "of which such person was a resident."

Senator Thurston offered the following amendments and moved their adoption:

Amend the title by striking the word "and" in the last line and striking the period (.) following the word "marines" and substituting a comma (,) for said period and by adding thereto "and nurses."

Amend section 1 by striking the word "and" preceding the word "marines" in line six (6) and by adding after the comma following the word "marines" the words "and nurses".

Amend section 3 by striking the word "or" in line 3 and by adding after comma following the word "marines" the words "or nurses".

Amend section 8 by striking the word "or" preceding the word "marine" in line four (4) and by placing a comma (,) after word "marine" in said line and by adding after said comma (,) the words "or nurse".

Amend section 9 by striking the word "or" in the first line and by placing a comma (,) after the word "marine" and by adding after said comma the words "or nurse".

Amend section 11 by striking from line 6 the word "or" preceding the word "marine" and adding after the word "marine" the following: ", or nurse".

The amendments were adopted.

Senator Fulton offered the following amendments and moved their adoption:

Amend by striking the words "United States" from line 5 of section 1.

Also amend by striking the words "of the United States" from lines 3 and 4 of section 3.

Also amend by striking the words "of the United States" from line 4 of section 8.

Also amend by striking the words "of the United States" from line 6 of section 11.

The amendment was lost.

The bill was read for information.

Senator Shinn moved 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	McIntosh	Scott
Adams	Goodwin	Mantz	Shinn
Baird	Hale	Mead	Slossen
Banta	Hartman	Newberry	Smith
Bowman	Haskell	Olson	Snook
Buser	Holdoegel	Price	Stoddard
Campbell	Horchem	Reed	Thurston
Ethell	Johnston	Rees	Tuck
Fulton	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 15.

Iergman	Caldwell	Nelson	Shane
Brookhart	Cessna	Perkins	White
Brookins	Darting	Romkey	Wichman
Browne	Dutcher	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 Ethell withdrew Senate File No. 144 from further consideration.

On motion of Senator Ethell, House File No. 130, a bill for an act to amend, revise, and codify section thirty-one hundred thirty-one (3131) of the compiled code of Iowa, and sections thirty-one hundred thirty (3130) and thirty-two hundred forty-one-a three (3241-a3) of the supplement to said code, relating to the powers and duties of boards of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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	Ethell	McIntosh	Scott
Adams	Fulton	Mantz	Shinn
Baird	Gilchrist	Mead	Slosson
Banta	Goodwin	Newberry	Smith
Bowman	Hale	Olson	Snook
Brookins	Hartman	Price	Stoddard
Browne	Holdoegel	Reed	Thurston
Buser	Horchem	Rees	Tuck
Campbell	Johnston	Romkey	White
Darting	Kimberly	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Cessa	Nelson	Shane
Brookhart	Dutcher	Perkins	
Caldwell	Haskell	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 Ethell withdrew Senate File No. 130 from further consideration.

On motion of Senator Wichman, House File No. 293, a bill for an act to legalize the transfer of funds by the city council of the city of Forest City, Iowa, was substituted for Senate File No. 298, taken up and considered, the rules having been suspended.

The bill was read for information.

Senator Wichman 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, 36.

Abben	Fulton	Kimberly	Schmedika
Adams	Gilchrist	McIntosh	Scott
Baird	Goodwin	Mantz	Slosson
Banta	Hale	Mead	Smith
Brookins	Hartman	Newberry	Snook
Browne	Haskell	Olson	Thurston
Campbell	Holdoegel	Price	Tuck
Darting	Horchem	Reed	White
Ethell	Johnston	Romkey	Wichman

Nays, none

Absent or not voting, 14.

Bergman	Caldwell	Perkins	Shinn
Bowman	Cessna	Rees	Stoddard
Brookhart	Dutcher	Shaff	
Buser	Nelson	Shane	

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

By unanimous consent Senator Wichman withdrew from further consideration Senate File No. 298, companion bill to House File No. 293.

CONFERENCE COMMITTEE REPORT CONSIDERED

On motion of Senator Ethell, the following conference committee report was taken up and considered:

MR. PRESIDENT: Your conference committee to which was referred Senate File No. 149, a bill for an act to amend, revise and codify section thirty-three hundred eighty-five (3385) of the compiled code of Iowa, relating to land surveys, begs leave to report that it has had the same under consideration, and recommends that the differences between the Senate and the House be compromised as follows:

1. That the House shall recede from the amendments proposed and adopted by it.

2. Amend Senate File No. 149 as passed by the Senate by adding thereto the following:

"That section thirty-three hundred eighty-nine (3389) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 2. Record to be furnished—presumptive evidence.

The county surveyor shall, when requested, furnish the person for whom the survey is made with a copy of the field notes and plat of the survey, and such copy, certified by him, and also a copy from the record, certified by the county auditor with the seal, shall be presumptive evidence of the survey and of the facts herein required to be set forth, and which are stated accordingly, between those persons who join in requesting it. Such field notes and plat of survey shall not, however, be presumptive evidence in any action in court as opposed to the field notes and plat of survey made by any other competent surveyor at the instance of any party not joining in the request for the survey by the county surveyor."

3. Amend the title by striking all of said title and inserting in lieu thereof the following:

"A bill for an act to amend, revise, and codify sections thirty-three hun-

dred eighty-five (3385) and thirty-three hundred eighty-nine (3389) of the compiled code of Iowa, relating to land surveys."

JOHN J. ETHELL,
J. D. BUSER
P. C. HOLDOEGEL
A. J. SHINN
EARL W. VINCENT
THOMAS PARSONS
VOLNEY DILTZ

On the question "Shall the Senate concur in and adopt the conference committee report?" the vote was:

Ayes, 38.

Abben	Dutcher	Kimberly	Slosson
Adams	Ethell	McIntosh	Smith
Baird	Fulton	Mantz	Snook
Banta	Goodwin	Mead	Stoddard
Bowman	Hale	Newberry	Thurston
Brookins	Hartman	Olson	Tuck
Browne	Haskell	Price	White
Buser	Holdoegel	Reed	Wichman
Campbell	Horchem	Rees	
Darting	Johnston	Shinn	

Nays, none.

Absent or not voting, 12.

Bergman	Cessna	Perkins	Scott
Brookhart	Gilchrist	Romkey	Shaff
Caldwell	Nelson	Schmedika	Shane

The conference committee 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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 293, a bill for an act legalizing the transfer of funds by the city council of the city of Forest City, Iowa.

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 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. 192, a bill for an act relating to voting taxes in aid of railways.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 126, a bill for an act relating to the removal of obstructions from highway.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 188, a bill for an act relating to the board of railroad commissioners, their jurisdiction and duties.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 192, 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 times 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 times and referred to committee on railroads.

RESOLUTION FILED

Senator McIntosh filed the following resolution:

Whereas, A special committee has been appointed to consider charges reflecting upon the conduct of the insurance department; and

Whereas, This committee has not been directed by said resolution to inquire into the manner in which certain fire and life insurance companies have recently consolidated or are now attempting to consolidate; and

Whereas, Certain fraternal insurance companies are seeking to call in current policies and to issue new ones therefor and in so doing are altering both conditions and rates; now, therefore,

Be It Resolved: That this special committee be instructed to widen the scope of its examinations sufficiently to learn, if possible, what practices obtain in these to acquire stock, what inducements in the way of

commissions, official position and salaries enter into such agreements, whether a surplus has been created by the cancellation of stock and, if so, what representations were made to the stockholders, what the desirability is for calling in current policies and issuing new, whether this is in any respect harmful to the policyholder, whether any of such have been carried on contrary to law and if not whether any certain legislation should be enacted affecting these conditions; and

Be It Further Resolved: That this committee proceed diligently in this task and report promptly to this Senate body its findings.

J. A. McINTOSH.

The resolution was laid over under the rules.

PROOF OF PUBLICATION OF SENATE FILE NO. 299

I hereby certify, that the Secretary of the Senate has received proof of the publication of Senate File No. 299, a bill for an act proposing to legalize the proceedings of the board of supervisors of Appanoose county, Iowa.

L. W. AINSWORTH, *Secretary of the Senate.*

The Journal of February 16th 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 John Hammill presiding.

REPORTS OF COMMITTEES

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections, to which was referred House File No. 30, a bill for an act relating to contest on state officers, 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. 50, a bill for an act relating to suspension of state officers, 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. 21, a bill for an act relating to nominations by primary elections, 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 "circulation" in line three of section 25 the word "published".

Amend by striking out the words "be published" from line 1 of section 25 and inserting in lieu thereof the word "appear".

Amend by striking out line 8 of section 3 and inserting after subsection 3 of section 110 the following: "3a- Presidential Electors in those years when presidential candidates are to be voted on."

Amend section 54 by transposing lines 7 and 8 as same appear in the bill.

Amend by adding as section 115-a1 the following:

That section three of House File two hundred fifty-eight (258) passed at the extra session of the fortieth general assembly, is hereby amended by striking out of the second line thereof the word "second" and by inserting in lieu thereof the word "third".

Amend the title by striking out the period in line three and adding thereto the following: "also to amend section three (3) of House File two hundred fifty-eight (258), passed at the extra session of the fortieth general assembly, entitled "an act relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government."

J. E. WICHMAN, *Chairman.*

Ordered passed on file.

FIFTH MEMBER OF INVESTIGATING COMMITTEE APPOINTED

The President announced that he had appointed Senator Fulton as the fifth member of the insurance investigation committee, to fill the vacancy left by the resignation of Senator Shane.

Senator Haskell moved that the Senate adjourn until 10 a. m. Tuesday.

Senator Campbell moved to amend the motion, making the hour 9 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, 1924.

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

Prayer was offered by Rev. H. W. Munster, pastor of the Methodist church, of Danville, Iowa.

On motion of Senator Mead rule 33 was suspended for the day.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 15, 1924, he had signed Senate Files Nos. 53, 35 and 189.

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. 26, 40, 140, 128 and 198.

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. 26, 40, 140, 128 and 198.

RESOLUTION

Senator Dutcher offered the following resolution:

Be It Resolved: That until otherwise ordered, the Senate shall convene at nine o'clock A. M. and adjourn not later than twelve o'clock P. M. daily; and

That the balance of the day be devoted exclusively to committee work, to the end that chairmen of committees may be able to appoint meetings of their respective committees at a time when they shall not be interrupted by sessions of the Senate.

The resolution was laid over under the rules.

SENATE RESOLUTION CONSIDERED

On motion of Senator McIntosh the following resolution was taken up and considered:

Whereas, A special committee has been appointed to consider charges reflecting upon the conduct of the insurance department; and

Whereas, This committee has not been directed by said resolution to inquire into the manner in which certain fire and life insurance companies have recently consolidated or are now attempting to consolidate; and

Whereas, Certain fraternal insurance companies are seeking to call in current policies and to issue new ones therefor and in so doing are altering both conditions and rates; now, therefore,

Be It Resolved: That this special committee be instructed to widen the scope of its examinations sufficiently to learn, if possible, what practices obtain in these to acquire stock, what inducements in the way of commissions, official positions and salaries enter into such agreements, whether a surplus has been created by the cancellation of stock and, if so, what representations were made to the stockholders, what the desirability is for calling in current policies and issuing new, whether this is in any respect harmful to the policyholder, whether any of such have been carried on contrary to law and if not whether any certain legislation should be enacted affecting these conditions; and

Be It Further Resolved: That this committee proceed diligently in this task and report promptly to this Senate body its findings.

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

Amend by striking out all after the word "instructed" in the first line of paragraph 4 and inserting the following in lieu thereof: "and empowered to make such investigations as they may deem advisable into any alleged irregularities in the conduct of any insurance company or officials thereof or any broker or dealer in insurance stocks; and to suggest what legislation should be enacted affecting these conditions; and".

Senator Mead invoked rule 8.

Senator Buser moved that the members of the committee be excused from voting on the amendment.

Senator Smith raised the point of order that this was a matter for a ruling of the chair and not for a decision of the Senate.

The President held the point not well taken, as under rule 8 members could be excused "by a vote of the Senate".

Senator Buser's motion prevailed.

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

Ayes, 19.

Abben	Goodwin	Mead	Shane
Adams	Haskell	Newberry	Slosson
Bowman	Holdoegel	Reed	Smith
Caldwell	Kimberly	Rees	Stoddard
Dutcher	Mantz	Scott	

Nays, 23.

Baird	Cessna	Johnston	Schmedika
Brookhart	Darting	McIntosh	Shinn
Brookins	Ethell	Nelson	Snook
Browne	Hale	Olson	Thurston
Buser	Hartman	Price	Tuck
Campbell	Horchem	Romkey	

Absent or not voting, 8.

Banta	Fulton	Perkins	White
Bergman	Gilchrist	Shaff	Wichman

The amendment was lost.

Senator Price moved that the committee be excused from voting on this resolution or any amendments thereto, which motion was lost.

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

Amend by adding thereto the following: "That the committee be requested to report separately upon the conduct of the insurance department and the insurance companies."

Senator Buser raised the point of order that the amendment was out of order for the reason that the resolution had passed to its third reading.

The President held the point not well taken.

Senator Dutcher moved that the Senate go into executive session for consideration of this matter.

Senator Price moved the previous question on the whole matter.

The President ruled the motion out of order, as Senator Price had debated the subject.

Senator Dutcher's motion was lost.

Senator Holdoegel's amendment was lost.

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

Amend by inserting in paragraph 3 after the word "whereas" the following: "it is alleged that".

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

Ayes, 32.

Abben	Dutcher	Kimberly	Shane
Adams	Ethell	Mantz	Slosson
Banta	Gilchrist	Mead	Smith
Bowman	Goodwin	Newberry	Stoddard
Caldwell	Hartman	Olson	Thurston
Campbell	Haskell	Reed	Tuck
Cessna	Holdoegel	Rees	White
Darting	Horchem	Scott	Wichman

Nays, 12.

Brookhart	Fulton	Nelson	Schmedika
Browne	Hale	Price	Shinn
Buser	Johnston	Romkey	Snook

Absent or not voting, 6.

Baird	Brookins	Perkins	Shaff
Bergman	McIntosh		

Senator Stoddard's amendment was adopted.

Senator Shinn moved the previous question, which motion prevailed.

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

Ayes, 41.

Abben	Darting	Kimberly	Schmedika
Adams	Dutcher	McIntosh	Scott
Baird	Ethell	Mantz	Shane
Bowman	Fulton	Mead	Shinn
Brookhart	Goodwin	Nelson	Slosson
Brookins	Hartman	Olson	Smith
Browne	Haskell	Price	Snook
Buser	Holdoegel	Reed	Stoddard
Caldwell	Horchem	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna			

Nays, 2.

Banta Hale

Absent or not voting, 7.

Bergman	Newberry	Shaff	Wichman
Gilchrist	Perkins	White	

The resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 237, amended by the House, and moved that the Senate concur in the following amendments:

Amend section two (2) line five (5) by striking out the word "issue" and insert in lieu thereof the word "child".

Amend Sec. 3-a2, by striking out of line 3 the words "an official" and inserting in lieu thereof the word "a".

Amend Sec. 3-a2, by striking out the following words at the close of said section: ", or by such other manner as the court may direct".

Amend Sec. 3-a3, by striking out of line 1 the words "or other prescribed service" and by inserting after the word "publication" the word "and".

Amend the bill by striking out section four (4) thereof.

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Abben	Dutcher	McIntosh	Shane
Adams	Ethell	Mantz	Slosson
Baird	Gilchrist	Mead	Smith
Banta	Goodwin	Nelson	Snook
Bowman	Hale	Newberry	Stoddard
Brookhart	Hartman	Olson	Thurston
Brookins	Haskell	Price	Tuck
Browne	Holdoegel	Reed	White
Caldwell	Horchem	Romkey	Wichman
Campbell	Johnston	Schmedika	
Darting	Kimberly	Scott	

Nays, none.

Absent or not voting, 8.

Bergman	Cessna	Perkins	Shaff
Buser	Fulton	Rees	Shinn

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Mantz called up for consideration Senate File No. 93, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out all of section two (2).

On the question "Shall the Senate concur?" the vote was:

Ayes, 44.

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

The nays were, none.

Absent or not voting, 6.

Bergman	Cessna	Rees	Shaff
Caldwell	Perkins		

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

Senator Brookhart moved that the vote by which the Senate concurred in the House amendments be reconsidered, which motion prevailed.

On the question "Shall the Senate concur?" the vote was:

Ayes, 10.

Browne	McIntosh	Romkey	Shinn
Buser	Nelson	Shane	Tuck
Johnston	Price		

Nays, 25.

Abben	Caldwell	Kimberly	Slosson
Adams	Ethell	Mantz	Smith
Baird	Gilchrist	Newberry	Snook
Banta	Hale	Rees	Stoddard
Bowman	Haskell	Schmedika	White
Brookhart	Horchem	Scott	Wichman
Brookins			

Absent or not voting, 15.

Bergman	Dutcher	Holdoegel	Reed
Campbell	Fulton	Mead	Shaff
Cessna	Goodwin	Olson	Thurston
Darting	Hartman	Perkins	

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Slosson, Senate File No. 277, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, was taken up, considered, and the report of the committee adopted.

Further action was deferred.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 205, a bill for an act 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. 69, a bill for an act relating to hotels, restaurants, food establishments, and cold storage plants.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 134, a bill for an act relating to the county attorney.

Also: That the House insists on its amendments to Senate File No. 119, a bill for an act relating to the state highway commission, and requests a conference committee and the Speaker has appointed as such con-

ference committee on the part of the House, Representatives Lovrien, Garber of Floyd, Knutson and Wamstad.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 71, a bill for an act relating to estrays and trespassing animals.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 154, a bill for an act relating to municipal corporations.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 20, a bill for an act relating to time of holding elections and the term of office of the officers elected thereat.

Also: That the House concurs in Senate amendments to House File No. 144, a bill for an act relating to relief for soldiers, sailors, and marines, except the amendment to section ten (10) in which the House refuses to concur.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 134, 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), thirty-one hundred ninety-three (3193), ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293), of the compiled code of Iowa, relating to county attorneys.

Read first and second times and referred to committee on county and township affairs.

House File No. 69, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants.

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

AMENDMENTS FILED TO SENATE FILE NO. 277

MR. PRESIDENT: I move to amend Senate File No. 277 by adding thereto the following:

"Section 222.

Any person who shall knowingly conceal, barter, destroy, sell, or dispose of a motor vehicle on which there is a lien by virtue of a contract or mortgage, without the written consent of the holder of such contract or mortgage and contrary to the terms and provisions of the mortgage or conditional sale contract to which the same is subject, shall be guilty of larceny and be punished accordingly. Failure to obtain the written consent of the then holder of the chattel mortgage or conditional sale contract to do any of the things herein forbidden, shall be prima facie evidence of a violation of the provisions of this section. Prosecution may be had in any county where any part of the act or acts constituting the offense is committed, or in any county where the motor vehicle is registered, or in the county where the mortgage or conditional sale contract is by its terms payable, or in the county where the defendant last resided within the state."

ED. H. CAMPBELL.

The Journal of February 18th was corrected and approved.

Senator Buser moved that the Senate adjourn until 1:30 p. m.

Senator Stoddard moved to amend by making the time 9:30 a. m. Wednesday.

Senator Ethell moved to amend the amendment by making the time 1 p. m. today.

Senator Ethell's amendment to the amendment was lost.

Senator Stoddard's 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 20, 1924.

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 Brookhart rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Scott for the day, on request of Senator Abben.

PETITIONS AND MEMORIALS

Senator Price presented a petition from citizens of Pleasantville, protesting enactment of any law which would weaken enforcement of the 18th amendment. Referred to the committee on suppression of intemperance.

COMMUNICATION FROM THE GOVERNOR

STATE OF IOWA

EXECUTIVE DEPARTMENT

February 19, 1924.

*To the Senate and House of Representatives
of the Fortieth General Assembly:*

The sanitary condition of some of the water courses of the state has become acute and dangerous. On February 15th instant, the State Board of Health, upon the petition of several hundred citizens of northeastern Iowa and after the introduction of a vast mass of evidence, issued the following order:

"That the Northern Sugar Corporation (a Mason City corporation) cease from discharging sewerage and water from their factory into Lime Creek (a tributary of Shell Rock River) until such time as it can devise and install methods in addition to those already installed by which all deleterious and other substances injurious to fish life or befouling in character shall be eliminated from the water so discharged."

In this connection the Board of Health, through its secretary, Dr. Rodney P. Fagen, writes me as follows:

"The condition of Lime Creek and Shell Rock River is an acute condition, but yet this condition as existing in the state is not isolated for the

reason that we have before us as a state board of health similar conditions which have been complained of existing near Ottumwa, Cherokee, Fort Madison, Boone, Waterloo, and Fort Dodge and it will only be a matter of a very short time until this department is confronted with the same problem as it is now trying to overcome in Cerro Gordo, Butler and Floyd counties. Lime Creek, from testimony produced, seems to be an open sewer. There is a stench arising from it which is nauseating as far as a quarter of a mile on either side. The water is absolutely unfit for domestic use or consumption, and the ice which comes from it is no better.

It would seem that the people who live along its banks get their water for domestic purposes from wells, which are undoubtedly polluted, and it is very evident that there is a possibility of a water-borne epidemic at any time, and a consequent serious loss of human life. The fact that there has not been as yet such an epidemic would seem to be merely a matter of fate rather than absence of cause. All but three or four rivers within the boundaries of this state arise and terminate therein, and as Iowa is becoming more settled, having a larger urban population and more industries, such as beet sugar factories, packing plants, creameries, gas works, cheese factories, canning companies, and corn products companies, together with the dairies, garbage disposal, oils from garages and filling stations, locating on the banks or within reach of our natural waterways, combining their industrial wastes with the municipal sewage which we have already had to contend with, it is a well known fact that our beautiful streams, now teeming with wild life, are all rapidly becoming commercialized, and it is very questionable whether even at this time there is any original or natural stream producing culinary water without serious danger to the users, and as I have said it is easy enough to forecast that it is only a matter of time that every stream in the state will be in the same condition as Lime Creek and Shell Rock River—in other words, open sewers. Each one of the industries mentioned in this paragraph presents a different problem in disposal of waste products."

The situation which obtains in Lime Creek and Shell Rock River, and that which is anticipated in the other streams, is altogether intolerable, and every consideration of public policy demands that it be corrected without delay. As you are aware the Board of Health has, under existing law, an annual appropriation of \$10,000.00—\$5,000.00 of which has been available to the Engineering Department. With this limited amount only one engineer can be employed, and it is apparent that no matter how vigilant and efficient such engineer may be, it is a physical impossibility for him adequately to prevent the pollution of the streams and the destruction of fish life. Your careful and immediate attention to the matter is directed as the subject is one of immense and imperative interest to the state. I recommend that such additional emergency appropriation be authorized as you may deem necessary to safeguard the welfare of the citizens of Iowa.

Respectfully submitted,

(Signed) N. E. KENDALL,
Governor.

The communication was referred to the committee on public health.

MOTION TO REREFER SENATE FILE NO. 21

MR. PRESIDENT: I move that Senate File No. 21 be referred back to the committee with the instruction that the chairman direct the code commissioners to write a substitute which will contain all the intents and purposes of the secrecy of the primary law, but instead of what is now known as the present modified open primary, the wide open primary be substituted, and to harmonize the registration and absent voters' provision accordingly.

The provisions that the voter be required to declare his party affiliations before he enters the booth be eliminated. Instead of this, that provision be made that the voter be given the privilege to vote the ticket of any subdivision or governmental political division, i. e., the national, congressional, the state, the county, the township, the city or town of any of the parties which have a ticket on the ballot—but under no circumstance shall the ticket be counted, if he should divide his selection of any political division; i. e., split the national, congressional, the state, the county, the township, city or town ticket. He may vote the national republican ticket, state democratic ticket, etc., but he should not be permitted to vote part of the national ticket or part of the state ticket or any other political division.

B. J. HORCHEM.

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. 165 and 187; also House Files Nos. 44, 46 and 252.

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. 165 and 187; also House Files Nos. 44, 46 and 252.

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 twentieth day of February, sent to the Governor for his approval, Senate File No. 165, a bill for an act relating to municipal corporations. Senate File No. 187, a bill for an act relating to the condemnation of private property for works of internal improvement and for other public uses and purposes.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 297, a bill for an act to legalize a special election held in the city of Iowa Falls, Iowa, for the erecting and equipping of a Liberty Memorial Building and the issuance of bonds to pay the cost thereof, 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. 228, a bill for an act to amend, revise, and codify sections 7163, 7171 to 7173, inclusive, 7180, 7181, 7183 to 7185 inclusive, and 7189, of the compiled code of Iowa, relating to the manner of commencing actions, 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 Ethell submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 134, 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), thirty-one hundred ninety-three (3193), ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293), of the compiled code of Iowa, relating to county attorneys, begs leave to report it has had the same under consideration and recommends the same be referred to judiciary committee.

JOHN J. ETHELL, *Chairman.*

The report was adopted and the bill 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. 292, a bill for an act legalizing the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa.

Also: That the House has adopted the conference committee report and the amendments proposed therein to the following bill:

Senate File No. 149, a bill for an act relating to land surveys.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 292, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township.

Read first and second times and referred to committee on judiciary No. 1.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 144

Senator Ethell moved that the Senate insist on its amendments to House File No. 144.

On the question "Shall the Senate insist on its amendments?" the vote was:

Ayes, 37.

Baird	Fulton	Mead	Smith
Banta	Gilchrist	Nelson	Snook
Brookhart	Goodwin	Price	Stoddard
Brookins	Hale	Reed	Thurston
Buser	Hartman	Romkey	Tuck
Caldwell	Horchem	Schmedika	White
Campbell	Johnston	Shaff	Wichman
Darting	Kimberly	Shane	
Dutcher	McIntosh	Shinn	
Ethell	Mantz	Slosson	

Nays, none.

Absent or not voting, 13.

Abben	Browne	Holdoegel	Perkins
Adams	Cessna	Newberry	Rees
Bergman	Haskell	Olson	Scott
Bowman			

The Senate insisted on its amendments.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 144

The President appointed as a conference committee on House File No. 144, on the part of the Senate, Senators Shinn, Abben, Thurston and Campbell.

THIRD READING OF BILLS

On motion of Senator Slosson, Senate File No. 277, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, with report of committee recommending amendment and passage, was taken up and considered, the report of the committee having been previously adopted.

The following committee amendments were considered:

1. Amend section one (1) by striking all of subsection one (1) and inserting in lieu thereof the following: Subsection one (1): The term "motor vehicle" except where otherwise expressly provided shall include all vehicles propelled by any power other than muscular power, except traction engines, road rollers, fire wagons and engines, police patrols, city and town ambulances, city and government vehicles, clearly marked as such, and such vehicles as will run only upon tracks or rails.

2. Amend section thirty-seven (37) by striking from line one (1) following the word "person" the following: "firm or corporation".

3. Amend section thirty-eight (38) by striking the period at the end of the second paragraph and adding thereto the following "or trailer."

4. Amend section one hundred twenty (120) by inserting after the word "lenses" in line one (1) the following "or devices." Also by inserting after the word "lenses" in line three (3) "or devices." Also by inserting after the word "chapter" in line four (4) the following "and when installed."

5. Amend section one hundred twenty-one (121) by inserting in line two (2) after the word "lenses" "and devices". Also insert "and devices" at the end of line two (2). Also after the word "lenses" in line five (5) "and devices".

6. Also amend section one hundred twenty-nine (129) by adding as section one hundred twenty-nine-a (129-a) the following:

"The board of supervisors of any county may designate certain public highways whereon heavily laden vehicles may be excluded and make such other reasonable regulation in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvement thereon."

7. Amend section one hundred thirty (130) by striking the period at the end of line four (4) and inserting in lieu thereof the following: "and to designate by ordinance the conditions under which vehicles may be parked in public streets or alleys during the hours of darkness".

8. Amend section one hundred thirty-two (132) by inserting after the word "registration" in line eleven (11) of subsection three (3) the following: "and each transfer."

9. Amend section one hundred forty-four (144) by inserting in line three (3) after the word "license" the following "and transfer".

10. Amend section one hundred sixty (160) by inserting after the word "a" appearing in line one (1) the word "motor".

11. Amend by striking from the bill sections one hundred sixty-two-a1 (162-a1) and one hundred sixty-two-a two (162-a2).

12. Amend section one hundred ninety-nine-a one (199-a1) by striking from line one (1) the following "he who" and inserting in lieu thereof "any person who".

By unanimous consent on request of Senator Buser the word "will" was stricken from the last line of the first amendment and the word "are" inserted in lieu thereof.

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

On motion of Senator Haskell the bill was rereferred to the committee.

On motion of Senator Buser, House File No. 68-A, a bill for an act to repeal section ten (10) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter forty-four (44), acts of the thirty-ninth (39) general assembly, and by section one (1) of chapter forty-nine (49), acts of the fortieth (40) general assembly; section eleven (11) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly, as amended by chapter one hundred ninety-four (194), acts of the thirty-ninth (39) gen-

eral assembly; sections twelve (12) and thirteen (13) of chapter two hundred eighty-seven (287), acts of the thirty-eighth (38) general assembly; section three (3) of chapter one hundred sixty-nine (169), acts of the thirty-ninth (39) general assembly; chapter forty-eight (48), acts of the fortieth (40) general assembly; and section two (2), chapter forty-nine (49), acts of the fortieth (40) general assembly, relating to the eradication of bovine tuberculosis, and to enact a substitute therefor, 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:

1. Amend section twenty-eight (28) by striking out all after the word "dollars" in line 7 down to and including the word "imprisonment" in line 9 of said section, and by placing a period after the word "dollars".
2. Amend section twenty-eight (28), line 10, by inserting after the word "the" the word "breeding".
3. Amend section twenty-eight (28), line 11, by changing the word "his" to the word "said".

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking out the word "every" in line one (1) of section 30 and inserting the words "on or before November 1st of each".

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, 41.

Abben	Fulton	McIntosh	Shaff
Baird	Gilchrist	Mantz	Shane
Banta	Goodwin	Mead	Shinn
Brookhart	Hale	Nelson	Slosson
Brookins	Hartman	Newberry	Snook
Buser	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Price	Thurston
Cessna	Horchem	Reed	Tuck
Darting	Johnston	Romkey	White
Dutcher	Kimberly	Schmedika	Wichman
Ethell			

Nays, none.

Absent or not voting, 9.

Adams
Bergman
Bowman

Browne
Campbell

Perkins
Rees

Scott
Smith

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

MOTION TO RECONSIDER CONSIDERED

Senator Shaff called up for consideration his motion to reconsider the vote by which House File No. 172 failed to pass the Senate.

The motion prevailed.

Senator Shaff moved that the vote by which House File No. 172 passed to its third reading be reconsidered.

The motion prevailed.

On motion of Senator Shaff House File No. 172 was rereferred to the committee on cities and towns.

CONFERENCE COMMITTEE REPORT CONSIDERED

On motion of Senator Campbell the following conference committee report on Senate File No. 39 was taken up and considered:

MR. SPEAKER: Your conference committee, to whom was referred Senate File No. 39, a bill for an act to amend, revise, and codify section 704 of the compiled code of Iowa, relating to the administration of oaths, begs leave to report that it has had the same under consideration, and recommends that the differences between the Senate and the House be compromised as follows:

1. That the House shall recede from the amendments proposed and adopted by it.

2. Amend Senate File No. 39 as passed by the Senate, by striking out all of subsection two of section one, and inserting in lieu thereof the following:

"Official court reporters of district, superior and municipal courts in taking depositions under appointment or by agreement of counsel".

E. P. HARRISON
RAY YENTER
R. O. GARBER
JNO. A. STOREY
ED. H. CAMPBELL.
RAY P. SCOTT
J. O. SHAFF

On the question "Shall the Senate adopt and concur in the conference committee report?" the vote was:

Ayes, 37.

Abben	Hale	Mead	Shane
Baird	Hartman	Nelson	Shinn
Banta	Haskell	Newberry	Slosson
Brookhart	Holdoegel	Olson	Smith
Brookins	Horchem	Price	Snook
Caldwell	Johnston	Reed	Stoddard
Dutcher	Kimberly	Romkey	Thurston
Ethell	McIntosh	Schmedika	White
Gilchrist	Mantz	Shaff	Wichman
Goodwin			

Nays, none.

Absent or not voting, 13.

Adams	Buser	Darting	Rees
Bergman	Campbell	Fulton	Scott
Bowman	Cessna	Perkins	Tuck
Browne			

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed, as conference committee on the part of the Senate on Senate File No. 119, Senators Holdoegel, Brookins, Tuck and Slosson.

RESOLUTION CONSIDERED

Senator Dutcher called up the following resolution for consideration and moved its adoption:

Be It Resolved: That until otherwise ordered, the Senate shall convene at nine o'clock A. M. and adjourn not later than twelve o'clock P. M. daily; and

That the balance of the day be devoted exclusively to committee work, to the end that chairmen of committees may be able to appoint meetings of their respective committees at a time when they shall not be interrupted by sessions of the Senate.

By unanimous consent on request of Senator Dutcher the word "twelve" was stricken from the second line and the words "twelve-thirty" inserted in lieu thereof.

On motion of Senator Smith the word "nine" was stricken

from the resolution and the words "nine-thirty" inserted in lieu thereof.

Senator Ethell moved that the resolution be referred to the committee on rules.

The motion was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by inserting the words "except Saturday" after the word "daily" in line 2.

The amendment was lost.

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

Ayes, 14.

Abben	Goodwin	Reed	Stoddard
Caldwell	Haskell	Shaff	Tuck
Dutcher	Holdoegel	Smith	Wichman
Gilchrist	Price		

Nays, 24.

Baird	Darting	Johnston	Schmedika
Bowman	Ethell	Kimberly	Shane
Brookhart	Fulton	Mead	Shinn
Brookins	Hale	Nelson	Slosson
Browne	Hartman	Newberry	Snook
Buser	Horchem	Romkey	Thurston

Absent or not voting, 12.

Adams	Campbell	Mantz	Rees
Banta	Cessna	Olson	Scott
Bergman	McIntosh	Perkins	White

The resolution was lost.

Senator Price moved that the Senate adjourn until 9:30 a. m. Thursday.

Senator Bowman moved to amend by making the time 4 p. m. today.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 4 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Rees submitted the following report:

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 be amended as follows; and when so amended the bill do pass:

1. Amend by striking from lines three (3) and four (4) the words "the same for such uses and purposes" and inserting in lieu thereof the words "its holding".

2. Amend by striking from line six (6) the word "such" and inserting following the word "estate" the words "held by the United States".

3. Amend by striking from line ten (10) the words "so acquired and held", changing the period in line eleven (11) to a comma, and adding "while held by the United States".

S. C. REES, *Chairman*.

Ordered passed on file.

Senator Thurston submitted the following report:

MR. PRESIDENT: Your committee on labor, to which was referred Senate File No. 43, a bill for an act relating to health and safety appliances, 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:

1. Amend Sec. 6 as follows: By inserting after the word "place" in line four, the word "therein", and by striking out the word "and" in line seven.

2. Amend Sec. 8 by striking out the words "or machines which create or throw off dust sufficiently light to float in the air" in lines three and four. Also strike the words "or machines" in line nine, and insert the word "and" before the words "tumbling barrels".

3. Amend by adding as Sec. 9-a1 the following:

"Sec. 9-a1. Notice in case of violation.

When the commissioner or his inspector shall discover or have reason to believe that any provision of the eight preceding sections is being violated, he shall give to the person, company, corporation, or the manager or superintendent thereof, a notice in writing to comply with

such provision within a reasonable time to be fixed in said notice and which time shall be of not less than seven nor more than thirty days duration, except that such time may be extended by the commissioner for good cause shown. In fixing the time in such notice, the commissioner shall take into consideration the nature of the failure or defect constituting the violation, the danger to be apprehended therefrom, and the probable length of time and amount of labor required to remedy or cure such defect."

4. Amend Sec. 10 by striking the word and figure "one (1)" at the end of line seven, and inserting in lieu thereof the word and figure "two (2)".

LLOYD THURSTON, *Chairman*.

Ordered passed on file.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred House File No. 170, a bill for an act relating to municipal corporations—protection of city property, 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.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 71

Senator Banta moved that the Senate insist on its amendments to House File No. 71.

On the question "Shall the Senate insist?" the vote was:

Ayes, 27.

Baird	Hale	Mantz	Shaff
Banta	Hartman	Mead	Shinn
Bowman	Haskell	Nelson	Smith
Brookins	Holdoegel	Newberry	Snook
Buser	Horchem	Oison	Thurston
Caldwell	Johnston	Price	Tuck
Cessna	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 23.

Abben	Darting	McIntosh	Shane
Adams	Dutcher	Perkins	Shlosson
Bergman	Ethell	Reed	Stoddard
Brookhart	Fulton	Rees	White
Browne	Gilchrist	Romkey	Wichman
Campbell	Goodwin	Scott	

The Senate insisted on its amendments.

AMENDMENTS FILED TO SENATE FILE NO. 277

MR. PRESIDENT: I move to amend Senate File No. 277 by inserting immediately after section 197 the following:

"Sec. 197-a1. Projecting articles.

When a motor vehicle is being operated upon a public highway, no article shall be carried on the left hand side of such vehicle when such article extends beyond the width of the running board. The left hand side shall be deemed that side of the vehicle which is to the left of the driver when the vehicle is in motion."

B. M. STODDARD.

The Journal of February 19th was corrected and approved.

On motion of Senator Price the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 21, 1924.

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 Browne for the day, on request of Senator Nelson; Senator Slosson for the day, on request of Senator Mantz; Senator Perkins for the day, on request of Senator Shane; Senator Campbell for the day, on request of Senator Thurston; Senator Rees for the day, on request of Senator Ethell; Senator Reed for the day, on request of Senator Stoddard; Senator Smith for the day, on request of Senator Goodwin.

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. 237.

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. 237.

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 twenty-first day of February, sent to the Governor for his approval, Senate File No. 237, a bill for an act relating to wills and letters of administration.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration Senate File No. 125, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend by striking out all of sections 5, 6 and 6-a1 and inserting in lieu thereof the following:

"Sec. 5. Order for destruction.

The board of supervisors of each county shall, at their April meeting of each year, by resolution make an order fixing the time for destruction of noxious weeds on private lands and may fix different times for the destruction of different varieties of weeds.

Sec. 6. Notice of order.

Notice of aforesaid order shall be given by one publication in the official newspapers of the county and shall be directed to all property owners. Said notice shall state:

1. Time for destruction.

2. Manner of destruction if other than cutting above the surface of the ground.

3. That unless said order is complied with the trustees (or council or commissioners as the case may be) will cause said weeds to be destroyed and the cost thereof to be taxed to the owner of the property."

Also amend by striking from lines 5 and 6 of section 9 the words "given in the same manner as originally given to owners as hereinbefore provided" and inserting in lieu thereof: "personally served if the owner is a resident of the township, city or town".

Also amend by striking out section 9-a1 and inserting in lieu thereof:

"Where the owner is not a resident of the township, city or town, said notice of assessment may be given by mailing the same by registered letter to the last known address of the person owning or controlling the premises."

Amend by inserting after the word "order" in line 3 of section 7 the words "or a failure to destroy weeds on highways between the dates fixed".

Amend the title to read as follows:

"A bill for an act to amend, revise, and codify sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008), and three thousand nine

(3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code, relating to the destruction of weeds on private lands and public highways."

Amend the sub-clause following the enacting clause by striking all of said clause and inserting in lieu thereof the following: "That sections three thousand one (3001) to three thousand four (3004), inclusive, and sections three thousand six (3006), three thousand eight (3008) and three thousand nine (3009) of the compiled code of Iowa, and section three thousand three (3003) of the supplement to the compiled code are amended, revised and codified to read as follows:":

Amend section seven (7) by striking from line 5 the word "shall" as it appears between the words "meetings" and "be" and inserting the word "may"; also by striking the word "paid" as it appears between the words "be" and "from" and inserting the word "advanced"; also by placing a period following the word "be" in line 7 and striking the remainder of said section.

Amend section two by inserting before the word "and" in line 8 the following: "sow thistle (*souchus arvensis*).":

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 31.

Abben	Dutcher	Horchem	Scott
Baird	Ethell	Kimberly	Shaff
Banta	Gilchrist	Mantz	Snook
Bowman	Goodwin	Mead	Stoddard
Brookhart	Hale	Newberry	Thurston
Buser	Hartman	Olson	White
Caldwell	Haskell	Romkey	Wichman
Cessna	Holdoegel	Schmedika	

Absent. or not voting, 19.

Adams	Darting	Perkins	Shinn
Bergman	Fulton	Price	Slosson
Brookins	Johnston	Reed	Smith
Browne	McIntosh	Rees	Tuck
Campbell	Nelson	Shane	

The Senate refused to concur in the House amendments.

Senator Goodwin called up for consideration Senate File No. 155, amended as follows, by the House:

Amend section one (1) by adding thereto the following:

"Nothing herein shall affect the term of any commissioner heretofore appointed under the provisions of the law applicable to cities under the commission form of government."

Amend section five (5) by striking out all of said section and by inserting in lieu thereof the following:

"The provisions of this chapter shall apply to all appointive officers

and employee, including deputy clerks and bailiffs of the municipal court, in cities under the commission form of government having a population of more than 100,000, except:

1. City clerk, solicitor, assistant solicitor, assessor, treasurer, auditor, civil engineer, health physician, chief of police, market master.
2. Laborers whose occupation requires no special skill or fitness.
3. Election officials.
4. Secretary to the mayor or to any commissioner, and municipal court bailiffs who are employed exclusively as court room attendants.
5. Commissioners of any kind.

In all other cities, the provisions of this chapter shall apply only to members of the police and fire departments, except:

1. Chief of police.
2. Chief of fire department in cities under the manager plan.
3. Matrons, janitors, clerks, stenographers, and secretaries.
4. Casual employees."

Amend section seven (7) by inserting before the word "fitness" in line six (6) of such section the words "physical and mental".

Further amend by adding after section seven (7) the following:

"7-a1. In all examinations and appointments under the provisions of this chapter, honorably discharged soldiers, sailors or marines of the regular or volunteer army or navy of the United States shall be given preference, if otherwise qualified."

Amend section eight (8) by striking from line two (2) the word and figures "ten (10)" and inserting in lieu thereof "five (5)".

Further amend said section by substituting for the comma (,) following the word "position" in line three (3) the following: "in cities of less than fifty thousand (50,000) population and ten (10) persons for each class of positions in cities of more than fifty thousand (50,000) population,".

Amend section eight (8) by striking from said section all after the period (.) following the word "list" in line seven (7) down to and including the period (.) preceding the word "If" in line nine (9), and by inserting in lieu thereof the following: "Such appointments from civil service lists shall, in cities under the commission form, be made by the superintendents of the respective departments, with the approval of the council; in cities under the manager plan such appointments shall be made by the manager, and in other cities, by the chiefs of the respective departments. In the case of deputy clerks or bailiffs of the municipal court, the appointments, if under civil service, shall be made by the clerk or bailiff thereof, respectively."

Amend section nine (9) by striking therefrom all of line one (1) and by inserting in lieu thereof the following: "In cities under the commission plan, the superintendent of public safety with the approval of the council".

Amend by striking all of section eleven (11) and inserting in lieu thereof the following:

"Except as otherwise provided, no person shall be appointed or employed in any capacity in the fire or police department, or any department which is governed by the civil service, until such person shall have passed a civil service examination as provided in this act, and has been certified to the city council as being eligible for such appointment; provided, however, that in cases of emergency, in which the peace and order of the city is threatened by reason of fire, flood, storm, or mob violence, making additional protection of life and property necessary, in which case the person having the appointing power may deputize additional persons, without examination, to act as peace officers until such emergency shall have passed.

In no case shall any person be appointed or employed in any capacity in the fire or police department, or any department which is governed by civil service, unless such person:

1. Is a citizen of the United States and has been a resident of the city for more than one year, but such residence in the city shall not be necessary qualification for appointment as chief of police or chief of fire department.
2. Is of good moral character.
3. Is able to read and write the English language.
4. Is not a liquor or drug addict.
5. Has not been convicted of a felony.
6. Has not borne arms against the United States government.
7. Has not claimed exemption from military service on account of being a conscientious objector."

Amend section thirteen (13) by striking therefrom all of lines one (1) and two (2) and by inserting in lieu thereof the following: "The person having the appointing power as provided in this chapter, or the chief of police and the chief of the fire department".

Senator Goodwin offered the following amendment to the House amendments and moved its adoption:

Amend the House amendment to section 9 by inserting after the word "plan," in line 3 thereof the following: "the chief of the fire department shall be appointed from the civil service list, and".

The amendment was adopted.

Senator Goodwin moved that the Senate concur in the House amendments.

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Abben	Brookins	Dutcher	Hartman
Adams	Buser	Ethell	Haskell
Baird	Caldwell	Gilchrist	Horchem
Banta	Cessna	Goodwin	Kimberly
Bowman	Darting	Hale	Mead

Nelson	Romkey	Shane	Tuck
Newberry	Schmedika	Snook	White
Olson	Scott	Stoddard	Wichman
Price	Shaff	Thurston	

Nays, none.

Absent or not voting, 15.

Bergman	Fulton	Mantz	Shinn
Brookhart	Holdoegel	Perkins	Slosson
Browne	Johnston	Reed	Smith
Campbell	McIntosh	Rees	

The House amendments, as amended, having received a constitutional majority were 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. 123, a bill for an act relating to township road system.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 111, a bill for an act relating to compulsory education.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Wichman, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Horchem moved that the 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	Bowman	Brookins
Adams	Banta	Brookhart	Buser

Caldwell	Haskell	Mead	Shaff
Cessna	Holdoegel	Nelson	Snook
Darting	Horchem	Newberry	Stoddard
Dutcher	Johnston	Olson	Tuck
Ethell	Kimberly	Romkey	Wichman
Hartman	Mantz	Schmedika	

Nays, none.

Absent or not voting, 19.

Bergman	Goodwin	Reed	Slosson
Browne	Hale	Rees	Smith
Campbell	McIntosh	Scott	Thurston
Fulton	Perkins	Shane	White
Gilchrist	Price	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 Wichman withdrew Senate File No. 30 from further consideration.

On motion of Senator Wichman, House 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, 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, 35.

Abben	Darting	Horchem	Shaff
Adams	Dutcher	Johnston	Shane
Baird	Ethell	Kimberly	Snook
Banta	Fulton	Mantz	Stoddard
Brookhart	Gilchrist	Nelson	Thurston
Brookins	Goodwin	Newberry	Tuck
Buser	Hale	Romkey	White
Caldwell	Hartman	Schmedika	Wichman
Cessna	Holdoegel	Scott	

Nays, none.

Absent or not voting, 15.

Bergman	Haskell	Perkins	Shinn
Bowman	McIntosh	Price	Slosson
Browne	Mead	Reed	Smith
Campbell	Olson	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 Wichman withdrew Senate File No. 50 from further consideration.

MOTION TO REREFER CONSIDERED

The motion filed by Senator Horchem to refer Senate File No. 21 back to the committee, as found on page 714 of the Senate Journal, was taken up and considered.

The motion was lost.

THIRD READING OF BILLS

On motion of Senator Wichman, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by inserting after the word "circulation" in line three of section 25 the word "published".

Amend by striking out the words "be published" from line 1 of section 25 and inserting in lieu thereof the word "appear".

Amend by striking out line 8 of section 3 and inserting after subsection 3 of section 110 the following: "3a- Presidential Electors in those years when presidential candidates are to be voted on."

Amend section 54 by transposing lines 7 and 8 as same appear in the bill.

Amend by adding as section 115-a1 the following:

That section three of House File two hundred fifty-eight (258) passed at the extra session of the fortieth general assembly, is hereby amended by striking out of the second line thereof the word "second" and by inserting in lieu thereof the word "third".

Amend the title by striking out the period in line three and adding thereto the following: "also to amend section three (3) of House File two hundred fifty-eight (258), passed at the extra session of the fortieth general assembly, entitled "an act relating to the nomination and election of officers, employees, and assistants in cities acting under the commission form of government.".

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

The fifth amendment was adopted.

The amendment to the title was adopted.

Senator Banta offered the following amendment and moved its adoption:

Amend by striking out line 5 of section 62 and renumbering the following subsections accordingly.

The amendment was adopted.

Senator Wichman offered the following amendment to the title and moved its adoption:

Amend the title by inserting the words "and conventions" after the words "primary elections".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting the words "authorized to be" after the word "nomination" in line 2 of section 87.

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	Ethell	Johnston	Schmedika
Adams	Fulton	Kimberly	Shaff
Banta	Gilchrist	Mantz	Shane
Brookhart	Goodwin	Mead	Snook
Brookins	Hale	Nelson	Stoddard
Buser	Hartman	Newberry	Thurston
Caldwell	Haskell	Olson	Tuck
Cesna	Holdoegel	Price	White
Darting	Horchem	Romkey	Wichman
Dutcher			

Nays, none.

Absent or not voting, 13.

Baird	Campbell	Reed	Shinn
Bergman	McIntosh	Rees	Slosson
Bowman	Perkins	Scott	Smith
Browne			

The bill having received a constitutional majority was declared to have passed the Senate and the title, as amended, was agreed to.

The Journal of February 20th was corrected and approved.

On motion of Senator Newberry the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, on February 21, 1924, he had signed Senate Files Nos. 187, 165 and 237.

Senator Hale moved that the Senate adjourn until 9:30 a. m. Friday.

Senator Brookhart moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1924.

The Senate met in regular session, President pro tem. John R. Price presiding.

Prayer was offered by Rev. Harry E. Heywood, D. D., pastor of St. John A. M. E. church, of Burlington.

On motion of Senator Cessna, rule 33 was suspended for the day.

INTRODUCTION OF BILLS

Senate File No. 300, by Senator Holdoegel, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

PROOF OF PUBLICATION

I hereby certify, that as Secretary of the Senate I have received the proof of publication of Senate File No. 300, a proposed bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa.

L. W. AINSWORTH, *Secretary of 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. 72, a bill for an act relating to contesting elections--voter witness.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 41, a bill for an act relating to coal mines, gypsum mines, and mining.

Also: That the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 11, relating to a tax on sand and gravel.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House 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 times and referred to committee on elections.

HOUSE AMENDMENTS CONSIDERED

Senator Caldwell called up for consideration Senate Concurrent Resolution No. 11, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding to said resolution the following as a new paragraph:

"That the price of three cents (3c) a ton as set by the board of conservation for the removal of said sand and gravel, be confirmed, and that the exemptions provided in this resolution shall continue until February 1, 1925."

On the question "Shall the Senate concur?" the vote was:

Ayes, 28.

Abben	Gilchrist	Mantz	Schmedika
Bowman	Hale	Mead	Shane
Brookhart	Holdoegel	Nelson	Shinn
Brookins	Horchem	Newberry	Slosson
Buser	Johnston	Price	Snook
Caldwell	Kimberly	Reed	Stoddard
Ethell	McIntosh	Rees	Wichman

Nays, none.

Absent or not voting, 22.

Adams	Cessna	Haskell	Smith
Baird	Darting	Olson	Thurston
Banta	Dutcher	Perkins	Tuck
Bergman	Fulton	Romkey	White
Browne	Goodwin	Scott	
Campbell	Hartman	Shaff	

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

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 169, a bill for an act relating to municipal corporations—street improvements and sewers, 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 following as a preliminary section:

"Section 1-a. Definitions.

The following words as used in chapter twenty-three (23) title thirteen (13) of the compiled code, shall have the meanings as stated:

1. The word "cities" shall include towns.
2. The word "repair" shall include reconstruct and resurface.
3. The word "street" shall include highway, avenue, alley, and public place.
4. The word "lot" shall include tract or parcel of land."

. Referring to printed bill:

1. Amend section one by striking from line one the words "and towns"; from line two the comma (,) after the word "street" and the words "highway, avenue, or alley"; from line five the words "provide for the" and "or reconstruction"; from line six the word "of"; and by striking paragraph two and substituting the following:

"2. To establish districts, the boundaries of which may be changed as may be just and equitable, for the improvement or repair by paving or graveling of such streets within the corporation as in the judgment of the council constitutes main traveled ways into and out of such cities."

2. Amend section two by striking from line four the comma (,) following the word "street" and the words "highway, avenue, or alley".

3. Amend section three by striking from lines one and two the word "reconstruction" and substituting the word "repair" and by striking from line eleven the word "city".

4. Amend section four by striking from lines four and five the comma (,) following the word "street" and the words "highway, avenue, alley, public ground or place".

5. Amend section five by striking from lines one and twelve the words "or town" and from line two the comma (,) following the word "street" and the words "highway, avenue, alley, or public place".

6. Amend section six by striking lines one to six inclusive and substituting therefor the following: "If the owner fail to put in the said water connections before the time fixed or within such additional time, not exceeding thirty (30) days, as may be granted by the council, the board of water works trustees shall put in said connections and certify the actual cost thereof to the council. If there is no such board, the council shall put in said connections and the official in charge of the work shall certify the

cost thereof to the council. The council in either case shall assess the same to the respective lots in the manner in which other special assessments are made."

7. Amend section seven by striking lines one to six inclusive, and substituting therefor the following: "Cities shall have power to construct and repair sewers and catch basins in any street within their limits. Any city may by ordinance be divided into such sewer districts as the council may determine, numbering them consecutively, or the entire city may be included in one (1) district."

8. Amend section eight by inserting in line two after the word "with" the words "or as an addition to".

9. Amend section nine by striking from line four the comma (,) following the word "lots" and the words "tracts, or parcels of ground"; from line seven the comma (,) following the words "lots" and the words "tracts, or"; and from line eight the words "parcels of land".

10. Amend section ten by striking from the end of line three the word "the" and substituting the word "its"; from line four the words "highways, avenues, alleys, or public places of the city"; and from line five the words "the city" and substituting the word "its".

11. Amend section eleven by striking from line one the words "and towns" and from line two the words "city purposes", substituting therefor the words "their needs"; and by inserting in line three after the word "property" the words "to and".

12. Amend section thirteen by striking from line one the words "make or reconstruct" and substituting therefor the words "construct, reconstruct or resurface"; and line two by inserting after the word "or" the words "to construct or reconstruct any"; and by striking from line ten the word "thereto" and substituting therefor the following: "to the boundaries of the proposed district, to the cost of the improvement, to the proportion proposed to be assessed against any lot".

13. Amend section fourteen by striking the section and substituting therefor the following:

"Sec. 14. Plat and schedule.

Before the resolution of necessity is introduced, the council shall prepare and file with the clerk a plat and schedule showing the boundaries of the district, if any; the streets to be improved and the width of such improvements; each lot proposed to be assessed; an estimate of the cost of the proposed improvement, stating the same for each different type of construction and kind of material to be used; and in each case the amount thereof which is estimated to be assessed against each lot. That the plat and schedule are on file in the office of the clerk shall be stated in the resolution."

14. Amend section fifteen by striking from line three the words "or town"; from line six the word "may" and substituting the word "shall"; and in line seven by inserting a period (.) in lieu of the comma (,) following the word "corporation" and striking the remainder of the section.

15. Amend section sixteen by striking from line two the words "making or reconstruction" and substituting the words "construction, reconstruction or resurfacing"; and by inserting in line three after the first word "or" the words "the construction or reconstruction of the"; by inserting after the period in line three the following: "The record shall show whether the improvement or sewer was petitioned for or made on motion of the council"; and by adding after the period in line ten the following: "The final vote on the resolution of necessity and the vote on the resolution ordering the improvement or sewer shall be by yeas and nays and entered of record".

16. Amend section seventeen by striking from line one and line four the words "making or reconstruction" and by substituting in each case the words "construction or repair"; by striking from line two the comma (,) after the word "council" and from lines two and three the words "or board of public works where such board exists"; and by striking from lines seven and eight the words "or town".

17. Amend section eighteen by striking lines one to six inclusive and substituting therefor the following: "All contracts for the construction or repair of street improvements (except graveling, oiling, or repairs other than reconstruction or resurfacing), or sewers, shall contain a provision obligating the contractor and his bondsmen from the time of acceptance by the city to keep in good repair such street improvement for not less than four (4) years or such sewer for not less than two (2) years."

18. Amend section nineteen by striking from line one the words "making or reconstruction" and by substituting the words "construction or repair"; by striking both from line two and from line four the words "or town"; from line ten the word "may" and substituting the word "shall"; and by inserting in line eleven a period (.) following the word "city" and striking the remainder of the section.

19. Amend section twenty by striking from lines one and two the word "certified" and by inserting in line two before the word "payable" the words "certified by such bank and"; and by inserting after the word "treasurer" the words "at his office"; and by adding in line five to the word "check" the letter "s".

20. Amend section twenty-one by striking from line two the comma (,) after the word "council" and from lines two and three the words "or board of public works, where such board exists".

21. Amend section twenty-two by striking lines one to thirteen inclusive and substituting therefor the following: "After a contract has been made by any city for the construction or repair of any street improvement or sewer, the clerk shall certify as correct and file with the auditor of each county in which said city is situated, a copy of the resolution directing the construction or repair of said improvement or sewer, and a copy of the plat and schedule referred to in the resolution of necessity and on file in his office. In all counties where taxes are collected in two (2) or more places, they shall be filed in the office of the auditor in the place where said special taxes are collected, and be preserved by him as a part of the rec-

ords of his office. The auditor shall keep a book properly ruled for the purpose and enter thereon opposite each lot number the amount of the estimated assessment against the same."

22. Amend section twenty-three by inserting after the word "sale" in line seven the following: "Any holder of any special assessment certificate against a lot, or any holder of a bond payable in whole or in part out of special assessment against a lot, which has been sold for taxes, either general or special, shall be entitled to an assignment of any certificate of tax sale of said property for any general taxes or special taxes thereon, upon tender to the holder or to the county auditor of the amount required to be redeemed therefrom."

23. Amend section twenty-four by striking from line three the comma (,) following the word "streets" and the words "highways, avenues, and alleys"; from line four the comma (,) following the word "streets"; from line five the words "highways, avenues, and alleys"; from line eight the words "city or town" substituting the words "sewer fund"; and from line ten the word "city".

24. Amend section twenty-five by striking from line one the words "making or reconstructing" and by substituting the words "construction, reconstruction or resurfacing of"; and by striking from line four the words "and parcels of land"; and by inserting in line seven after the word "case" the words "except where the district method of assessment is used,".

25. Amend section twenty-seven by striking from lines two and three the words "or town" and from line four the words "or tracts of land".

26. Amend section twenty-eight by striking from line one the words "making or reconstructing" and substituting the words "constructing or repairing"; by striking from line four the words "city or town"; from line five the word "revenue" and substituting the word "fund"; and by striking from line nine the word "parcel" and substituting the word "lot", and by striking from line eleven the words "or parcel of land".

27. Amend section twenty-nine by striking from line two the word "revenue" and substituting the word "fund"; and by striking from line four the words "city, town" and substituting the words "sewer fund".

28. Amend section thirty, line one, by striking the words "making or reconstruction" and substituting the words "construction or repair"; by striking from lines three and four the words "or board of public works where such board exists" and substituting the words "shall within ten (10) days thereafter accept or reject the work, and after acceptance of the work"; by striking from lines four and five the words "following such completion"; and by striking from line ten the word "then" and substituting the words "within said time".

29. Amend section thirty-one, lines one and two, by striking the comma (,) following the word "streets" and the words "alleys, public highways, public driveways"; and line three by striking the words "or town".

30. Amend section thirty-two by inserting a period after the word "fund" in line six and striking the words following.

31. Amend section thirty-three by striking from line one the words "or town" and the words "or board of public works" and from lines two and three the words "or tract of land"; and from line six the words "or tract".

32. Amend section thirty-four by striking from line one the words "making or reconstruction" and substituting the words "construction or repair"; by striking from lines three and four the comma (,) after the word "council" and the words "or board of public works where such board exists"; by striking from line five the comma (,) following the word "streets" and the words "avenues, highways, alleys"; from line six the words "made or reconstructed" and substituting the words "constructed or repaired"; and by striking from line seven the words "or parcels of ground"; and from lines nine and ten the words "or parcel of ground".

33. Amend section thirty-six by striking from lines two and three the comma (,) following the word "direction" and the words "or that of the board of public works where such board exists".

34. Amend section thirty-seven by striking from line seven the words "or town"; by striking the word "may" and substituting the word "shall"; by striking from line eight the word "the" and substituting the word "its"; and by inserting a period (.) after the word "limits" and striking the words following down to and including the semi-colon (;) in line eleven, and by capitalizing the letter "s" in the word "said".

35. Amend section thirty-eight by striking from line three the comma (,) after the word "city" and the word "town"; from line four the words "or town" and from line nine the words "or town".

36. Amend section forty by striking from line five the words "and shall bear" and substituting the word "with".

37. Amend section forty-one by striking from line one the words "or parcel of land".

38. Amend section forty-two by striking from line two the words "acceptance of the work" and by substituting the word "levy"; by striking from line three the words "on the date of such assessment" and by substituting the words and figures "thirty (30) days from the date of such levy"; by striking from line eight the words "the acceptance of the work" and substituting the word "levy" and by striking from line nine the words "on the date of such assessment".

39. Amend section forty-three by striking from line four the words "or town".

40. Amend section forty-four by striking from line eleven the words "or parcels" and by striking from lines thirteen and fourteen the words "or parcel or parcels".

41. Amend section forty-five by striking from line thirteen the word "city" before the word "improvement".

42. Amend section forty-six by striking all following the word "lot" in line one to the end of line five and substituting therefor the following: "shall be insufficient to pay its proportion of the cost of constructing or repairing a street improvement or sewer, the deficiency, if for a street

improvement may be paid out of the general fund or the improvement fund, and if for a sewer may be paid out of the general fund or the sewer fund."

43. Amend the caption of section forty-seven by striking the word "city" and amend the section by striking from lines one and two the words "making or reconstruction" and by substituting the words "construction or repair"; by striking from line three the words "or town" and from line five the words "or town".

44. Amend section forty-eight by striking from line one the words "making or reconstructing" and substituting the words "constructing or repairing"; by striking from line two the words "or town" and from line four the words "or town".

45. Amend section forty-nine by striking from line one the words "or town"; from line six the words "or town"; and from line seven the words "or town".

46. Amend section fifty by striking from lines two and three the words "or town" and from line twelve the words "or town"; and inserting a period (.) after the word "city".

47. Amend section fifty-one by striking from line thirteen the words "or town".

48. Amend section fifty-two by inserting in line three before the word "before" the word "or" and by striking the word "becoming" and inserting the words "it becomes"; and by striking from line nine the words "or town".

49. Amend section fifty-three by striking from line four the word "here-under" and inserting the words "under the four (4) preceding sections".

50. Amend section fifty-four by striking from lines one and two the words "making or reconstructing" and by inserting the words "constructing or repairing"; by striking from line three the words "city or town" and from line six the words "or town".

51. Amend section fifty-five by striking from line two the words "or town".

52. Amend section fifty-six by striking from line two the words "make, reconstruct" and the comma (,) before the word "and"; and substituting the word "construct"; by striking from line eight the words "make, reconstruct" and the comma (,) before the word "and"; and substituting the word "construct"; and by striking from line ten the words "or the reconstruction"; and by striking from lines twelve and thirteen the words "made, reconstructed"; and the comma (,) after the same word, and inserting the word "constructed".

53. Amend section fifty-eight by striking from line two the words "make, reconstruct" and substituting the word "construct".

54. Amend section fifty-nine by striking from line five the words "or town" and from line eleven the comma (,) following the word "street" and the words "avenue, alley, highway".

55. Amend section sixty-three by inserting in line three after the word "defect" the words "or other reason".

56. Amend section sixty-four by striking from lines five and six the words "and parcels of land".

57. Amend section sixty-seven by striking from line one the word "city".

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Senator Mead submitted the following report:

MR. PRESIDENT: Your committee on fish and game, to which was referred the substitute for House 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 of the supplement to said code, relating to propagation and protection of fish, game, wild birds and animals, 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:

(1) Amend section five (5) by striking from lines two (2) and four (4) the word and figure "two (2)" and insert in lieu thereof the word and figure "four (4)".

(2) Amend section twenty-five (25) by striking from line four (4) the words "or one line with two hooks,".

(3) Amend section twenty-five (25) by striking from line six (6) the words "or plug with not to exceed three single hooks or one three-hook gang".

(4) Amend section twenty-five (25) by striking from line seven (7) the word "thirtieth" and inserting in lieu thereof the word "fourteenth".

(5) Amend by inserting between section thirty-two (32) and thirty-three (33) the following:

"Sec. 32-a1. It shall be unlawful for any owner or his agent to remove or destroy any existing dam, or alter it in a way so as to lower the water level, without giving written notice to the state game warden ten (10) days prior to such removal or change."

(6) Amend section thirty-five (35) by striking from line three (3) the word "skipjack" and inserting in lieu thereof the words "gizzard shad".

(7) Amend section thirty-eight (38) by striking from lines three (3) and four (4) the words "of two and one-half (2½) inch mesh, stretch measure,".

(8) Amend section thirty-eight (38) by striking from lines four (4) and five (5) the word and figures "July 4, 1923" and insert in lieu thereof the word and figures "March 1, 1924."

(9) Amend by striking out section thirty-eight-a1 (38-a1) and insert in lieu thereof the following:

"Sec. 38-a1. Written reports shall be made to the state game warden, on forms prepared and furnished by him for that purpose, by each licensee at the expiration of such license, stating in detail the amount and kind of fish caught, the amount for which same were sold and the total value of each kind. The state game warden may refuse to issue subsequent licenses until such reports are filed."

(10) Amend section forty (40) by inserting in line six (6) between the semi-colon (;) and the word "and" the words "yellow perch, seven (7) inches; sunfish, six (6) inches;"

(11) Amend section fifty-five (55) by adding after the word "house" in line six (6) the words "or destroy any skunk den".

(12) Amend section fifty-six (56) by changing the period (.) at the end of line nineteen (19) to a comma (,) and adding thereafter the following:

"provided, that the state game warden shall have authority, in his discretion, to except male Mongolian, ring-neck, English or Chinese pheasants from any or all of the provisions of this section throughout all or any portion of this state, and to provide the extent of such exception by resolution to that effect, notice of which resolution shall be published for at least one issue in each of the official newspapers of any county affected, and provided further, that a permit to hunt, take or kill male Mongolian, ring-neck, English or Chinese pheasants shall fix the same days as the opening date for all counties to which permits will be granted for that season and all the days for such permit shall be consecutive. The length of such exception shall not exceed five (5) days."

(13) Amend by striking out section sixty-two (62) and insert in lieu thereof the following:

"Sec. 62. NETS, SNARES AND FERRETS PROHIBITED.

No person shall capture or take or attempt to capture or take, with any trap, snare or net, any of the game birds named in this chapter, nor shall anyone hunt or take any wild animal with a ferret."

(14) Amend section seventy-four (74) by striking from the title of the section the words "not applicable" and insert in lieu thereof the words "on commercial shipments". Also, add at the end of this section the following: "Provided, however, that it shall be unlawful for any person, firm or corporation to ship any fish taken with licensed nets or seines unless there is attached to each container a tag stating the name and address of the consignor and consignee, the amount of each kind contained therein, the waters from which taken, and that same were taken with licensed nets or seines."

(15) Amend by inserting between section seventy-four (74) and seventy-five (75) the following:

"Sec. 74-a1. In the shipping of fish, whenever a container includes one or more fish that are contraband, the entire contents of the container shall be deemed contraband, and shall be seized by the state game warden, his assistants or deputies."

O. L. MEAD, *Chairman*.

Ordered passed on file.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred House File No. 66, a bill for an act on a'd to state fair and agricultural organizations, 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:

Amendment (1) Amend House File No. 66 by inserting after the word "necessary", line 3, section 12, the words "traveling and hotel."

Amendment (2) Also amend by striking from section 33, line 2, the words "or special."

Amendment (3) Also amend by striking from section 34 the House amendment.

Amendment (4) Also amend by inserting in section 65 after the word "growing" appearing in line 8 the following: "at the same time as the farmer's winter short course at the state college of agriculture and mechanic arts."

J. D. BUSER, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Rees, 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, 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:

1. Amend by striking from lines three (3) and four (4) the words "the same for such uses and purposes" and inserting in lieu thereof the words "its holding".

2. Amend by striking from line six (6) the word "such" and inserting following the word "estate" the words "held by the United States".

3. Amend by striking from line ten (10) the words "so acquired and held", changing the period in line eleven (11) to a comma, and adding "while held by the United States".

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	Ethell	McIntosh	Scott
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Nelson	Shinn
Bowman	Hale	Newberry	Slosson
Brookhart	Hartman	Price	Snook
Brookins	Haskell	Reed	Stoddard
Buser	Horchem	Rees	Thurston
Caldwell	Johnston	Romkey	White
Cessna	Kimberly	Schmedika	Wichman
Darting			

Nays, none.

Absent or not voting, 13.

Banta	Dutcher	Mead	Shaff
Bergman	Goodwin	Olson	Smith
Browne	Holdoegel	Perkins	Tuck
Campbell			

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. 2 from further consideration.

On motion of Senator Thurston, 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), and 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend Sec. 6 as follows: By inserting after the word "place" in line four, the word "therein", and by striking out the word "and" in line seven.

2. Amend Sec. 8 by striking out the words "or machines which create or throw off dust sufficiently light to float in the air" in lines three and four. Also strike the words "or machines" in line nine, and insert the word "and" before the words "tumbling barrels".

3. Amend by adding as Sec. 9-a1 the following:

"Sec. 9-a1. Notice in case of violation.

When the commissioner or his inspector shall discover or have reason to believe that any provision of the eight preceding sections is being violated, he shall give to the person, company, corporation, or the manager or superintendent thereof, a notice in writing to comply with

such provision within a reasonable time to be fixed in said notice and which time shall be of not less than seven nor more than thirty days duration, except that such time may be extended by the commissioner for good cause shown. In fixing the time in such notice, the commissioner shall take into consideration the nature of the failure or defect constituting the violation, the danger to be apprehended therefrom, and the probable length of time and amount of labor required to remedy or cure such defect."

4. Amend Sec. 10 by striking the word and figure "one (1)" at the end of line seven, and inserting in lieu thereof the word and figure "two (2)".

Senator Brookhart offered the following amendment to the committee amendments and moved its adoption:

Amend by inserting the words "and before the word 'in'" after the word "place" in the first amendment.

The amendment to the amendment was adopted.

Senator Brookhart offered the following amendment to the first committee amendment and moved its adoption:

Amend by striking out all following the word "therein" in the first amendment and inserting in lieu thereof the following: "Amend by inserting after the comma (,) following the word 'industry' in line 5 of section 6 the words 'so far as practicable'.

Also amend by striking out of line 9 of said section the words 'so far as practicable'."

The amendment to the amendment was adopted.

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

Senator Brookhart offered the following amendment to the committee amendment and moved its adoption:

Amend the fourth amendment by adding thereto the following: "Also amend by striking out the word 'day' at the end of line 8 and inserting in lieu thereof the word 'days'."

The amendment to the amendment was adopted.

The fourth amendment was adopted.

By unanimous consent on request of Senator Brookhart the comma (,) following the word "belts" in line 9 of section 8 was stricken out.

Senator Cessna offered the following amendment and moved its adoption:

Amend by adding the following to section 6: "The provisions of this chapter shall not apply to agricultural pursuits."

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, 36.

Abben	Dutcher	Kimberly	Scott
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Banta	Gilchrist	Nelson	Slosson
Bowman	Hale	Newberry	Snook
Brookhart	Hartman	Olson	Stoddard
Buser	Holdoegel	Price	Thurston
Caldwell	Horchem	Reed	White
Cessna	Johnston	Romkey	Wichman

Nays, 1.

Mead

Absent or not voting, 13.

Bergman	Darting	Perkins	Shaff
Brookins	Goodwin	Rees	Smith
Browne	Haskell	Schmedika	Tuck
Campbell			

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. 170, 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 fifty-three (3953), and three thousand nine hundred fifty-four (3954) of the compiled code of Iowa, and sections three thousand nine hundred forty-four (3944) and three thousand nine hundred fifty (3950) 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 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, 33.

Abben	Gilchrist	Mead	Scott
Adams	Hale	Nelson	Shane
Baird	Hartman	Newberry	Slosson
Banta	Horchem	Olson	Snook
Bowman	Johnston	Price	Stoddard
Caldwell	Kimberly	Reed	Thurston
Cessna	McIntosh	Romkey	White
Ethell	Mantz	Schmedika	Wichman
Fulton			

Nays, 1.

Shinn

Absent or not voting, 16.

Bergman	Buser	Goodwin	Rees
Brookhart	Campbell	Haskell	Shaff
Brookins	Darting	Holdoegel	Smith
Browne	Dutcher	Perkins	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 Baird withdrew Senate File No. 170 from further consideration.

On motion of Senator Brookhart, 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, 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 section 4 by adding thereto the following:

"But no action shall be brought against any county, or an unliquidated demand, until the same has been presented to such board and payment demanded and refused or neglected."

Senator Shinn withdrew his amendment.

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, 39.

Abben	Dutcher	Mantz	Scott
Adams	Ethell	Mead	Shane
Baird	Fulton	Nelson	Sbinn
Bowman	Gilchrist	Newberry	Slosson
Brookhart	Hale	Olson	Snook
Brookins	Hartman	Price	Stoddard
Buser	Horchem	Reed	Tuck
Caldwell	Johnston	Rees	White
Cessna	Kimberly	Romkey	Wichman
Darting	McIntosh	Schmedika	

Nays, none.

Absent or not voting, 11.

Banta	Campbell	Holdoegel	Smith
Bergman	Goodwin	Perkins	Thurston
Browne	Haskell	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 Brookhart withdrew Senate File No. 228 from further consideration.

HOUSE AMENDMENTS CONSIDERED

Senator Shane called up for consideration Senate File No. 41, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend section twelve (12) by striking out of lines five (5) and six (6) the following: "of all mines having an average output of fifty (50) tons or more of coal per day," and inserting after the word "months" a comma.

2. Amend section eighteen (18) by striking out of lines one (1) and two (2) the following: "in which five (5) or more persons are employed,".

3. Amend section fifty-nine (59) by striking out the word "or" in line two (2) thereof and inserting in lieu thereof the word "and".

Senator Shane offered the following amendment to the House amendment and moved its adoption:

Also amend as follows:

By striking out the period (.) following the word "mine" at the end of section 18, inserting a semi-colon (;) and the words "but where five or a less number of persons are employed, the mine inspector in the exercise of a sound discretion shall have the power to waive the requirements of this section."

The amendment was adopted.

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Abben	Dutcher	McIntosh	Scott
Adams	Ethell	Mantz	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Nelson	Smith
Bowman	Hale	Newberry	Snook
Brookhart	Hartman	Olson	Stoddard
Brookins	Horchem	Price	Tuck
Caldwell	Johnston	Reed	White
Cessna	Kimberly	Schmedika	Wichman
Darting			

Nays, none.

Absent or not voting, 13.

Bergman	Goodwin	Perkins	Shaff
Browne	Haskell	Rees	Slosson
Buser	Holdoegel	Romkey	Thurston
Campbell			

The House amendments, as amended, having received a constitutional majority were 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 House was asked:

Senate File No. 265, a bill for an act relating to common carriers—expulsion of passenger.

Also: That the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 55, a bill for an act relating to public parks.

Also: That the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 197, a bill for an act relating to free or reduced transportation prohibited.

Also: That the House has concurred in Senate amendment to House amendments to the following bill:

Senate File No. 155, a bill for an act relating to municipal corporations—civil service commission.

Also: That the House has concurred in Senate amendments to the following bill:

House File No. 68-A, a bill for an act relating to the eradication of bovine tuberculosis.

Also: That the House has adopted the conference committee report and the amendments proposed therein on the following bill:

Senate File No. 39, a bill for an act relating to the administration of oaths.

Also: That the House insists on its amendments to Senate File No. 125, a bill for an act relating to the destruction of weeds, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Vincent, Johnson, Venard and Brady.

Also: That the Speaker has appointed as a conference committee on the part of the House on House File No. 71, a bill for an act relating to neglected, disabled, and abandoned animals, animals running at large, strays, 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, Representatives Robson, Children, Williams and Buffington.

Also: That the Speaker has appointed as a conference committee on the part of the House on House File No. 144, a bill for an act relating to relief for soldiers, sailors, and marines, Representatives Diltz, Clark, Yenter and Oliver.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Newberry moved that the Senate observe briefly Washington's birthday.

The motion prevailed.

Senator Newberry was escorted to the desk and addressed the Senate.

A short program was given: Readings by Mrs. Doris Slaughter-Crusinberry and addresses by Senators Dutcher, Brookhart and Banta.

The Journal of February 21st was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 10 a. m. Saturday.

Senator Brookhart moved to amend by making the time 4 p. m. today.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. John R. Price presiding.

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. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases, 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 Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred Senate File No. 299, a bill for an act to legalize the transfer of certain funds by the county treasurer of Appanoose 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 Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun 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. 256, a bill for an act to amend, revise, and codify sections 6645 and 6671 of the compiled code of Iowa, and sections 6652, 6670, 7848 and 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, 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:

1. Amend by striking out all of Sections 1 and 2 and inserting in lieu thereof the following as Section 1:

"Section 1. Bond and oath of guardian of property.

Guardians of the property of a minor must give bond, with surety to be approved by the court or clerk, in a penalty equal to the actual value of the personal estate and of the rents and profits of the real estate of the minor with twenty-five per cent added to the whole, conditioned for the faithful discharge of their duties as such guardians according to law, and must take an oath of the same tenor as the condition of the bond."

2. Amend by striking from Sec. 7 the following: "The petition may be presented to the judge, who may appoint a temporary guardian. Such appointment shall continue only until the adjournment of the next term of the district court."

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

Senator Mantz submitted the following report:

MR. PRESIDENT: Your committee on educational institutions, to which was referred House 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, 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.

Senator McIntosh submitted the following report:

MR. PRESIDENT: Your committee on suppression of intemperance, to which was referred Senate File No. 283, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred sixty-one (961), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under permits, begs leave to report it has had the same under consideration and recommends the passage of the following substitute:

Substitute for Senate File No. 283, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred sixty-one (961), inclusive, of the compiled code of Iowa, relating to the purchase, use, sale, and transportation of intoxicating liquors under permits.

J. A. MCINTOSH, *Chairman.*

Ordered passed on file.

INTRODUCTION OF SUBSTITUTE

Substitute for Senate File No. 283, by committee on suppression of intemperance, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred sixty-

one (961), inclusive, of the compiled code of Iowa, relating to the purchase, use, sale, and transportation of intoxicating liquors under permits.

Read first and second times, and ordered placed on the calendar.

AMENDMENT FILED

Amend Senate File No. 14 by adding as new sections at the end of said bill the following:

"Section 38. SALE OF GASOLINE BY EXECUTIVE COUNCIL AUTHORIZED.

Whenever in the opinion of the Executive Council of the State an unlawful combination, pool, or trust exists whereby the distribution or sale of gasoline is unlawfully controlled so that the free action of a competitive market is destroyed as to that commodity in the state, it may purchase for resale and sell gasoline in any part of the state and for this purpose may establish and conduct stations for the storage, distribution and sale of the same at cost plus the necessary expense of handling, which expense shall be determined by the council.

Section 39. EXAMINATION OF BOOKS AND RECORDS—ISSUING SUBPOENAS.

The Executive Council shall have authority any place in the state to make, or cause to be made by persons designated, an examination of the books, records and papers of any person, firm or corporation engaged in the business of distributing or selling gasoline for the purpose of ascertaining whether in the judgment of such body the person, firm or corporation is violating the law with reference to unlawful combinations, pools or trusts and for the purpose of determining the wholesale or retail price of gasoline and for such purposes may enter the place of business, either by themselves or their legal representatives, and have access to such books, records and papers and may also issue subpoenas and require the appearance of witnesses and the production before the council of books, records and papers for the purpose of making such investigation.

Section 40. APPROPRIATION—RETURN OF MONEY USED.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated as much as may be necessary for the use of the Executive Council under the provisions of this act. All money no longer used by either the Executive Council for the purposes herein provided and any money accruing from the business conducted shall be returned to the fund from which the money was originally taken."

T. C. CESSNA.

On motion of Senator Hale the Senate adjourned until 10 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 23, 1924.

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

Prayer was offered by Rev. R. B. Fisher, pastor of the Union Park Presbyterian church, of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cessna for the day, on request of Senator Brookins; Senator Shaff for the day, on request of Senator Newberry.

On motion of Senator Shane rule 33 was suspended for the day.

THIRD READING OF BILLS

On motion of Senator Ethell, Senate File No. 299, a bill for an act to legalize the transfer of certain funds by the county treasurer of Appanoose county, Iowa, 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 "to pay" from line 7 of section 1 and inserting in lieu thereof the words "will make available for the liquidation of".

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, 38.

Abben	Dutcher	Kimberly	Scott
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Olson	Stoddard
Brookins	Hartman	Price	Tuck
Euser	Holdoegel	Rees	White
Caldwell	Horchem	Schmedtka	Wichman
Darting	Johnston		

Nays, none.

Absent or not voting, 12.

Bergman	Cessna	Perkins	Shaff
Browne	Haskell	Reed	Smith
Campbell	Nelson	Romkey	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 Holdoegel, Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun 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, 32.

Abben	Caldwell	Kimberly	Scott
Adams	Ethell	McIntosh	Shane
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Snook
Bowman	Hartman	Newberry	Stoddard
Brookhart	Holdoegel	Price	Tuck
Brookins	Horchem	Rees	White
Buser	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 18.

Bergman	Dutcher	Olson	Shinn
Browne	Fulton	Perkins	Smith
Campbell	Hale	Reed	Thurston
Cessna	Haskell	Romkey	
Darting	Nelson	Shaff	

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 Ethell, House File No. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title

twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Further action was deferred.

On motion of Senator Brookhart, 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), sixty-six hundred seventy (6670), 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by striking out all of sections 1 and 2 and inserting in lieu thereof the following as section 1:

"Section 1. Bond and oath of guardian of property.

Guardians of the property of a minor must give bond, with surety to be approved by the court or clerk, in a penalty equal to the actual value of the personal estate and of the rents and profits of the real estate of the minor with twenty-five per cent added to the whole, conditioned for the faithful discharge of their duties as such guardians according to law, and must take an oath of the same tenor as the condition of the bond."

2. Amend by striking from Sec. 7 the following: "The petition may be presented to the judge, who may appoint a temporary guardian. Such appointment shall continue only until the adjournment of the next term of the district court."

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

Ayes, 9.

Brookhart
Gilchrist
Holdoegel

Johnston
Rees

Schmedika
Shinn

Snook
Wichman

Nays, 28.

Abben
Adams

Baird
Banta

Bowman
Brookins

Buser
Caldwell

Darting	Hartman	Mead	Slosson
Dutcher	Horchem	Newberry	Smith
Ethell	Kimberly	Olson	Stoddard
Fulton	McIntosh	Price	Tuck
Hale	Mantz	Shane	White

Absent or not voting, 13.

Bergman	Goodwin	Perkins	Scott
Browne	Haskell	Reed	Shaff
Campbell	Nelson	Romkey	Thurston
Cessna			

The first amendment was lost.

The second amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend as follows:

1. Strike out all of section 7 after the word "defendant" in line 5, and change the comma to a period.

2. Insert immediately after section 7 the following:

"Sec. 7-a1. Temporary guardian.

A temporary guardian may be appointed but only after a hearing on such notice to the defendant and on such service of said notice as the court or judge shall prescribe.

Sec. 7-a2. Trial.

An issue arising on a prayer for the appointment of a temporary guardian shall be tried by the court or a judge in vacation. An issue arising on the prayer for the appointment of a permanent guardian shall be tried by the court or judge unless a jury be demanded by either party.

Sec. 7-a3. Effect of appointment.

If a permanent guardian be appointed, all contracts or business transactions of the defendant after the filing of the petition shall be presumed to be a fraud against the rights and interests of the defendant."

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by inserting after the word "served" in line 3 of section 5 the words "unless otherwise provided".

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by inserting after the word "served" in line 3 of section 8 the words "unless otherwise provided".

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend section 2 by inserting the word "not" after the word "may" in line 2, and by inserting a period (.) after the word "section" in lines 2 and 3 and striking out the remainder of the section.

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

Ayes, 9.

Adams	Holdoegel	Mead	Snook
Brookhart	McIntosh	Shinn	Wichman
Gilchrist			

Nays, 19.

Abben	Buser	Hartman	Price
Baird	Dutcher	Horchem	Schmedika
Banta	Ethell	Johnston	Smith
Bowman	Fulton	Mantz	Stoddard
Brookins	Hale	Newberry	

Absent or not voting, 22.

Bergman	Goodwin	Reed	Shane
Browne	Haskell	Rees	Slosson
Caldwell	Kimberly	Romkey	Thurston
Campbell	Nelson	Scott	Tuck
Cessna	Olson	Shaff	White
Darting	Perkins		

Senator Gilchrist's amendment was lost.

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, 34.

Abben	Darting	Johnston	Scott
Adams	Dutcher	Kimberly	Shinn
Baird	Ethell	McIntosh	Smith
Banta	Fulton	Mantz	Snook
Bowman	Gilchrist	Mead	Stoddard
Brookhart	Hale	Newberry	Tuck
Brookins	Hartman	Price	Wichman
Buser	Holdoegel	Rees	
Caldwell	Horchem	Schmedika	

Nays, none.

Absent or not voting, 16.

Bergman	Goodwin	Perkins	Shane
Browne	Haskell	Reed	Slosson
Campbell	Nelson	Romkey	Thurston
Cessna	Olson	Shaff	White

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

HOUSE AMENDMENTS CONSIDERED

Senator Adams called up for consideration Senate File No. 197, amended by the House, and moved that the Senate concur in the following amendments:

Amend section six (6), subsection ten (10), by striking the word "and" from line thirty-two (32) and by adding after the word "carrier" in line thirty-three (33) the following: "and widows of pensioned employees".

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Abben	Goodwin	Newberry	Smith
Adams	Hale	Olson	Snook
Baird	Hartman	Price	Stoddard
Banta	Horchem	Schmedika	Tuck
Buser	Johnston	Scott	White
Caldwell	Kimberly	Shane	Wichman
Fulton	McIntosh	Shinn	
Gilchrist	Mantz	Slosson	

Nays, none.

Absent or not voting, 20.

Bergman	Campbell	Haskell	Reed
Bowman	Cessna	Holdoegel	Rees
Brookhart	Darting	Mead	Romkey
Brookins	Dutcher	Nelson	Shaff
Browne	Ethell	Perkins	Thurston

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

Senator Brookins called up for consideration Senate File No. 55, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 3 by adding the following sentence: "If the donation be other than real estate and a particular specification for its use be made by the donor, no part of such donation shall be used or expended for any other purpose."

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Abben	Darting	Kimberly	Scott
Adams	Dutcher	McIntosh	Shinn
Baird	Ethell	Mantz	Smith
Banta	Gilchrist	Mead	Snook
Bowman	Hale	Newberry	Stoddard
Brookhart	Hartman	Olson	Tuck
Brookins	Holdoegel	Price	Wichman
Buser	Horchem	Rees	
Caldwell	Johnston	Schmedika	

Nays, none.

Absent or not voting, 16.

Bergman	Fulton	Perkins	Shane
Browne	Goodwin	Reed	Slosson
Campbell	Haskell	Romkey	Thurston
Cessna	Nelson	Shaff	White

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

Senator Holdoegel called up for consideration Senate File No. 123, amended as follows by the House:

Amend section one (1), line three (3) by inserting after the word "not" the following: "a state road or".

Amend section two (2) by inserting between the words "faithfully" and "expend" in lines two (2) and three (3) the words "and equitably". Also amend by adding at the end of the section the following: "They may let by contract, to the lowest responsible bidder, any part of the township work for the current year."

Amend section four (4) by striking from line one (1) the word "township"; also amend by adding after the word "townships" in line two (2) the words "or townships and cities or towns".

Insert before the word "boards" in line four (4) of section four (4) the word "governing". Also strike out the words "of trustees" in line four (4) of section four (4).

Amend section six (6) by striking out the word "roads" in line four (4) and inserting in lieu thereof "school bus routes". Also, by striking the word "and" in the same line and adding after the word "routes" as it appears at the end of the section the words "and all main traveled roads".

Amend section nine (9) by adding as subsection seven (7), the following: "Pay to the township clerk all moneys received by him."

Amend section ten (10) by inserting a comma (,) in place of the period (.) at the end of the section and by adding the following: "but except on extraordinary occasions no person shall be required to go more than three (3) miles from his place of residence to work."

Amend section eleven (11) by inserting in line two (2) after the word "road" the following: "or tile drains". Also amend section eleven (11)

by striking from line three (3) the following: "inclosure or cultivated field," and by inserting in lieu thereof the words, "farmyard, orchard or feed lot".

Amend by striking from line three (3) of section twelve (12) the following: "erect notice at the proper point to facilitate travel and". Also by striking from said line the words: "at the expense of the county". Also by striking from said line the words "verbally, and confirm by written notice,".

Amend section thirteen (13) by striking from lines six (6), seven (7), eight (8) and nine (9) of said section the following words: "No payment for such work shall be made until the bills therefor shall have been approved by the county engineer as provided for the approval of bills for work on the county road system."

Amend section fourteen (14) by adding thereto the following: "They shall also at their April meeting determine the amount that shall be allowed for a day's labor by a man and by a man and team on the road."

Amend section fifteen (15) by striking from line eight (8) the words "board of supervisors and".

Amend section eighteen (18) by adding thereto the following: "In townships where the road drainage fund is insufficient to pay drainage assessments due, any surplus or part thereof remaining in the township road fund at the time of the November meeting of the trustees may be transferred to the road drainage fund."

Amend section eighteen (18) by striking out of line seven (7) the words "the county" and inserting in lieu thereof the words "a competent civil".

Amend section twenty-four (24) by striking out all of subsection four (4).

Amend by striking out section twenty-nine (29) of the bill.

Senator Holdoegel offered the following amendment to the House amendments and moved its adoption:

Amend the first House amendment to section 18 by striking out the period (.) at the end of said amendment and inserting in lieu thereof a comma (,) and adding thereto the following: "and in townships where the road drainage fund has an excess over the amount required for road drainage, the township may transfer any surplus or part thereof to the township road fund."

Senator Price raised the point of order that the matter being discussed was not before the Senate.

The President held the point well taken.

Further action was deferred.

HOUSE FILE NO. 46 RECALLED

Senator Ethell moved that House File No. 46 be recalled from the House, which motion prevailed.

The Journal of February 22d was corrected and approved.

On motion of Senator Price the Senate adjourned until 10 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 25, 1924.

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

Prayer was offered by Rev. A. H. Anderson, pastor of the First Congregational church, of Ankeny, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shaff for the day, on request of Senator Newberry; Senator Dutcher for the balance of the week, on request of Senator Stoddard; Senator Banta for the balance of the week on request of Senator Scott; Senator Haskell for the balance of the week on request of Senator Hale; Senator Cessna for the day, on request of Senator Brookins; Senator Tuck for the day on request of Senator Brookhart; Senator Reed for the balance of the week, on request of Senator Hale.

Senator Newberry moved that the President appoint a committee to attend the funeral of Senator Reed's father, who passed away yesterday, and which funeral occurs tomorrow.

The motion prevailed and the President appointed as such committee Senators Newberry, Hale, Hartman, Banta 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: House Files Nos. 20, 130, 168, 188, 250, 293.

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. 20, 130, 168, 188, 250 and 293.

REPORT OF COMMITTEE

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 69, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants, 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:

1. Amend section one (1), line twenty-four (24), after the word "kitchen" by inserting the word "retail".

2. Amend section two (2), by striking out of line six (6) and line seven (7), the words "or restaurant".

3. Amend subsection six (6) of section five (5) by inserting after the word "works" in line thirteen (13) the following: "soda fountain, bakery,".

4. Amend section ten (10) line three (3) by adding after the period following the word "water" the following sentence: "All new slaughter-houses shall be constructed with cement, vitrified brick, or tile floors and killing beds."

5. Amend section eighteen (18) at the end of subsection six (6) by changing the period to a comma and adding the following: "except the same be for immediate slaughter."

6. Amend section twenty-two (22) line three (3) by inserting after the word "and" the word "thoroughly".

7. Amend section 23 by striking out said section and substituting therefor the following:

"No person shall be allowed to sleep in any workroom of any food establishment in which food is prepared for sale, served, stored, or sold."

8. Amend section fifty (50), line ten (10), after the word "plant" by inserting the words "or plants".

9. Amend section fifty-five (55), line two (2), after the word "report" by inserting the words "upon blanks furnished by the department".

10. Amend section sixty-three (63), line three (3) after the comma following the word "sale" by inserting the words "cooked or".

11. Amend section sixty-four (64), line two (2), after the word "sale" by inserting the words "to consumers".

12. Amend section sixty-four (64) by adding the following after the period in line four (4): "The operator of a cold storage plant shall label

all goods with the date when stored, which date shall not be removed when goods are removed, and in determining whether goods are "cold stored" the time same have been stored in different plants shall be added together and the aggregate shall be the time stored and shall be so marked when sold."

J. D. BUSER, *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 adopted the conference committee report and the amendments proposed therein on the following bill:

House File No. 212, a bill for an act relating to certain special liens.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

Substitute for House File No. 178, a bill for an act 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. 266, a bill for an act relating to jurors.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 257, a bill for an act relating to cigarettes and tobacco.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 171, a bill for an act relating to municipal corporations—street improvement and sewer bonds.

Also: That the House has concurred in Senate amendment to House amendments to the following bill:

Senate File No. 41, a bill for an act relating to coal mines and mining.

Also: That the House has amended and refused to concur in Senate amendments to the following bill:

House File No. 213, a bill for an act relating to marriage and incest.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors.

Read first and second times and referred to committee on judiciary No. 1.

Substitute for House File No. 178, 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 seven hundred twenty-two (3722) to three thousand and 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 sections four thousand fifty-nine (4059), and three thousand six hundred thirty-eight (3638) of the supplement to said code, relating to municipal corporations.

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

THIRD READING OF BILLS

On motion of Senator Mantz, House 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 (2535) of the compiled code of Iowa, relating to the Iowa State Teachers College, 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, 34.

Abben	Fulton	Newberry	Shinn
Adams	Gilchrist	Olson	Slosson
Baird	Horchem	Perkins	Smith
Bowman	Johnston	Price	Snook
Brookhart	Kimberly	Rees	Stoddard
Brookins	McIntosh	Romkey	Thurston
Buser	Mantz	Schmedika	Wichman
Caldwell	Mead	Scott	
Ethell	Nelson	Shane	

Nays, none.

Absent or not voting, 16.

Banta	Cessna	Hale	Reed
Bergman	Darting	Hartman	Shaff
Browne	Dutcher	Haskell	Tuck
Campbell	Goodwin	Holdoegel	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 Ethell, House File No. 142, a bill for an act to amend, revise, and codify chapter fourteen (14) of title twelve (12) of the compiled code of Iowa, and of the supplement to said code, relating to county public hospitals and detention hospitals for contagious diseases, with report of committee recommending passage, was taken up, considered, the report of the committee having been previously adopted.

Senator Fulton offered the following amendments and moved their adoption:

In section 5 strike out of lines 1 and 2 the following words: "upon the taxable property of the county,".

Also, strike out of lines 3 and 4 the words "on the dollar".

Also, strike out of line 5 the words "on the dollar required".

In section 18 strike out of line 6 the words "of not to exceed" and insert in lieu thereof the words "not exceeding".

Also, place a period (.) after the word "mill" in line 7 and strike out all the remainder of said line including the period (.)

In section 28 strike out all the section after the period (.) following the word "annually" in line 5 and in lieu thereof insert the following:

"The board shall make such levy as will pay the said bonds and interest thereon as they become due. Such funds shall be used for no other purpose."

The amendments were adopted.

Senator Caldwell offered the following amendment and moved its adoption:

Amend as follows:

Immediately following section 14, insert the following new section:

"Sec. 14-a1. Duty of trustees as to collections.

It shall be the duty of the trustees either by themselves or through the superintendent to make collections of all accounts for hospital services rendered for others than indigent patients. Such account shall be payable on presentation to the person liable therefor, of an itemized statement, and if not paid or secured within sixty (60) days after such

presentation the said trustees shall proceed to enforce collections by such legal proceedings as they may deem necessary. All legal services for such purpose shall be performed by the county attorney without additional compensation."

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, 32.

Abben	Fulton	Olson	Shinn
Baird	Horchem	Perkins	Slosson
Bowman	Johnston	Price	Smith
Brookhart	Kimberly	Rees	Snook
Brookins	McIntosh	Romkey	Stoddard
Buser	Mantz	Schmedika	Thurston
Caldwell	Mead	Scott	White
Ethell	Nelson	Shane	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Cessna	Hale	Newberry
Banta	Darting	Hartman	Reed
Bergman	Dutcher	Haskell	Shaff
Browne	Gilchrist	Holdoegel	Tuck
Campbell	Goodwin		

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

CONFERENCE COMMITTEE REPORT CONSIDERED

On motion of Senator Mantz the following conference committee report was taken up and considered:

MR. SPEAKER: Your conference committee, to whom was referred the disagreement between the Senate and the House on House File No. 212, 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, begs leave to report that they have had same under consideration and submit the following report:

First, that the House concur in the Senate amendment to section twenty-seven (27).

Second, that the following substitute to the Senate amendment to section sixty-one (61) be adopted as follows:

Amend the bill by striking out section sixty-one (61).

CLYDE H. DOOLITTLE
EARL W. VINCENT
WM. E. G. SAUNDERS
J. C. McCLUNE

Conferees on part of the House.

H. J. MANTZ
G. S. HARTMAN
A. T. BROOKINS

Conferees on part of the Senate.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 31.

Abben	Ethell	Nelson	Slosson
Adams	Fulton	Olson	Smith
Baird	Horchem	Perkins	Snook
Bowman	Johnston	Romkey	Stoddard
Brookhart	Kimberly	Schmedika	Thurston
Brookings	McIntosh	Scott	White
Buser	Mantz	Shane	Wichman
Caldwell	Mead	Shinn	

Nays, none.

Absent or not voting, 19.

Banta	Darting	Hartman	Reed
Bergman	Dutcher	Haskell	Rees
Browne	Gilchrist	Holdoegel	Shaff
Campbell	Goodwin	Newberry	Tuck
Cessna	Hale	Price	

The conference committee report 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 Buser, House File No. 66, a bill for an act to amend, revise, and codify chapters three (3), five (5), and nine (9) of title eight (8), and sections sixteen hundred fourteen (1614) to sixteen hundred sixteen (1616), inclusive, sixteen hundred eighteen (1618) to sixteen hundred twenty-one (1621), inclusive, sixteen hundred twenty-three (1623) to sixteen hundred twenty-five (1625), inclusive, sixteen hundred twenty-eight (1628), sixteen hundred thirty (1630), sixteen hun-

dred thirty-one (1631), and sixteen hundred thirty-eight (1638) to sixteen hundred forty-four (1644), inclusive, of the compiled code of Iowa, and chapters six (6), seven (7), and eight (8) of title eight (8), of the compiled code of Iowa and the supplement to said code, and chapter ten (10) of title eight (8) and sections sixteen hundred twenty-two (1622), sixteen hundred thirty-one-a nine (1631-a9), sixteen hundred thirty-six-a one (1636-a1) to sixteen hundred thirty-six-a eight (1636-a8), inclusive, and sixteen hundred thirty-seven (1637), of the supplement to said code, relating to state fair and agricultural organizations receiving state aid, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amendment (1) Amend by inserting after the word "necessary", line 3, section 12, the words "traveling and hotel".

Amendment (2) Also amend by striking from section 33, line 2, the words "or special".

Amend section 34 by striking therefrom lines 1, 2, 3, and 4 and substituting the following:

"If a majority of the votes cast are in favor of such proposition."

Amendment (4) Also amend by inserting in section 65 after the word "growing" appearing in line 8 the following: "at the same time as the farmers' winter short course at the same college of agriculture and mechanic arts".

Senator Scott was called to the chair at 10:55 a. m.

The amendments were adopted.

Senator Johnston offered the following amendment and moved its adoption:

Amend by inserting the words "traveling and hotel" after the word "necessary" in line 2 of section 8.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 5 lines 1 to 5 inclusive and substituting the following:

"1. The convention shall elect a president and a vice president of the state fair board.

2. The delegates of each congressional district shall elect the director for that district and he shall take office at noon on the day following the adjournment of the convention."

President Hammill resumed the chair at 11:38 a. m.

Senator Ethell moved the previous question.

Senator Price raised the point of order that Senator Ethell had debated the matter and could not, therefore, move the previous question.

The President held the point well taken.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. John R. Price presiding.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 66.

Senator Shane was called to the chair at 1:40 p. m.

President Hammill took the chair at 1:50 p. m.

Senator Wichman moved that further action on this bill be deferred and that it be made a special order for 10 a. m., March 6th.

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

Ayes, 11.

Adams	Goodwin	Olson	Stoddard
Baird	Horchem	Perkins	Wichman
Gilchrist	Mead	Scott	

Nays, 25.

Abben	Darting	Mantz	Shane
Bowman	Fulton	Nelson	Shinn
Brookhart	Hartman	Price	Smith
Brookins	Johnston	Rees	Snook
Browne	Kimberly	Romkey	Thurston
Fuser	McIntosh	Schmedika	White
Caldwell			

Absent or not voting, 14.

Banta	Dutcher	Holdoegel	Shaff
Bergman	Ethell	Newberry	Slosson
Campbell	Hale	Reed	Tuck
Cessna	Haskell		

The motion was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend section 98 by changing the period (.) at the end of the section to a comma (,) and adding the following: "after which they shall be audited by the state board of audit and paid as other claims."

Senator Abben moved the previous question, which motion prevailed.

On the question "Shall the amendment offered by Senator Fulton be adopted?" the vote was:

Ayes, 28.

Abben	Caldwell	McIntosh	Schmedika
Adams	Darting	Mantz	Shane
Bowman	Ethell	Nelson	Shinn
Brookhart	Fulton	Olson	Smith
Brookins	Hartman	Price	Snook
Browne	Johnston	Rees	Thurston
Buser	Kimberly	Romkey	White

Nays, 6.

Baird	Horchem	Stoddard	Wichman
Gilchrist	Perkins		

Absent or not voting, 16.

Banta	Dutcher	Holdoegel	Scott
Bergman	Goodwin	Mead	Shaff
Campbell	Hale	Newberry	Slosson
Cessna	Haskell	Reed	Tuck

The amendment was adopted.

Senator Price moved that the vote by which the amendment was adopted be reconsidered.

On the question "Shall the vote be reconsidered?" the vote was:

Ayes, 1.

White

Nays, 26.

Abben	Caldwell	McIntosh	Shane
Adams	Ethell	Nelson	Shinn
Baird	Fulton	Olson	Smith
Bowman	Hartman	Price	Snook
Brookhart	Horchem	Rees	Thurston
Browne	Johnston	Romkey	
Buser	Kimberly	Schmedika	

Absent or not voting, 23.

Banta	Dutcher	Mantz	Shaff
Bergman	Gilchrist	Mead	Slosson
Brookins	Goodwin	Newberry	Stoddard
Campbell	Hale	Perkins	Tuck
Cessna	Haskell	Reed	Wichman
Darting	Holdoegel	Scott	

The motion to reconsider was lost.

On the question "Shall the amendment offered by Senator Brookhart be adopted?" the vote was:

Ayes, 27.

Abben	Fulton	Mantz	Shane
Brookhart	Goodwin	Nelson	Shinn
Brookins	Hartman	Price	Smith
Browne	Horchem	Rees	Snook
Buser	Johnston	Romkey	Thurston
Caldwell	Kimberly	Schmedika	White
Darting	McIntosh	Scott	

Nays, 3.

Adams	Baird	Perkins
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Absent or not voting, 20.

Banta	Dutcher	Holdoegel	Shaff
Bergman	Ethell	Mead	Slosson
Bowman	Gilchrist	Newberry	Stoddard
Campbell	Hale	Olson	Tuck
Cessna	Haskell	Reed	Wichman

Senator Brookhart's amendment was 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, 30.

Abben	Ethell	Mantz	Shane
Bowman	Fulton	Nelson	Shinn
Brookhart	Goodwin	Olson	Smith
Brookins	Hartman	Price	Snook
Browne	Horchem	Rees	Thurston
Buser	Johnston	Romkey	White
Caldwell	Kimberly	Schmedika	
Darting	McIntosh	Scott	

Nays, 7.

Adams	Gilchrist	Perkins	Wichman
Baird	Mead	Stoddard	

Absent or not voting, 13.

Banta	Dutcher	Holdoegel	Shaff
Bergman	Hale	Newberry	Slosson
Campbell	Haskell	Reed	Tuck
Cessna			

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.

Senator Johnston withdrew his motion to lay on the table.

Senator Gilchrist moved that the Senate adjourn until 10 a. m., Tuesday.

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

Ayes, 8.

Gilchrist	Horchem	Oison	Smith
Goodwin	Mead	Perkins	Stoddard

Nays, 25.

Abben	Caldwell	McIntosh	Schmedika
Adams	Darting	Mantz	Shane
Bowman	Ethell	Nelson	Shinn
Brookhart	Fulton	Price	Snook
Brookins	Johnston	Rees	Thurston
Browne	Kimberly	Romkey	White
Buser			

Absent or not voting, 17.

Baird	Dutcher	Holdoegel	Shaff
Banta	Hale	Newberry	Slosson
Bergman	Hartman	Reed	Tuck
Campbell	Haskell	Scott	Wichman
Cessna			

The motion was lost.

Senator Gilchrist moved that when the Senate adjourn it be until 10 a. m., Tuesday.

Senator Buser raised the point of order that no business had been transacted between the two motions to adjourn and this motion was, therefore, out of order.

The President held the point well taken, as there had been, immediately preceding, a vote taken on adjournment, the result

of which had been announced, and that a motion to adjourn setting the same time as the previous motion, while it might be strictly in order, should be disregarded.

Senator Baird raised the point of order that the question before the Senate was the motion offered by Senator Johnston to reconsider the vote by which the bill passed the Senate.

The President held the point well taken.

Senator Stoddard moved that the Senate adjourn until 10 a. m., Tuesday.

The President held the motion out of order.

On the question "Shall the vote by which House File No. 66 passed the Senate be reconsidered?" the vote was:

Ayes, 2.

Gilchrist	Mead
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Nays, 26.

Abben	Ethell	McIntosh	Shinn
Bowman	Fulton	Nelson	Smith
Brookhart	Goodwin	Price	Snook
Brookins	Hartman	Rees	Thurston
Browne	Horchem	Romkey	White
Buser	Johnston	Schmedika	
Caldwell	Kimberly	Shane	

Absent or not voting, 22.

Adams	Darting	Newberry	Slosson
Baird	Dutcher	Olson	Stoddard
Banta	Hale	Perkins	Tuck
Bergman	Haskell	Reed	Wichman
Campbell	Holdoegel	Scott	
Cessna	Mantz	Shaff	

The motion to reconsider was lost.

AMENDMENTS FILED TO SUBSTITUTE FOR HOUSE FILE NO. 54

MR. PRESIDENT: I move to amend substitute for House File No. 54 as follows:

Strike the words "fish in the waters of this state, or" as they occur in line one of section 14.

"Persons under eighteen (18) years of age may fish in the waters of this state, and," as they occur in lines 4 and 5 of section 14.

By substituting a capital "O" for small "o" in beginning of the word "Owners" in line 5 of section 14.

Strike the words "fish and" as they occur in line 5 of section 16.

Strike the words "private waters, or on" as they occur in line 6 of section 16.

Strike the words "fish and" as they occur in line 1 of section 17.

Strike the words "and fishing" as they occur in line 6 of section 17.

Strike the words "for fishing with hook and line and trot line and hunting" as they occur in lines 10 and 11 of section 17.

Strike lines 12 and 13 of section 17 and renumber all succeeding lines of said section.

Strike the words "to fish with hook and line and trot line and" as they occur in lines 3 and 4 of section 19.

Strike the words "to either fish with hook and line and trot line or" as they occur in lines 6 and 7 of section 19.

Strike the words "fish nor" as they occur in line 10 of section 19.

Strike the words "combination fishing and" as they occur in line 13 of section 19.

Strike last sentence of section 19.

FRANK SHANE.

MR. PRESIDENT: I move to strike out of Sec. 14 of Substitute for House File No. 54, all of the second paragraph of said section as follows:

"No male person over the age of eighteen years shall fish in the stocked meandered lakes or stocked meandered streams of the state without first procuring a fishing license; provided, however, no license shall be required from owners or tenants of farm lands, their wives, children, or employees for hunting, trapping, or fishing upon lands owned or occupied by them."

J. A. McINTOSH.

AMENDMENTS FILED TO HOUSE FILE NO. 46

Senator Ethell filed the following amendment to House File No. 46:

Amend by striking out sections 1 and 2 and inserting in lieu thereof the following:

"Section 1. Labor commissioner.

The bureau of labor shall be under the control of a labor commissioner, who shall have his office at the seat of government and shall devote his entire time to the duties of his office.

Sec. 2. Appointment.

The governor shall, within sixty days after the organization of the regular session of the general assembly in nineteen hundred twenty-five (1925) and each two years thereafter, appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the senate, a labor commissioner who shall serve for a period of two years from July first of the year of appointment.

Sec. 2-a1. Vacancies.

A vacancy in said position which may occur while the general assembly is not in session shall be filled by appointment by the governor, which

appointment shall expire at the end of thirty (30) days from the time the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its confirmation an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled as regular appointments are filled and before the end of said session and for the unexpired portion of the regular term.

Sec. 2-a2. Temporary provision.

The incumbent of said position, at the time this chapter takes effect, shall continue to serve until July first, nineteen hundred twenty-five (1925)."

INTRODUCTION OF BILLS

Senate File No. 301, by Senator White, a bill for an act to legalize the action of the board of directors of the independent school district of Toledo, Tama county, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the school house fund of said school district.

Read first and second times and referred to committee on judiciary No. 2.

The Journal of February 23d was corrected and approved.

On motion of Senator Gilchrist the Senate adjourned until 10 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 26, 1924.

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

Prayer was offered by Rev. Arthur M. S. Stook, pastor of the Congregational church, of Reinbeck, Iowa.

Senator Mead moved that rule 33 be suspended for the day.

The motion was lost.

THIRD READING OF BILLS

On motion of Senator Buser, House File No. 69, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A) of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Thurston moved that further action be deferred.

Senator Shane moved to amend by adding that it be deferred until March 6th.

The amendment was adopted.

The motion prevailed and further action was deferred until March 6th.

President pro tem. Price took the chair at 10:30 a. m.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House returns herewith as requested the following bill:

House File No. 46, a bill for an act relating to labor bureau and commissioner.

A. C. GUSTAFSON, Chief Clerk.

Senator Scott moved that the remarks made by personal privilege in regard to the insurance investigation be printed in the Journal.

Senator Stoddard invoked rule 8.

During the calling of the roll, Senator Baird asked to be allowed to explain his vote.

President pro tem. Price held that the explanation should be in writing, and printed in the Journal, and could not be made from the floor.

Senator Ethell moved that Senator Baird be excused from voting. Motion lost.

Senator Buser moved that Senator Baird be allowed to explain his vote before answering to the roll call.

Senator Smith raised the point of order, that a ruling had already been made with reference to the explanation of votes.

President pro tem. Price held the point well taken, and that any Senator had the right under the constitution to file an explanation and have it printed in the Journal.

Senator Romkey appealed from the decision of the chair.

The chair was sustained.

On the question "Shall the motion prevail, and the remarks be printed in the Journal?" the vote was:

Ayes, 26.

Abben	Gilchrist	Price	Snook
Adams	Horchem	Rees	Stoddard
Baird	Kimberly	Scott	Thurston
Brookins	Mantz	Shaff	White
Caldwell	Mead	Shane	Wichman
Cessna	Olson	Slosson	
Darting	Perkins	Smith	

Nays, 11.

Bowman	Ethell	McIntosh	Schmedika
Browne	Fulton	Nelson	Shinn
Buser	Johnston	Romkey	

Absent or not voting, 13.

Banta	Dutcher	Hartman	Newberry
Bergman	Goodwin	Haskell	Reed
Brookhart	Hale	Holdoegel	Tuck
Campbell			

The motion prevailed.

Senator Scott remarked as follows:

MR. PRESIDENT: I arise to a question of personal privilege and call the attention of the Senate to an article and statement published in the Des Moines Capital on Monday, February 25th, which was copied from a statement given to the press by the Senator from Jackson and appearing upon his senate stationery, but unsigned, a paragraph of which reads as follows:

"I find fire companies are not under the blue sky law. I find that the commissioner of insurance had Senator Scott of Marshall county introduce an amendment to a code bill to make an exception of the insurance commissioner in the manner of removal from office. Why should he not be under the law that others serve under?" That's the paragraph.

Now Mr. President, the facts are—and I call to witness the members of the insurance committee, of which I am chairman, and particularly the senator from Wapello, the senator from Jefferson and the senator from Audubon—that when Code Commissioners' Bill 205 was before the committee on insurance, an amendment was offered which reads as follows: Amend section two by adding after the period in line nine, the following: "He may only be removed by a majority vote of the executive council and upon statutory grounds."

I call further attention to the fact that the records show that the senator from Wapello moved the adoption of the amendment. That was before the committee on the 23rd of January, 1924.

After the senator from Wapello had moved the adoption of this amendment, the matter was discussed in the committee and the committee unanimously adopted that amendment. On January 26th, Senate File No. 205 was adopted by this senate with that amendment. On the 20th of January, Code Commissioners' Bill No. 34, which is the general removal statute, was before the Senate. It was apparent that insofar as that one provision in 205 was concerned that Code Commissioners' Bill 34 was in conflict with that section. There was a conference here at my desk participated in by the senators from Wapello, Jefferson, and Audubon, and myself, and it was decided that Code Commission Bill 34 should be amended to conform with Code Commission Bill 205 in that respect; accordingly the senator from Jefferson prepared the amendment which excepted the insurance commissioner from the provisions of 34 to conform as I have said, to 205 and to also conform with the law as it is at the present time, and neither I, as chairman, nor the committee made any effort to change the present law regarding the removal of the insurance commissioner.

These are the facts and I have called to witness these gentlemen whose names I have mentioned and on this statement of facts I desire to state now, that this statement appearing in this paper is a deliberate, premeditated statement of a malicious lie, and I do not believe that any member of this Senate has the privilege of arising from his membership in the Senate to libel any other member.

Senator Browne replied as follows:

The statement that the Senator from Marshall read in the newspaper you will find is true. I do not deny making that statement in the least. I have made no accusation referring to the Senator from Marshall further than this: That this amendment originated with Mr. Kendrick himself and was carried through the insurance committee. Mr. Scott being chairman of the insurance committee it was reasonably supposed that he would handle that part of it.

Senator Scott remarked further as follows:

In reference to the statement by the Senator from Jackson that the insurance commissioner talked to me at any time about having him exempted from the law, I will say that he never asked me at any time to introduce any amendment for his benefit.

Senator Fulton made the following remarks as a matter of personal privilege:

I wish to state what occurred in the insurance committee. The difference between Code Bill 205 and the existing law was discussed. It was noted that the provision relating to the removal of the insurance commissioner was omitted. I am certain that the insurance commissioner did not broach the subject to me at any time, for I have had no conversation with him during this session. I helped to word the amendment which was written into 205 and the only purpose that I know of was to put there the same provision that now exists in law.

Senator Browne remarked further as follows:

Before presenting my resolution that is now creating such smoke, 205 was passed during my absence. I think it was the second day after my return that 34 came up, carrying the amendment that the Senator from Marshall speaks of. It was passed and the vote by which it passed was reconsidered, and it is now, I think, at the secretary's desk. Since it came back for reconsideration I went down to the insurance department office and took the subject up with them. The commissioner acknowledged that the amendment came from his department and that it was essentially what he was trying to do. He gave the reasons that I have previously given on the floor.

Senator Mantz remarked as follows as a matter of personal privilege:

I was the chairman of the sub-committee on the removal bill No. 34. I am also a member of the insurance committee. In the discussion in the insurance committee of bill 205 the only purpose of the amendment as revealed by the discussion was to restore the law, or leave the law just as it was. When No. 34 came up for consideration I think the senators will remember that I made a statement here, in which this amendment was referred to, explaining the purpose of the bill, and giving the reason why we thought this amendment was necessary. The insurance commissioner

never said a word directly, or indirectly, to me concerning this bill. I think the remarks made by Senator Scott are absolutely in harmony with the facts.

AMENDMENT FILED TO HOUSE FILE NO. 69

Senator Shane filed the following amendment to the committee amendments on House File No. 69:

Amend the fourth amendment by inserting after the comma (.) after the word "cement" the following: "asphaltum, flux,".

SENATE FILE NO. 283 MADE SPECIAL ORDER

On motion of Senator Romkey, Senate File No. 283 was made a special order for March 6th at 10:30 a. m.

The Journal of February 25th was corrected and approved.

On motion of Senator Kimberly the Senate adjourned until 10 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 27, 1924.

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

Prayer was offered by Rev. L. C. Cooley, pastor of the First Presbyterian church, of Winterset, Iowa.

On motion of Senator Stoddard rule 33 was suspended for the day.

REPORTS 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. 149.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

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 Senate Files Nos. 39, 155 and 265.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

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 Nos. 30, 50 and 154.

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. 30, 50 and 154 and Senate Files Nos. 39, 155, 265 and 149.

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 27th day of February, 1924, sent to the governor for his approval, Senate File No. 39, a bill for an act relating to the administration of oaths. Senate File No. 155, a bill for an act relating to municipal corporations. Senate File No. 265, a bill for an act relating to railways and to offenses thereon, and to the right to remove intoxicated persons therefrom. Senate File No. 149, a bill for an act relating to land surveys.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

REPORTS OF COMMITTEE

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 292, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township 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.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 134, 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), thirty-one hundred ninety-three (3193), ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293), of the compiled code of Iowa, relating to county attorneys, 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.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 220, 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, 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:

1. Amend section 15 thereof by inserting after the word "incorporated" in line 3, the words "city or". Also by inserting after the word "district" in line 4 of said section the words "other than the city in which said court is established".

2. Amend section 17 by inserting after the word "incorporated" in line 2 of said section the words "city or". Also by striking out the comma (,) after the word "towns" in said line 2 and inserting in lieu thereof the words "other than the city in which said court is established". Also amend section 17 of said bill by striking out the comma (,) following the words "mayor's court" in line 2 thereof.

3. Amend section 19 of said bill by striking out the word "towns" in line 3 of said section and inserting in lieu thereof "cities or towns in which said court is established".

4. Amend section 20 of said bill by striking out the word "towns" in line 2 of said section and inserting in lieu thereof the words "cities or towns in which said court is established". Also amend section 20 of said bill by placing a comma (,) after the word "courts" in line 3 of said section and after the word "sections" in line 4 of said section.

5. Amend section 24 of said bill by inserting after the word "action" in line 1 of said section the words "within its jurisdiction".

6. Amend section 28 of said bill by inserting preceding line 1 of said bill the words "In class 'A' cases witness shall receive the same fees as witnesses in the district court".

7. Amend section 29 by striking out the same and inserting in lieu thereof the following:

"Sec. 29. Unless otherwise provided in this chapter, fees, costs and expenses payable in said court shall be the same as in district court. In cases in class 'B', class 'C' and class 'D' fees, costs and expenses shall be the same as in the courts of justices of the peace. The bailiff may retain amount allowed to him by law for mileage and necessary actual expenses in addition to his salary. All other fees, fines, forfeitures, costs and expenses collected shall be turned over to the city treasurer by the

officer collecting the same on or before the tenth day of each succeeding month."

8. Amend section 31 of said bill by striking said section therefrom and inserting in lieu thereof the following:

"Sec. 31. Jury list.

The commission, in the presence and under the supervision of the judge of said court, if only one, and if more than one, a judge of said court designated by the judges thereof, shall, on the establishment of the court prepare from the poll books of the last preceding general election in the territory included in the municipal court district, a list equal in number to one-tenth (1/10) of all electors thereon qualified for jury service, which shall be known as the 'jury list'; and shall before the last Monday in April following each general municipal election thereafter prepare such a list from the poll books of the preceding general municipal election."

9. Amend section 35 of said bill by striking out the words "but have not served" in line 5 of said section and inserting in lieu thereof "and excused from service".

10. Amend section 36 of said bill by striking therefrom the following words: "The jury shall, on all occasions, consist of six (6) jurors; except in class 'A' cases a jury of twelve (12) may be demanded", and inserting in lieu thereof the following: "The jury shall consist of six (6) jurors, unless, in class 'A' cases a jury of twelve (12) is demanded".

11. Amend section 41 of said bill by striking said section therefrom and substituting in lieu thereof the following:

"Sec. 41. The laws relating to appeals from judgments or orders of the district court, or a judge thereof, to the supreme court shall apply to judgments or orders of the municipal court or a judge thereof in all class 'A' actions. The laws applicable to the appeal from judgments in justice of the peace courts shall apply to judgments or orders of the municipal court, or a judge thereof in class 'B', class 'C' and class 'D' actions. In class 'C' actions appeals may be taken from the judgment or order of the municipal court or a judge thereof direct to the supreme court the same as from the district court."

12. Amend section 42 by striking therefrom the following language in lines 1 and 2: "When a judgment of the court has been transcribed to the district court and thereafter appealed from and superseded" and inserting in lieu thereof the following: "Whenever a judgment of the court is appealed from and superseded and a transcript of the judgment has been 'or thereafter shall be' filed in the district court,".

13. Amend section 43 of said bill by striking out lines 8, 9 and 10 thereof and inserting in lieu thereof the following: "All class 'A' actions and also all class 'C' actions in which the defendant shall, before trial, waive his right to an appeal to the district court, may be reported the same as in the district court and the reporter's fees shall be taxed therein as costs."

14. Amend section 49 of said bill by striking therefrom the following

words in the last three lines thereof: "and it shall not be deemed to have carried unless it shall have received at least two-thirds (2/3) of all the votes cast at such election" and inserting in lieu thereof the following: "and approved by majority of the votes cast at such election voting on said question".

15. Amend section 14 by inserting after the word "maintenance" in line 4 of said section the following: "petitions for writs of habeas corpus,".

16. Amend said bill by inserting the following after section 23:

"Sec. 23-a1. Change of venue.

Changes of venue may be taken from said court in all civil actions to the district court of the same or another county in the same manner, for like cause and with the same effect as the venue changed from the district court. But in all civil cases, including actions on written contracts to be performed within the municipal district, where any party defendant shall, before any pleading is filed by him, file in said cause a motion for a change of venue to the district court of the county, supported by affidavit showing that such party defendant was not a resident of the municipal court district at the time of the commencement of the action, the cause, upon such motion, shall be transferred to the district court of the county."

17. Amend section 27 of the bill by striking out of lines 7 and 8 of said section the following words: "or other courts having jurisdiction thereof" and inserting in lieu thereof the following: "courts".

18. Amend section 29 of said bill as amended by striking out of line 8 thereof the words "fines, forfeitures" and adding to such section the words "and all fines and forfeitures shall be turned over to the county treasurer within such time".

JNO. R. PRICE, *Chairman*.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Nelson, the rules were suspended and House File No. 292, a bill for an act to legalize the assessment and collection of certain taxes in Jackson township, Shelby county, Iowa, and to authorize the transfer of the proceeds thereof to the road funds of said township, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Nelson 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, 28.

Bowman	Gilchrist	Perkins	Shinn
Brookins	Johnston	Price	Slosson
Buser	Kimberly	Romkey	Smith
Caldwell	McIntosh	Schmedika	Snook
Cessna	Mantz	Scott	Stoddard
Ethell	Mead	Shaff	White
Fulton	Nelson	Shane	Wichman

Nays, none.

Absent or not voting, 22.

Abben	Browne	Hartman	Reed
Adams	Campbell	Haskell	Rees
Balrd	Darting	Holdoegel	Thurston
Banta	Dutcher	Horchem	Tuck
Bergman	Goodwin	Newberry	
Brookhart	Hale	Olson	

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 10:15 a. m.

HOUSE FILE 46 RECONSIDERED

By unanimous consent on request of Senator Ethell the vote by which House File No. 46 passed the Senate was reconsidered.

By unanimous consent on request of Senator Ethell the vote by which House File No. 46 passed to its third reading was reconsidered.

Senator Ethell offered the following amendment and moved its adoption:

Amend by striking out sections 1 and 2 and inserting in lieu thereof the following:

Section 1. Labor commissioner.

The bureau of labor shall be under the control of a labor commissioner, who shall have his office at the seat of government and shall devote his entire time to the duties of his office.

Sec. 2. Appointment.

The governor shall, within sixty days after the organization of the regular session of the general assembly in nineteen hundred twenty-five (1925) and each two years thereafter, appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the senate, a labor commissioner who shall serve for a period of two years from July first of the year of appointment.

Sec. 2-a1. Vacancies.

A vacancy in said position which may occur while the general assembly is not in session shall be filled by appointment by the governor, which

appointment shall expire at the end of thirty (30) days from the time the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its confirmation an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled as regular appointments are filled and before the end of said session and for the unexpired portion of the regular term.

Sec. 2-a2. Temporary provision.

The incumbent of said position, at the time this chapter takes effect shall continue to serve until July first, nineteen hundred twenty-five (1925).

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, 32.

Abben	Ethell	Mead	Shane
Adams	Fulton	Nelson	Shinn
Bowman	Gilchrist	Olson	Slosson
Brookins	Goodwin	Perkins	Smith
Buser	Johnston	Price	Snook
Caldwell	Kimberly	Romkey	Thurston
Cessna	McIntosh	Schmedika	White
Darting	Mantz	Scott	Wichman

Nays, none.

Absent or not voting, 18.

Baird	Campbell	Holdoegel	Shaff
Banta	Dutcher	Horchem	Stoddard
Bergman	Hale	Newberry	Tuck
Brookhart	Hartman	Reed	
Browne	Haskell	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

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to the following bill:

House File No. 2, a bill relating to the acquisition by the United States of lands in this state.

Also, That the House has concurred in Senate amendments to House File 142, a bill relating to county public hospitals and detention hospitals for contagious diseases.

Also, That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 51, a bill for an act relating to intoxicating liquors.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: Your conference committee to whom was referred House 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 three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) 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, beg leave to report it has had the same under consideration and recommends that the differences between the Senate and the House be compromised as follows:

1. That the Senate shall recede from its amendment to section 3.
2. That the Senate shall recede from its amendment to section 7.
3. That the House shall concur in the Senate amendment to section 11.
4. That the House shall concur in the Senate amendment to section 35.
5. That the Senate shall recede from its amendment to section 39.
6. That the Senate shall recede from its amendment to section 55.
7. That the Senate shall recede from its amendment to section 56.
8. That the House shall concur in the Senate amendment to section 59.
9. That the House shall concur in the Senate amendment to section 82.

JAS. F. JOHNSTON,

ED. M. SMITH,

J. A. NELSON,

Conferrees on the Part of the Senate.

PAUL N. ROBSON,

W. C. CHILDREN,

ALFRED WILLIAMS,

C. R. BUFFINGTON.

Conferrees on the Part of the House.

The Journal of February 26th was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 28, 1924.

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

Prayer was offered by Rev. A. L. Walker, pastor of the Evangelical church, of Radcliffe, Iowa.

On motion of Senator Price rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Horchem for the day, on request of Senator Buser; Senator Browne for the day, on request of Senator Buser; Senator Shane for the day, on request of Senator Brookins; Senators Newberry, Hale, Hartman and Banta for Tuesday, Wednesday and Thursday, on request of Senator Buser; Senators Holdoegel and Tuck for Monday, Tuesday, Wednesday and Thursday, on request of Senator Fulton.

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. 2, 68-A, 170 and 228.

F. C. GILCREEST, *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 on February 27, 1924, he had signed Senate Files Nos. 149, 39, 155, and 265.

AMENDMENTS FILED TO HOUSE FILE NO. 260

Senator Brookins filed the following amendment to House File No. 260:

Amend by striking out lines 11, 12, 13 and 14 of section 16-a1.

Senator Gilchrist moved that the Senate adjourn, as per resolution duly adopted, until 10 a. m., March 5th.

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

Ayes, 15.

Adams	Caldwell	Price	Snook
Bowman	Fulton	Rees	White
Brookins	Gilchrist	Schmedika	Wichman
Buser	Nelson	Slosson	

Nays, none.

Absent or not voting, 35.

Abben	Dutcher	Kimberly	Scott
Baird	Ethell	McIntosh	Shaff
Banta	Goodwin	Mantz	Shane
Bergman	Hale	Mead	Shinn
Brookhart	Hartman	Newberry	Smith
Browne	Haskell	Olson	Stoddard
Campbell	Holdoegel	Perkins	Thurston
Cessna	Horchem	Reed	Tuck
Darting	Johanston	Romkey	

The motion prevailed and the Senate adjourned until 10 a. m., March 5th.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 5, 1924.

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

Prayer was offered by Dean J. C. Caldwell, of the Drake Bible School, 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 Gilchrist for the day, on request of Senator Stoddard.

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. 7, a bill for an act relating to a budget or financial statement for the state.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Reed, House File No. 220, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments found on page 788 of the Senate Journal were taken up, considered, and adopted.

By unanimous consent on request of Senator Dutcher the words "as amended" were inserted after the figures "29" in the seventh committee amendment.

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, 38.

Abben	Hale	Newberry	Slosson
Baird	Hartman	Perkins	Smith
Banta	Haskell	Price	Snook
Buser	Holdoegel	Reed	Stoddard
Campbell	Horchem	Rees	Thurston
Darting	Kimberly	Romkey	Tuck
Dutcher	McIntosh	Schmedika	White
Ethell	Mantz	Shaff	Wichman
Fulton	Mead	Shane	
Goodwin	Nelson	Shinn	

Nays, none.

Absent or not voting, 12.

Adams	Brookhart	Caldwell	Johnston
Bergman	Brookins	Cessna	Olson
Bowman	Browne	Gilchrist	Scott

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. 220 from further consideration.

SENATE FILE NO. 142 WITHDRAWN

By unanimous consent Senator Ethell withdrew Senate File No. 142 from further consideration.

HOUSE AMENDMENTS CONSIDERED

Senator Holdoegel called up for consideration Senate File No. 123, amended as follows by the House:

Amend section one (1), line three (3) by inserting after the word "not" the following: "a state road or".

Amend section two (2) by inserting between the words "faithfully" and "expend" in lines two (2) and three (3) the words "and equitably". Also amend by adding at the end of the section the following: "They may let by contract, to the lowest responsible bidder, any part of the township work for the current year."

Amend section four (4) by striking from line one (1) the word "township"; also amend by adding after the word "townships" in line two (2) the words "or townships and cities or towns".

Insert before the word "boards" in line four (4) of section four (4) the word "governing". Also strike out the words "of trustees" in line four (4) of section four (4).

Amend section six (6) by striking out the word "roads" in line four (4) and inserting in lieu thereof "school bus routes". Also, by striking the word "and" in the same line and adding after the word "routes" as it appears at the end of the section the words "and all main traveled roads".

Amend section nine (9) by adding as subsection seven (7), the following: "Pay to the township clerk all moneys received by him."

Amend section ten (10) by inserting a comma (,) in place of the period (.) at the end of the section and by adding the following: "but except on extraordinary occasions no person shall be required to go more than three (3) miles from his place of residence to work."

Amend section eleven (11) by inserting in line two (2) after the word "road" the following: "or tile drains". Also amend section eleven (11) by striking from line three (3) the following: "inclosure or cultivated field," and by inserting in lieu thereof the words, "farmyard, orchard or feed lot".

Amend by striking from line three (3) of section twelve (12) the following: "erect notice at the proper point to facilitate travel and". Also by striking from said line the words: "at the expense of the county". Also by striking from said line the words: "verbally, and confirm by written notice,".

Amend section thirteen (13) by striking from lines six (6), seven (7), eight (8) and nine (9) of said section the following words: "No payment for such work shall be made until the bills therefor shall have been approved by the county engineer as provided for the approval of bills for work on the county road system".

Amend section fourteen (14) by adding thereto the following: "They shall also at their April meeting determine the amount that shall be allowed for a day's labor by a man and by a man and team on the road."

Amend section fifteen (15) by striking from line eight (8) the words "board of supervisors and".

Amend section eighteen (18) by adding thereto the following: "In townships where the road drainage fund is insufficient to pay drainage assessments due, any surplus or part thereof remaining in the township road fund at the time of the November meeting of the trustees may be transferred to the road drainage fund."

Amend section eighteen (18) by striking out of line seven (7) the words "the county" and inserting in lieu thereof the words "a competent civil".

Amend section twenty-four (24) by striking out all of subsection four (4).

Amend by striking out section twenty-nine (29) of the bill.

Senator Haskell offered the following amendment to the House amendments and moved its adoption:

Amend by striking out the first section of the amendment to section 11 (with reference to "tile drain").

The amendment to the amendment was lost.

Senator Tuck offered the following amendment to the House amendments and moved its adoption:

Amend by striking out the amendment with reference to section 15.

The amendment to the amendment was adopted.

Senator Buser offered the following amendment to the House amendments and moved its adoption:

Amend by striking out the amendment which inserts the words "and equitable" in section 2.

The amendment to the amendment was adopted.

Senator Wichman offered the following amendment to the House amendments and moved its adoption:

Amend by striking from the amendment to section 18 the words "surplus or part thereof" and inserting in lieu thereof the word "moneys".

The amendment to the amendment was adopted.

Senator Holdoegel offered the following amendment to the House amendments and moved its adoption:

Amend the first House amendment to section 18 by striking out the period at the end thereof and inserting a comma and adding the following: "and in townships where the road drainage fund has an excess over the amount required for road drainage, the township may transfer such money to the township road fund, but in townships where no drainage fund is needed no levy shall be made therefor."

The amendment to the amendment was adopted.

On the question "Shall the Senate concur in the House amendments as amended?" the vote was:

Ayes, 37.

Abben	Dutcher	Nelson	Smith
Baird	Fulton	Newberry	Snook
Banta	Hale	Perkins	Stoddard
Bowman	Hartman	Reed	Thurston
Brookins	Haskell	Rees	Tuck
Buser	Holdoegel	Romkey	White
Caldwell	Kimberly	Schmedika	Wichman
Campbell	McIntosh	Shaff	
Cessna	Mantz	Shane	
Darting	Mead	Slosson	

Nays, none.

Absent or not voting, 13.

Adams	Ethell	Horchem	Price
Bergman	Gilchrist	Johnston	Scott
Brookhart	Goodwin	Olsen	Shinn
Browne			

The House amendments, as amended, having received a constitutional majority were 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, House Files Nos. 2, 68-A, 170 and 228.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 171, amended by the House, and moved that the Senate concur in the following amendments:

Amend section five (5) by inserting the word "compiled" immediately preceding the word "code" in line fifteen (15).

Also amend section five (5) by enclosing in parenthesis the words "or town" wherever they appear in said section.

Amend by adding after section five (5) the following:

"That section thirty-nine hundred sixty (3960) of the compiled code of Iowa is amended, revised and codified to read as follows:

Sec. 6. Certificate of completion of work.

No money received by the city treasurer from the sale of street improvement and sewer bonds or certificates shall be paid out, nor shall any certificate be issued to the contractor or sold, except upon the resolution of the council ordering the same, and no such resolution for the delivery of any bonds or certificates, or the payment of any of the proceeds of said bonds or certificates, shall be made until the certificate of the city engineer or other competent person elected has been filed, stating that the work contracted for or a completed part thereof, as the case may be, has been completed according to the terms and stipulations of the contract."

Also amend the title by inserting after the figures "(3956)" in line two (2) the following: "three thousand nine hundred sixty (3960)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Baird	Fulton	Mantz	Shane
Banta	Goodwin	Nelson	Shinn
Bowman	Hale	Newberry	Slosson
Brookins	Hartman	Perkins	Smith
Campbell	Haskell	Price	Stoddard
Cessna	Horchem	Reed	Thurston
Dutcher	Kimberly	Schmedika	
Ethell	McIntosh	Scott	

Nays, none.

Absent or not voting, 20.

Abben	Buser	Johnston	Shaff
Adams	Caldwell	Mead	Snook
Bergman	Darting	Olson	Tuck
Brookhart	Gilchrist	Rees	White
Browne	Holdoegel	Romkey	Wichman

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Smith called up for consideration Senate File No. 257, amended by the House, and moved that the Senate concur in the following amendments:

Amend section six, line five, by striking out the word "mayor" and inserting in lieu thereof the word "clerk".

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Brookins	Darting	Goodwin
Baird	Buser	Dutcher	Hale
Banta	Campbell	Ethell	Hartmann
Bowman	Cessna	Fulton	Haskell

Holdoegel
Horchem
Kimberly
McIntosh
Mantz

Mead
Nelson
Newberry
Perkins
Reed

Rees
Schmedika
Scott
Shane
Shinn

Slosson
Smith
Stoddard
Thurston
Wichman

Nays, none.

Absent or not voting, 14.

Adams
Bergman
Brookhart
Browne

Caldwell
Gilchrist
Johnston
Olson

Price
Romkey
Shaff
Snook

Tuck
White

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

Senator Holdoegel called up for consideration Senate File No. 117, amended as follows by the House:

Amend by striking from the title the words and figures "two thousand eight hundred thirty-four (2834)" and inserting in lieu thereof the words and figures "two thousand eight hundred thirty-three (2833)" and amend sub-enacting clause preceding section five (5) by striking therefrom the words and figures "two thousand eight hundred thirty-four (2834)" and substituting therefor the words and figures "two thousand eight hundred thirty-three (2833)".

Amend by striking out section five (5) and by inserting in lieu thereof the following:

"Sec. 5. Changes for safety, economy, and utility.

Boards of supervisors on their own motion may change the course of any part of any road or stream, water course, or dry run, within any county in order to avoid the construction and maintenance of bridges, or to avoid grades, or railroad crossing, or to straighten any road, or to cut off dangerous corners, turns, or intersections on the highway, or to widen any road above statutory width, or for the purpose of preventing the encroachment of a stream, water course, or dry run, upon a public highway."

Amend section eight (8) by adding thereto the following:

"If the two appraisers selected shall fail within ten days to select a third, or the third appraiser so selected shall fail to serve, then the board of supervisors shall select the third appraiser".

Amend section nine (9) by striking out all of lines one (1) to four (4) of said section and inserting in lieu thereof the following:

"The county auditor shall cause notice to be served on the individual owner of each tract or parcel of land to be taken for such right of way, as shown by the transfer books in the office of such county auditor, and upon each person owning or holding a mortgage, or lease upon such land as shown by the county records and upon the actual occupant of such land if other than the owner thereof."

Amend section ten (10) by substituting a comma for the word "and" in line one (1) and by inserting after the word "occupants" in line one (1) of said section the following: "and mortgagees of record".

Amend by inserting after the word "owners" as it appears the second time in line three (3) of said section the following: "and mortgagees of record".

Amend by inserting after the word "owners" as it first appears in line three (3) of said section the following: "and mortgagees of record."

Also amend said section by striking out the period (.) after the word "weeks" in line six (6) thereof and inserting a comma (,) in lieu of said period (.) and adding the following: "and also by mailing to such owner and mortgagee of record, by registered mail, addressed to his last known address with a copy of such notice."

Amend section twelve (12) by inserting after the word "owner" in line two (2) of said section the following: ", mortgagee of record, and the actual occupant of such land if any".

Amend said section twelve (12) by inserting after the word "owners" in line three (3) thereof the following: ", mortgagee of record, and the actual occupant of such land if any".

Amend by striking from section nineteen (19) thereof the words: "No hard surfacing shall be done except as authorized by vote of the electors of the county."

Amend by adding the following section:

"Sec. 20. Publication.

This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines Register, a newspaper published in the city of Des Moines, Iowa, and the Cherokee Chief, a newspaper published in the city of Cherokee, Iowa, without expense to the state."

Senator Holdoegel offered the following amendments to the House amendments and moved their adoption:

Amend the House amendments to section ten (10) by striking therefrom the following:

"Amend said section by striking out the period after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing to such owner and mortgagee of record, by registered mail, addressed to his last known address with a copy of such notice', and by inserting in lieu thereof the following:

"Amend said section by striking out the period after the word 'weeks' in line six (6) thereof and inserting a comma (,) and adding the following: 'and also by mailing by registered mail a copy of such notice to such owner and mortgagee of record addressed to his last known address and the county auditor shall furnish to the board of supervisors his affidavit that such notice has been sent, which affidavit shall be conclusive evidence of the mailing of such notice'."

The amendments to the amendments were adopted.

Senator Haskell raised the point of order that the amendment had been adopted and it was being discussed again.

The President held the point well taken.

On the question "Shall the Senate concur?" the vote was:

Ayes, 28.

Abben	Dutcher	Horchem	Reed
Baird	Fulton	Kimberly	Scott
Banta	Goodwin	McIntosh	Shaff
Bowman	Hale	Mantz	Shane
Brookings	Hartman	Mead	Slosson
Campbell	Haskell	Newberry	Stoddard
Darting	Holdoegel	Perkins	Wichman

Nays, 7.

Buser	Nelson	Romkey	Shinn
Ethell	Rees	Schmedfka	

Absent or not voting, 15.

Adams	Caldwell	Olson	Thurston
Bergman	Cessna	Price	Tuck
Brookhart	Gilchrist	Smith	White
Browne	Johnston	Snook	

The House amendments, as amended, having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

AMENDMENTS FILED TO HOUSE FILE NO. 82

MR. PRESIDENT: I move to amend House File No. 82 by inserting after section 14 the following:

Sec. 15. Raising funds for care and upkeep.

The trustees, board of directors or other governing or managing officers having the custody and control of any cemetery in the state, shall have power to prescribe rules and regulations for the care, upkeep, and for improving or adorning the burial lots therein, and to prohibit any use, improvement or adornment of the lot which they may deem improper, and for such purpose may adopt a schedule of annual dues or assessments against the burial lots of such cemetery not exceeding two (2) cents per square foot upon each lot or parcel of ground, exclusive of driveways and alleys, for the purpose of producing funds for the care, upkeep, improvement and adornment of such lots, and which assessments or dues shall become due and payable on the first day of March of the year next following the date of such assessment.

C.C. 3446, lines 6-9.

Sec. 16. Place of payment—record.

Such assessments shall be payable at the office of the clerk or treasurer of the governing body of such cemetery, which officer shall keep a record of all such assessments, the amount and date of payments on each lot or

parcel of ground, and by whom paid. Such funds shall constitute a trust fund for the care, upkeep, adornment and improvement of each lot or parcel to the extent of the amount collected on each, and none of such funds shall be used for any purpose except for the care, upkeep, adornment and improvement of the particular lot from which such fund is collected.

Sec. 17. Lien of assessments.

Such assessments shall constitute a lien upon the whole of any vacant burial lot or parcel of ground and upon the unoccupied portion of any lot or parcel, provided such unoccupied portion is equal to one-third ($\frac{1}{3}$) or more of the entire length and breadth of the entire lot or parcel; provided such lien shall not extend on any lot or parcel to a point nearer than five (5) feet from any grave located thereon.

Sec. 18. Forfeiture of right or easement for delinquency.

Any person having an interest or easement in any burial lot or parcel upon which an assessment for dues and upkeep has remained delinquent for a period of ninety (90) days after the same becomes due and payable shall forfeit all right to make additional interment on such lot or parcel within the portion thereof upon which such assessment is a lien. Such forfeiture shall be final and permanent unless redemption is made therefrom within a period of six (6) months after said assessments become due and payable, and thereafter no person shall have a right or easement for burial purposes upon the lot or portion of the lot so forfeited, and the governing officers or trustees of such cemetery thereafter may dispose of and convey to others the burial right or easement in such lot or the portion thereof thus forfeited with all the immunities that attach to burial rights and easements in cemetery lots.

Sec. 19. Funds from sale of delinquent lots.

Any funds arising from the sale of a burial right or easement in the unoccupied portion of a burial lot or parcel shall be kept by the trustees, officers or governing body of such cemetery as a perpetual trust fund for the care and upkeep of the portion of such lot that is occupied or not forfeited for delinquency. The funds arising from the sale of burial right or easement in vacant lots which are sold for delinquency may be used as a general fund for the care, upkeep, adornment or improvement of such cemetery.

Sec. 20. Exemption.

When the governing board of any cemetery shall establish a rule or regulation whereby payment of a lump sum may be made in trust for the perpetual care, upkeep and adornment of any burial lot or parcel, and any person interested in any burial lot or parcel has complied with such rule or regulation by paying a lump sum in trust, then the lot or parcel on account of which said sum is paid shall be thereafter exempt from the assessment hereinbefore provided.

J. C. TUCK.

The Journal of February 28th was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 6, 1924.

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

Prayer was offered by Rev. J. Frank Moore, pastor of the First Congregational church, of Manchester, Iowa.

On motion of Senator Brookins 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 Wichman.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Rees, from the Clarinda Community Club, protesting amendments proposed by Representatives Wamstad and Ontjes to Code Commission Bill No. 211. Judiciary No. 2.

By Senator Rees, from Iowa State Conference of Social Work, protesting proposed change in statutes relating to intoxicating liquors. Suppression of intemperance.

By Senator Holdoegel, from members of the Swedish Covenant Church of Harcourt, and citizens of Harcourt, Otho and Lehigh, urging support of Substitute for Senate File No. 283. Suppression of intemperance.

By Senator Stoddard, from citizens of Hornick, favoring Bible reading in public schools. Public schools.

REPORT OF COMMITTEE

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 110, a bill for an act to amend, revise, and codify sections 2653 and 2658 of the compiled code of Iowa, and sections 2650 and 2660 of the supplement to the code, relating to school funds and bonds, 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:

1. Amend section 1 by striking from line 7 the words and figures "ninety dollars (\$90.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

2. Also amend section 1 by inserting as subsection 2 the following:

"2. In school corporations having a population of fifty thousand (50,000) or more, ninety dollars (\$90.00)."

3. Also amend section 1 by striking from line 10 (subsection 3) the words and figures "seventy dollars (\$70.00)" and inserting in lieu thereof the words and figures "eighty dollars (\$80.00)".

BYRON W. NEWBERRY, *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. 263, a bill for an act relating to the state printing board and to the public reports of various public offices.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 9, a bill for an act 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.

Also: That the house has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 33, a bill for an act relating to the release of sureties on bonds required by law.

Also: That the House has amended and concurred in the Senate amendments to House File No. 256, a bill for an act relating to guardianship and estate matters.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 190, a bill for an act relating to the construction and operating of railways.

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 appropriate sufficient funds to pay the drainage assessments and accrued interest against the State in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner thereof.

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 legalize the transfer of funds by the city council of the city of Oskaloosa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 260, a bill for an act relating to the public health.

Also: That the House has adopted the conference committee report and concurred in the Senate amendments as proposed therein to House File No. 71, a bill for an act 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.

Also: That the House has concurred in the Senate amendments to House File No. 46, relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction.

A. C. GUSTAFSON, *Chief Clerk.*

. HOUSE MESSAGES CONSIDERED

House File No. 260, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), 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, 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 chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to public health.

Read first and second times and referred to committee on public health.

House File No. 190, 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) to fifty hundred eighty-five (5085), inclusive, 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 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 times and referred to committee on railroads.

House File No. 294, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 287, a bill for an act to appropriate sufficient funds to pay the drainage assessments and accrued interest against the state in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner thereof.

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

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 126

Senator Holdoegel moved that the Senate insist on its amendments to House File No. 126.

On the question "Shall the Senate insist?" the vote was:

Ayes, 30.

Abben	Holdoegel	Perkins	Snook
Baird	Horchem	Reed	Stoddard
Banta	Kimberly	Rees	Thurston
Brookins	McIntosh	Romkey	Tuck
Caldwell	Mantz	Scott	White
Dutcher	Mead	Shaff	Wichman
Ethell	Nelson	Shane	
Fulton	Newberry	Slosson	

Nays, 5.

Buser	Johnston	Schmedlka	Smith
Campbell			

Absent or not voting, 15.

Adams	Browne	Goodwin	Olson
Bergman	Cessna	Hale	Price
Bowman	Darting	Hartman	Shinn
Brookhart	Gilchrist	Haskell	

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 126

The President appointed as a conference committee on House File No. 126, on the part of the Senate, Senators Smith, White, Kimberly and Adams.

HOUSE AMENDMENTS CONSIDERED

Senator Banta called up for consideration Senate File No. 111, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by inserting in the last line thereof after the word "instruction," the words "by a competent teacher."

Amend section four (4), line two (2), by striking out the word and figures "fourteen (14)" and inserting in lieu thereof the word and figures "sixteen (16)".

Amend section ten (10), line one (1), by striking the word "shall" and inserting in lieu thereof the following: "may and, in school corporations having a population of twenty thousand (20,000) shall".

Amend section twelve (12), line one (1) by inserting after the word "officer" the following "or any director".

Amend section twenty-two (22), line four (4), by striking out the words "such sum as may be necessary" and by inserting in lieu thereof the words "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

Also amend said line four (4) by inserting between the words "appropriated" and "annually" the words and figures "two thousand dollars (\$2000.00)".

On the question "Shall the Senate concur?" the vote was:
Ayes, 40.

Abben	Darting	Mead	Shane
Adams	Ethell	Nelson	Shinn
Baird	Fulton	Newberry	Slosson
Banta	Hale	Perkins	Smith
Bowman	Hartman	Reed	Snook
Brookins	Holdoegel	Rees	Stoddard
Buser	Horchem	Romkey	Thurston
Caldwell	Kimberly	Schmedika	Tuck
Campbell	McIntosh	Scott	White
Cessna	Mantz	Shaff	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Dutcher	Haskell	Olson
Brookhart	Gilchrist	Johnston	Price
Browne	Goodwin		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Tuck called up for consideration Senate File No. 51, amended by the House, and moved that the Senate concur in the following amendments:

Amend section two (2) by placing a period after the word "whatever" in line five (5) thereof, and striking the remainder of said section.

Amend section seven (7) by striking from line eleven (11) thereof the word "unlawful".

Amend section forty (40), line seven (7), by adding after the word "selling," the word "or".

Amend section forty-two-a1 (42-a1), by striking from lines six (6) and seven (7) the words "an attorney fee equal to one-fourth of the principal amount adjudged against the property and substituting in lieu thereof the following: "a reasonable attorney fee to be fixed by the court".

Amend section forty-three (43), line one (1) thereof, by adding after the word "convicted" the words "or has entered a plea of guilty". Also add after the word "action" in line one (1) thereof the words "in any district court of the state". Also add after the word "convicted" in line three (3) thereof the words "or enters a plea of guilty".

Amend section forty-four (44), line one (1) thereof, by adding after the word "convicted" the words "either upon trial or a plea of guilty". Also amend said section, line three (3), by adding after the word "convicted" the words "or enters a plea of guilty".

Amend section fifty-nine (59) by adding after the word "unlawfully" in line five (5) thereof the words "manufactured or".

Amend section ninety-five (95), line one (1) thereof, by adding after the word "brought" the words "in equity".

Amend section one hundred one (101) by striking from lines five (5) and six (6) the following: "allow the attorney prosecuting such cause a reasonable sum for his services," and substituting in lieu thereof the following: "if the plaintiff be successful, allow the attorney prosecuting such cause an attorney's fee of twenty-five dollars (\$25.00), such fee to be assessed against the defendant, together with the costs in such cause".

Amend section one hundred six (106) by adding after the word "trial" in line one (1) thereof, the words "shall be as in equity, and".

Amend section one hundred seventeen-a1 (117-a1) by striking out the word "precept" in the third line thereof and inserting in lieu thereof the word "warrant".

Also amend said section one hundred seventeen-a one (117-a1) by striking out the word "of" in line four (4) thereof and substituting in lieu thereof the word "or".

Also amend by adding after section one hundred twenty-two (122), the following:

Sec. 122-a1. Illegal transportation.

Any person, firm or corporation, and any agent or employee thereof, who engages in the transportation of intoxicating liquors shall for each act of transportation be fined in a sum not exceeding one thousand dollars (\$1000.00) or be imprisoned in the county jail not exceeding one (1) year or be punished by both such fine and imprisonment and pay the cost of prosecution, including a reasonable attorney fee to be taxed by the court.

Sec. 122-a2. Defenses.

In any prosecution under this title for the unlawful transportation of intoxicating liquors it shall be a defense:

1. That the character and contents of the shipment or thing transported were not known to the accused or to his agent or employee, or
2. That the purchase and transportation of said liquors was authorized by a law of this state.

Sec. 122-a3. Venue.

In any prosecution under this title for the unlawful transportation of intoxicating liquors, the offense shall be held to have been committed in any county in the state in which the liquors are received for transportation, through which they are transported, or in which they are delivered.

Amend section one hundred thirty (130) by striking from lines four (4)

and five (5) thereof the words "within thirty days after a judgment therefor is entered of record in any case, civil or criminal,".

Also strike from line eleven (11) of said section the words "record of such judgment" and substitute in lieu thereof the words "violation of any provision of this title committed upon such real estate".

Also by adding a period (.) after the word "notice" in line twelve (12) thereof and striking out the remainder of said section.

Also amend by striking section one hundred thirty-one (131) from the bill; also the three lines immediately preceding said section 131.

Also amend title by striking last sentence thereof.

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Abben	Ethell	Nelson	Shane
Adams	Fulton	Newberry	Shinn
Banta	Hale	Perkins	Slosson
Bowman	Hartman	Price	Smith
Buser	Horchem	Reed	Snook
Caldwell	Johnston	Romkey	Thurston
Campbell	Kimberly	Schmedika	Tuck
Cessna	McIntosh	Scott	White
Darting	Mead	Shaff	Wichman
Dutcher			

Nays, none.

Absent or not voting, 13.

Baird	Browne	Haskell	Olson
Bergman	Gilchrist	Holdoegel	Rees
Brookhart	Goodwin	Mantz	Stoddard
Brookins			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator McIntosh moved that Senate File No. 283 (which was to be a special order today) be made a special order for next Tuesday, at 10:30 a. m.

Senator Hale invoked rule 8.

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

Ayes, 23.

Adams	Johnston	Reed	Snook
Brookins	Kimberly	Rees	Stoddard
Campbell	McIntosh	Romkey	Thurston
Darting	Nelson	Shane	Tuck
Fulton	Newberry	Shinn	Wichman
Horchem	Price	Slosson	

Noys, 19.

Abben	Caldwell	Hartman	Scott
Baird	Cessna	Mants	Shaff
Banta	Dutcher	Mead	Smith
Bowman	Ethell	Perkins	White
Buser	Hale	Schmedika	

Absent or not voting, 8.

Bergman	Browne	Goodwin	Holdoegel
Brookhart	Gilchrist	Haskell	Olson

The motion was lost.

CALL OF THE SENATE

The following call of the Senate was filed:

MR. PRESIDENT: We hereby request a call of the Senate on Senate File No. 283 for 11:30, March 6th.

J. A. McINTOSH
 E. W. ROMKEY
 M. L. BOWMAN
 J. E. WICHMAN
 T. C. CESSNA
 B. M. STODDARD
 R. P. SCOTT
 H. J. MANTS
 BEN ABBen, JR.
 J. A. NELSON
 A. J. SHINN
 H. C. WHITE
 P. C. HOLDOEGEL

The roll call revealed the presence of the following Senators:

Abben	Dutcher	Mants	Shaff
Adams	Ethell	Mead	Shane
Baird	Fulton	Nelson	Shinn
Banta	Hale	Newberry	Slosson
Bowman	Hartman	Perkins	Smith
Brookins	Haskell	Price	Snook
Buser	Holdoegel	Reed	Stoddard
Caldwell	Horchem	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna	Kimberly	Schmedika	White
Darting	McIntosh	Scott	Wichman

On motion of Senator Caldwell, Senator Bergman was excused from the call of the Senate.

Senator Wichman moved that Senator Gilchrist be excused from the call of the Senate.

Senator Shaff moved to amend the motion by excusing all absent Senators.

The amendment was lost.

The motion prevailed and Senator Gilchrist was excused.

Senator Buser moved that the vote by which Senator McIntosh's motion to make Senate File No. 283 a special order for next Tuesday, be reconsidered.

Senator Smith moved as a substitute for Senator Buser's motion that the call of the Senate be raised.

Senator Buser raised the point of order that Senator Smith's motion was not in order, as it did not treat the same subject matter as the motion he was trying to substitute his motion for.

The President held the point well taken.

Senator Buser raised the point of order that Senator Price's remarks were out of order.

The President held the point well taken.

Senator Hale invoked rule 8.

On the question "Shall Senator Buser's motion prevail?" the vote was:

Ayes, 29.

Baird	Haskell	Newberry	Shane
Brookins	Holdoegel	Price	Shinn
Buser	Horchem	Reed	Slosson
Campbell	Johnston	Rees	Stoddard
Cessna	Kimberly	Romkey	Thurston
Dutcher	McIntosh	Schmedika	Tuck
Fulton	Nelson	Scott	Wichman
Goodwin			

Nays, 14.

Abben	Caldwell	Mead	Smith
Adams	Ethell	Perkins	Snook
Banta	Hale	Shaff	White
Bowman	Mantz		

Absent or not voting, 7.

Bergman	Browne	Gilchrist	Olson
Brookhart	Darting	Hartman	

The motion prevailed and the vote by which the motion by Senator McIntosh was lost was reconsidered.

Senator Brookins invoked rule 8.

On the question "Shall Senate File No. 283 be made a special order for 10:30 a. m. next Tuesday?" the vote was:

Ayes, 31.

Baird	Goodwin	Nelson	Shane
Brookins	Hartman	Newberry	Shinn
Buser	Haskell	Price	Slosson
Campbell	Holdoegel	Reed	Stoddard
Cessna	Horchem	Rees	Thurston
Darting	Johnston	Romkey	Tuck
Dutcher	Kimberly	Schmedika	Wichman
Fulton	McIntosh	Scott	

Nays, 14.

Abben	Caldwell	Mead	Smith
Adams	Ethell	Perkins	Snook
Banta	Hale	Shaff	White
Bowman	Mantz		

Absent or not voting, 5.

Bergman	Browne	Gilchrist	Olson
Brookhart			

The motion prevailed and Senate File No. 283 was made a special order for 10:00 a. m., Tuesday, March 11th.

Senator Dutcher moved that when Senate File No. 283 is considered no amendments from the floor be adopted without a two-thirds vote of the Senate, unless they have been first presented to the committee.

Senator Dutcher withdrew his motion.

THIRD READING OF BILLS

On motion of Senator Mead, House 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 of the supplement to said code, relating to propagation and protection of fish, game, wild birds, and animals, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

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

AFTERNOON SESSION

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 54.

The committee amendments found on page 744 of the Senate Journal were taken up, considered and adopted.

Senator Ethell moved that the vote by which the committee amendments were adopted be reconsidered.

The motion prevailed.

Senator Ethell moved that the eleventh committee amendment be stricken out.

Senator Brookhart moved as a substitute motion that the eleventh committee amendment be amended by inserting after the word "den" the following: "except for the protection of public or private property".

The substitution was made.

The amendment was adopted.

Senator Brookins offered the following amendment to the committee amendments and moved its adoption:

Amend by striking the words "nor shall anyone hunt or take any wild animal with a ferret".

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

Ayes, 24.

Abben	Campbell	Johnston	Shane
Baird	Cessna	Kimberly	Shinn
Bowman	Darting	Mantz	Smith
Brookins	Dutcher	Nelson	Snook
Buser	Goodwin	Romkey	Thurston
Caldwell	Hale	Schmedika	Tuck

Nays, 17.

Adams	Horchem	Price	Shaff
Banta	Mead	Reed	Stoddard
Fulton	Newberry	Rees	White
Hartman	Perkins	Scott	Wichman
Haskell			

Absent or not voting, 9.

Bergman	Ethell	Holdoegel	Olson
Brookhart	Gilchrist	McIntosh	Slosson
Browne			

The amendment was adopted.

The committee amendments were adopted.

Senator Shane offered the following amendments and moved their adoption:

Amend Substitute for House File No. 54 as follows:

Strike the words "fish in the waters of this state, or" as they occur in line one of section 14.

Strike the words "Persons under eighteen (18) years of age may fish in the waters of this state, and," as they occur in lines 4 and 5 of section 14.

By substituting a capital "O" for small "o" in beginning of the word "Owners" in line 5 of section 14.

Strike the words "fish and" as they occur in line 5 of section 16.

Strike the words "private waters, or on" as they occur in line 6 of section 16.

Strike the words "fish and" as they occur in line 1 of section 17.

Strike the words "and fishing" as they occur in line 6 of section 17.

Strike the words "for fishing with hook and line and trot line and hunting" as they occur in lines 10 and 11 of section 17.

Strike lines 12 and 13 of section 17 and renumber all succeeding lines of said section.

Strike the words "to fish with hook and line and trot line and" as they occur in lines 3 and 4 of section 19.

Strike the words "to either fish with hook and line and trot line or" as they occur in lines 6 and 7 of section 19.

Strike the words "fish nor" as they occur in line 10 of section 19.

Strike the words "combination fishing and" as they occur in line 13 of section 19.

Strike last sentence of section 19.

Senator Shane offered the following substitute amendment for his amendment to section 14 and moved its adoption:

Amend section 14 by striking the period (.) at the end of the first paragraph and inserting a comma (,) in lieu thereof and adding the following: "provided, however, no license shall be required from owners or tenants of farm lands, their wives, children or employees for hunting or trapping upon lands owned or occupied by them", and by striking the second paragraph.

Also amend by striking from the caption the words "fish and".

The substitution was made.

Senator Shane invoked rule 8.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 22.

Abben	Darting	Nelson	Snook
Baird	Ethell	Romkey	Thurston
Bowman	Fulton	Schmedika	Tuck
Buser	Johnston	Shane	White
Caldwell	McIntosh	Shinn	
Cessna	Mantz	Slosson	

Nays, 23.

Adams	Goodwin	Mead	Scott
Banta	Hale	Newberry	Shaff
Brookhart	Hartman	Perkins	Smith
Brookins	Haskell	Price	Stoddard
Campbell	Horchem	Reed	Wichman
Dutcher	Kimberly	Rees	

Absent or not voting, 5.

Bergman	Gilchrist	Holdoegel	Olson
Browne			

The amendment was lost.

Senator McIntosh offered the following amendment and moved its adoption:

Amend by striking out of Section 14 of Substitute for House File No. 54, all of the second paragraph of said bill as follows:

"No male person over the age of eighteen years shall fish in the stocked meandered lakes or stocked meandered streams of the state without first procuring a fishing license; provided, however, no license shall be required from owners or tenants of farm lands, their wives, children, or employees for hunting, trapping, or fishing upon lands owned or occupied by them."

Senator Wichman raised the point of order that this amendment had the same subject matter as the amendment just passed upon.

The President held the point well taken.

Senator McIntosh withdrew his amendment.

Senator McIntosh offered the following amendment and moved its adoption:

Amend section 14 by striking from line 5 the words "or stocked meandered streams."

Senator Campbell invoked rule 8.

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

Ayes, 24.

Abben	Campbell	McIntosh	Shinn
Baird	Cessna	Mantz	Slosson
Bowman	Darting	Nelson	Snook
Brookhart	Ethell	Romkey	Thurston
Buser	Fulton	Schmedika	Tuck
Caldwell	Johnston	Shane	White

Nays, 20.

Adams	Hale	Newberry	Scott
Banta	Hartman	Perkins	Shaff
Brookins	Horchem	Price	Smith
Dutcher	Kimberly	Reed	Stoddard
Goodwin	Mead	Rees	Wichman

Absent or not voting, 6.

Bergman	Gilchrist	Holdoegel	Olson
Browne	Haskell		

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 7 the words "a detailed" and inserting in lieu thereof the words "an itemized".

The amendment was adopted.

Senator Ethell offered the following amendment and moved its adoption:

Amend by striking from line 4 of section 55 the words "November fourteenth" and inserting in lieu thereof the words "November first".

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking the words "or catfish" in line 2 of section 24 and by striking the comma (,) following the word "pickerel" and inserting in lieu thereof the word "or".

Senator Price offered the following amendment as a substitute amendment and moved its adoption:

Amend by striking from line 2 of section 24 the words "or catfish" and inserting in lieu thereof the words "blue cat, or channel cat".

On the question shall the substitution be made?" the vote was:

Ayes, 20.

Abben	Fulton	Mantz	Reed
Adams	Goodwin	Mead	Scott
Banta	Hartman	Newberry	Shaff
Brookins	Haskell	Perkins	Smith
Dutcher	Horchem	Price	Wichman

Nays, 24.

Baird	Cessna	McIntosh	Shinn
Bowman	Darting	Nelson	Slosson
Brookhart	Ethell	Rees	Snook
Buser	Hale	Romkey	Stoddard
Caldwell	Johnston	Schmedika	Thurston
Campbell	Kimberly	Shane	Tuck

Absent or not voting, 6.

Bergman	Gilchrist	Olson	White
Browne	Holdoegel		

The substitute by Senator Price failed.

On the question "Shall the amendment offered by Senator Thurston be adopted?" the vote was:

Ayes, 28.

Abben	Cessna	Kimberly	Shinn
Baird	Darting	McIntosh	Slosson
Bowman	Ethell	Nelson	Snook
Brookhart	Fulton	Rees	Stoddard
Buser	Hale	Romkey	Thurston
Caldwell	Horchem	Schmedika	Tuck
Campbell	Johnston	Shane	White

Nays, 17.

Adams	Hartman	Newberry	Scott
Banta	Haskell	Perkins	Shaff
Brookins	Mantz	Price	Smith
Dutcher	Mead	Reed	Wichman
Goodwin			

Absent or not voting, 5.

Bergman	Gilchrist	Holdoegel	Olson
Browne			

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 24 the word "bass" and inserting after the word "trout" in line 3 a comma (,) and the word "bass".

Senator Buser offered the following amendment as a substitute for Senator Brookhart's amendment and moved its adoption:

Amend by striking the word "bass" from line 2 of section 24 and by inserting after the word "length" in line 3 the words "or any bass fish less than ten (10) inches in length".

On the question "Shall the substitution be made?" the vote was:

Ayes, 16.

Brookins	Fulton	Price	Scott
Buser	Goodwin	Reed	Shinn
Darting	Hartman	Rees	Thurston
Dutcher	Perkins	Romkey	Wichman

Nays, 22.

Abben	Ethell	McIntosh	Slosson
Baird	Hale	Mantz	Smith
Banta	Haskell	Nelson	Snook
Bowman	Horchem	Newberry	Tuck
Brookhart	Johnston	Schmedika	
Campbell	Kimberly	Shane	

Absent or not voting, 12.

Adams	Caldwell	Holdoegel	Shaff
Bergman	Cessna	Mead	Stoddard
Browne	Gilchrist	Olson	White

The substitution was lost.

The amendment offered by Senator Brookhart was adopted. Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 5 after the word "length" the words "or any sunfish less than six (6) inches in length".

Senator Brookhart offered the following amendment as a substitute for the amendment offered by Senator Buser and moved its adoption:

Amend section 24 by inserting the word "or" after the word "bass" in line 3, and by striking out the words "or crapple" in line 3, and by striking out of line 5 the word "sunfish" and inserting in lieu thereof the word "crapple".

The substitute amendment was lost.

The amendment offered by Senator Buser 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, 28.

Abben	Campbell	McIntosh	Reed
Adams	Goodwin	Mantz	Scott
Baird	Hale	Mead	Shaff
Banta	Hartman	Nelson	Snook
Bowman	Haskell	Newberry	Stoddard
Brookhart	Horchem	Perkins	White
Brookins	Kimberly	Price	Wichman

Nays, 12.

Buser	Johnston	Shane	Smith
Darting	Rees	Shinn	Thurston
Fulton	Schmedika	Slosson	Tuck

Absent or not voting, 10.

Bergman	Cessna	Gilchrist	Olson
Browne	Dutcher	Holdoegel	Romkey
Caldwell	Ethell		

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.

CONFERENCE COMMITTEE REPORT ON S. F. 275

MR. PRESIDENT: Your conference committee on Senate File No. 275, a bill for an act relating to bonds, begs leave to report that it has had the bill under consideration and submits the following report:

1. Amend the House amendment to section 3 by striking the last sentence of said amendment and inserting in lieu thereof: "In case of private sales, the said bonds shall be sold upon terms not less favorable to the public than the most favorable bid made by a bona fide and responsible bidder at the last advertised sale."

2. That the Senate then concur in all the House amendments.

Respectfully submitted,

GEORGE L. BANTA,
S. C. REES,
T. C. CESSNA,
J. A. MCINTOSH,

Conferees on the part of the Senate.

O. A. ONTJES,
VOLNEY DILTZ,
JNO. A. STOREY,
L. B. FORSLING,

Conferees on the part of the House.

CONFERENCE COMMITTEE REPORT ON H. F. 144

MR. PRESIDENT: Your conference committee to whom was referred House File No. 144 after disagreement thereon by the Senate and the House, beg leave to report that they have had the same under consideration and that they have agreed upon a compromise and submit the following report accordingly.

Amend section 9 by adding thereto the following sentence:

"If, however, a headstone of the above general description shall be provided by the national government or if a tombstone shall be furnished by private persons for such grave, the headstone herein provided for need not be provided at county expense."

Amend section 10 by striking all of said section and substituting in lieu thereof the following:

"The expenses of such burial and headstone shall be paid by the county in which such person died. If such person is a resident of a different county at the time of death, the latter county shall reimburse the county wherein he died for the cost of such burial and headstone. In either case, the board of supervisors of such respective counties shall audit the account and pay the same from the funds provided for in this chapter in such manner as other claims are audited and paid."

A. J. SHINN,
ED H. CAMPBELL,
BEN C. ABBEN, JR.,
LLOYD THURSTON,

Conferees on part of the Senate.

VOLNEY DILTZ,
RAY YENTER,
C. G. OLIVER,
C. F. CLARK,

Conferees on part of the House.

AMENDMENTS FILED TO S. F. 283

MR. PRESIDENT: I move to amend S. F. 283 as follows:

1. Amend by striking the semi-colon (;) as it occurs in line 6 of section 4 and substituting a comma (,) and striking the words "and the day and hour thereof when said application will come on for hearing." as they occur in lines 6, 7, and 8 of said section.
2. Amend by inserting a comma (,) between the words "liquors" and "as" as they occur in line 4 of section 17.
3. Amend by striking the words "the last preceding section" as they occur in line 2 of section 42 and substituting in lieu thereof the following, "section 39 of this act."
4. Amend by striking all of sections 44, 45, 46, 47, 48, 49, 50 and 51.
5. Amend by striking the words "and consignee are" as they occur in line 10 of section 55 and substituting in lieu thereof the word "is".
6. Amend by striking the words "two last" as they occur in line 2 of section 61 and substituting in lieu thereof the words "last two".
7. Amend by striking the words "until a date ninety (90) days after the taking effect of this code, and on and after said date said right shall terminate.", as they occur in lines 5, 6 and 7 of section 64 and inserting in

lieu thereof the following, "according to the provisions of this act until expiration."

8. Amend by inserting between the words "liquors" and "received" as they occur in line 3 of section 65 the word "used".

FRANK SHANE.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File No. 220 passed the Senate.

J. O. SHAFF.

The Journal of March 5th was corrected and approved.

On motion of Senator Bowman the Senate adjourned until 10:00 a. m., Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 7, 1924.

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

Prayer was offered by Rev. Wm. Wilson, pastor of the Congregational church, of Sloan, Iowa.

On motion of Senator Mead 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 Wichman.

PETITIONS AND MEMORIALS

Petition from the State Board of Parent Teacher Associations was presented by Senator Newberry, which favored immediate passage of the eugenics bill as amended and passed by the House. Referred to committee on public schools.

CONFERENCE COMMITTEE REPORT ON S. F. 275 ADOPTED

Senator Banta called up the following conference committee report:

MR. PRESIDENT: Your conference committee on Senate File No. 275, a bill for an act relating to bonds, begs leave to report that it has had the bill under consideration and submits the following report:

1. Amend the House amendment to section 3 by striking the last sentence of said amendment and inserting in lieu thereof: "In case of private sales, the said bonds shall be sold upon terms not less favorable to the

public than the most favorable bid made by a bona fide and responsible bidder at the last advertised sale."

2. That the Senate then concur in all the House amendments.

Respectfully submitted,

GEORGE L. BANTA,
S. C. REES,
T. C. CESSNA,
J. A. MCINTOSH,

Conferees on the part of the Senate.

O. A. ONTJES,
VOLNEY DILTZ,
JNO. A. STOREY,
L. B. FORSLING,

Conferees on the part of the House.

On the question "Shall the conference report be adopted and concurred in?" the vote was:

Ayes, 37.

Abben	Hale	Mead	Shaff
Adams	Hartman	Nelson	Shane
Banta	Haskell	Newberry	Shinn
Brookins	Holdoegel	Perkins	Slosson
Browne	Horchem	Price	Smith
Buser	Johnston	Reed	Snook
Campbell	Kimberly	Rees	Stoddard
Dutcher	McIntosh	Schmedlka	Thurston
Ethell	Mantz	Scott	Wichman
Fulton			

Nays, none.

Absent or not voting, 13.

Baird	Caldwell	Gilchrist	Romkey
Bergman	Cessna	Goodwin	Tuck
Bowman	Darting	Olson	White
Brookhart			

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 71
ADOPTED

Senator Banta called up the following conference committee report:

MR. PRESIDENT: Your conference committee to whom was referred House 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 three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) 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, beg leave to report it has had the same under consideration and recommends that the differences between the Senate and the House be compromised as follows:

1. That the Senate shall recede from its amendment to section 3.
2. That the Senate shall recede from its amendment to section 7.
3. That the House shall concur in the Senate amendment to section 11.
4. That the House shall concur in the Senate amendment to section 35.
5. That the Senate shall recede from its amendment to section 39.
6. That the Senate shall recede from its amendment to section 55.
7. That the Senate shall recede from its amendment to section 56.
8. That the House shall concur in the Senate amendment to section 59.
9. That the House shall concur in the Senate amendment to section 82.

JAS. F. JOHNSTON,
ED. M. SMITH,
J. A. NELSON,

Conferees on the part of the Senate.

PAUL N. ROBSON,
W. C. CHILDREN,
ALFRED WILLIAMS,
C. R. BUFFINGTON,

Conferees on the part of the House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 40.

Abben	Dutcher	Mead	Shane
Adams	Ethell	Nelson	Shinn
Baird	Fulton	Newberry	Slosson
Banta	Hale	Perkins	Smith
Brookhart	Haskell	Reed	Snook
Brookins	Holdoegel	Rees	Stoddard
Caldwell	Johnston	Romkey	Thurston
Campbell	Kimberly	Schmedika	Tuck
Cesana	McIntosh	Scott	White
Darting	Mantz	Shaff	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Buser	Hartman	Olson
Bowman	Gilchrist	Horchem	Price
Browne	Goodwin		

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Wichman called up for consideration Senate File No. 33, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title by striking out the first line and inserting in lieu thereof the following: "an act to amend, revise, and codify sections six hundred thirty-two (632) and six hundred thirty-eight (638) of".

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"That section six hundred thirty-two (632) of the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. Release of sureties on bonds of public officers.

When any surety on the bond of a public officer desires to be relieved of his obligation, he may petition the approving officer or board for relief, stating the grounds therefor.

That section six hundred thirty-eight (638) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 2. Release of sureties on other bonds.

When the principal on the bond has been appointed by a judge or court or is under the jurisdiction of a court, the petition for release must be presented to said court and the release shall be made subject to the orders of said court. Sureties on other bonds required by law who desire to be released of their obligation may proceed in the manner required for release in case of bonds of public officers. The provisions of this section shall not apply to sureties on bonds given to secure performance of contracts for public works, nor to sureties on appearance bonds in criminal cases.

Sec. 3. Return of premium by surety.

When a surety is released as heretofore provided, he shall refund to the party entitled thereto the premium paid, if any, less a pro rata part thereof for the time said bond has been in force."

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Abben	Cessna	Johnston	Schmedika
Adams	Darting	Kimberly	Scott
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Brookhart	Fulton	Mead	Slosson
Brookins	Hale	Nelson	Snook
Browne	Hartman	Newberry	Thurston
Buser	Haskell	Perkins	Tuck
Caldwell	Holdoegel	Price	White
Campbell	Horchem	Reed	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Goodwin	Romkey	Smith
Bowman	Olson	Shaff	Stoddard
Gilchrist	Rees		

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

Senator Brookhart called up for consideration Senate File No. 247, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"That section eighty-five hundred seventy-five (8575) of the compiled code of Iowa be amended, revised, and codified to read as follows:

Section 1. If any person shall wilfully draw or point a pistol, revolver or gun at another, he shall be guilty of a misdemeanor, and be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not more than thirty (30) days; but this section shall not apply to police officers or other persons whose duty it is to execute process or warrants, or make arrests.

That sections eighty-five hundred seventy-eight (8578) to eighty-five hundred eighty-eight (8588), both, inclusive, of the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 2. 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.

Sec. 3. 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.

Sec. 4. 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.

Sec. 5. It shall be the duty of the sheriff to issue a permit to go armed with a revolver, pistol or pocket billy, to all peace officers.

Sec. 6. Before any permit to go armed with a revolver, pistol or pocket billy is granted, an application therefor shall be filed with the sheriff. Permits may be issued only on personal application therefor, except, that chiefs of police may make application for permits for members of their respective departments, and owners, managing officers or superintendents of banks, trust companies, mining, transportation, manufacturing and mercantile companies or establishments may make such application for and in behalf of their employees. The application shall be in writing and state the full name, residence, age, place and nature of the employment or business of the person to whom it is proposed to grant the permit. The application shall be signed by the person making application. The permit shall be issued to the individual whom it permits to go armed and shall not be transferable.

Sec. 7. 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 by him.

Sec. 8. It shall be the duty of any person armed with a revolver, pistol or pocket billy concealed upon his person to have in his immediate possession the permit provided for in this chapter and to produce same for inspection at the request of any peace officer. Failure to so produce such permit shall constitute a misdemeanor.

That section eighty-five hundred ninety-two (8592) of the compiled code of Iowa be amended, revised, and codified to read as follows:

Sec. 9. Every person selling revolvers, pistols, pocket billies and other weapons of a like character which can be concealed on the person, whether such person is a retail dealer, pawnbroker or otherwise, shall report within twenty-four (24) hours to the county recorder, the sale of any revolver, pistol or pocket billy and in such report shall set forth the time of selling, age, occupation, place of employment or business, name and residence of such purchaser of said weapon or weapons, together with the number, make and other marks of identification of such weapon or weapons, and the recorder on receipt of such information shall make a permanent record of the same in a book specially kept for that purpose.

Sec. 10. In all prosecutions on the charge of carrying a concealed weapon without a permit, proof that no permit had been issued to the defendant in the county in which the offense was alleged to have been committed shall be prima facie evidence that the defendant had no permit to carry a concealed weapon."

Amend by striking out all of the title and inserting in lieu thereof the following:

"A bill for an act to amend, revise, and codify sections eighty-five hundred seventy-five (8575), eighty-five hundred seventy-eight (8578) to eighty-five hundred eighty-eight (8588), both inclusive, and eighty-five

hundred ninety-two (8592) of the compiled code of Iowa, relating to the use and carrying of dangerous weapons and permits therefor.

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 42.

Abben	Darting	McIntosh	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Brookhart	Hale	Newberry	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Thurston
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Romkey	Wichman
Campbell	Johnston	Schmedika	
Cessna	Kimberly	Scott	

· Absent or not voting, 8.

Bergman	Gilchrist	Olson	Smith
Bowman	Goodwin	Rees	White

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONCURRED IN

Senator Brookhart called up House File No. 256 and moved that the Senate concur in the following amendments to the Senate amendments:

(1) Amend by inserting after the word "court" in line 2 of section 7-a2 a comma (,).

(2) Amend section 7-a2 by inserting after the word "or" in line 3 thereof, the word "by".

(3) Amend section 7-a2 by striking out of line 5 thereof the words "or judge".

On the question "Shall the Senate concur?" the vote was:

Ayes, 43.

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

Nays, none.

Absent or not voting, 7.

Bergman
Gilchrist

Goodwin
Olson

Rees
Smith

Stoddard

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 Brookhart, 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 of the supplement to said code, relating to trustees to manage cemetery funds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend line 4 of section 1 of the bill by inserting immediately after the word "moneys" the words "or property".

2. Amend line 2 of section 3 of the bill by inserting immediately after the word "money" the words "or other property".

3. Amend section 4 by inserting after the words "United States" in line 8 thereof the following: "federal farm loan bonds, bonds issued by authority of law by cities, towns, counties, school or drainage districts".

4. Amend line 5 of section 12 by striking therefrom the word "it" and by inserting in lieu thereof the word "them".

5. Amend section 13 by striking from lines 3, 4, 5 and 6 thereof the following language: "or municipal bonds, or certificates, or other evidence of indebtedness issued by authority of and in accordance with the laws of this or any state, when same are at or above par, and", and by inserting in lieu thereof the following: "federal farm loan bonds, bonds issued by authority of law by cities, towns, counties, school or drainage districts. Such money must be invested at the market value of such securities, and they".

President pro tem. Price was called to the chair at 10:55 a. m. The committee amendments were adopted.

Senator Tuck offered the following amendment and moved its adoption:

Amend by inserting after section 14 the following:

Sec. 15. Raising funds for care and upkeep.

The trustees, board of directors or other governing or managing officers having the custody and control of any cemetery in the state, shall have

power to prescribe rules and regulations for the care, upkeep, and for improving or adorning the burial lots therein, and to prohibit any use, improvement or adornment of the lot which they may deem improper, and for such purpose may adopt a schedule of annual dues or assessments against the burial lots of such cemetery not exceeding two (2) cents per square foot upon each lot or parcel of ground, exclusive of driveways and alleys, for the purpose of producing funds for the care, upkeep, improvement and adornment of such lots, and which assessments or dues shall become due and payable on the first day of March of the year next following the date of such assessment.

Sec. 16. Place of payment—record.

Such assessments shall be payable at the office of the clerk or treasurer of the governing body of such cemetery, which officer shall keep a record of all such assessments, the amount and date of payments on each lot or parcel of ground, and by whom paid. Such funds shall constitute a trust fund for the care, upkeep, adornment and improvement of each lot or parcel to the extent of the amount collected on each, and none of such funds shall be used for any purpose except for the care, upkeep, adornment and improvement of the particular lot from which such fund is collected.

Sec. 17. Lien of assessments.

Such assessments shall constitute a lien upon the whole of any vacant burial lot or parcel of ground and upon the unoccupied portion of any lot or parcel, provided such unoccupied portion is equal to one-third ($\frac{1}{3}$) or more of the entire length and breadth of the entire lot or parcel; provided such lien shall not extend on any lot or parcel to a point nearer than five (5) feet from any grave located thereon.

Sec. 18. Forfeiture of right or easement for delinquency.

Any person having an interest or easement in any burial lot or parcel upon which an assessment for dues and upkeep has remained delinquent for a period of ninety (90) days after the same becomes due and payable shall forfeit all right to make additional interment on such lot or parcel within the portion thereof upon which such assessment is a lien. Such forfeiture shall be final and permanent unless redemption is made therefrom within a period of six (6) months after said assessments become due and payable, and thereafter no person shall have a right or easement for burial purposes upon the lot or portion of the lot so forfeited, and the governing officers or trustees of such cemetery thereafter may dispose of and convey to others the burial right or easement in such lot or the portion thereof thus forfeited with all the immunities that attach to burial rights and easements in cemetery lots.

Sec. 19. Funds from sale of delinquent lots.

Any funds arising from the sale of a burial right or easement in the unoccupied portion of a burial lot or parcel shall be kept by the trustees, officers or governing body of such cemetery as a perpetual trust fund for the care and upkeep of the portion of such lot that is occupied or not forfeited for delinquency. The funds arising from the sale of burial right

or easement in vacant lots which are sold for delinquency may be used as a general fund for the care, upkeep, adornment or improvement of such cemetery.

Sec. 20. Exemption.

When the governing board of any cemetery shall establish a rule or regulation whereby payment of a lump sum may be made in trust for the perpetual care, upkeep and adornment of any burial lot or parcel, and any person interested in any burial lot or parcel has complied with such rule or regulation by paying a lump sum in trust, then the lot or parcel on account of which sum is paid shall be thereafter exempt from the assessment hereinbefore provided.

By unanimous consent on request of Senator Brookhart the words "by payment of said assessment in full" were inserted in line 8 of section 18 of the amendment.

By unanimous consent on request of Senator Brookhart the word "said" was inserted in the next to the last line of section 20 of the amendment after the word "which".

By unanimous consent, on request of Senator Newberry, the words and figure "six (6) months" were stricken from line 7 of section 18 of the amendment and the words and figure "three (3) years" were inserted in lieu thereof.

By unanimous consent, on request of Senator Fulton, the word "from" was stricken from the last line of section 16 of the amendment and the word "for" was inserted in lieu thereof.

President Hammill resumed the chair at 11:20 a. m.

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the word "grave" in the last line of section 17 the following: ", tombstone or monument".

The amendment to the amendment was adopted.

Senator Newberry offered the following amendment to the amendment and moved its adoption:

Strike out of line 3 of section 18 the words and figures "ninety (90) days" and insert in lieu thereof the words and figure "one (1) year".

The amendment to the amendment was adopted.

Senator Snook invoked rule 8.

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

Ayes, 15.

Banta	Fulton	Kimberly	Snook
Brookhart	Hartman	Perkins	Tuck
Brookins	Haskell	Romkey	White
Dutcher	Horchem	Shane	

Nays, 23.

Abben	Ethell	Nelson	Scott
Baird	Goodwin	Newberry	Smith
Bowman	Hale	Price	Stoddard
Browne	Holdoegel	Reed	Thurston
Buser	Johnston	Rees	Wichman
Caldwell	McIntosh	Schmedika	

Absent or not voting, 12.

Adams	Cessna	Mantz	Shaff
Bergman	Darting	Mead	Shinn
Campbell	Gilchrist	Olson	Slosson

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 1 of section 12 the words "irrespective of their form of government".

Senator Fulton withdrew his amendment.

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, 35.

Abben	Ethell	Kimberly	Schmedika
Baird	Fulton	McIntosh	Scott
Banta	Goodwin	Nelson	Shane
Brookhart	Hale	Newberry	Smith
Brookins	Hartman	Perkins	Snook
Browne	Haskell	Price	Stoddard
Buser	Holdoegel	Reed	White
Caldwell	Horchem	Rees	Wichman
Dutcher	Johnston	Romkey	

Nays, none.

Absent or not voting, 15.

Adams	Cessna	Mead	Slosson
Bergman	Darting	Olson	Thurston
Bowman	Gilchrist	Shaff	Tuck
Campbell	Mantz	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 Brookhart withdrew Senate File No. 82 from further consideration.

SENATE FILE NO. 256 WITHDRAWN

By unanimous consent Senator Brookhart withdrew Senate File No. 256 from further consideration.

On motion of Senator Newberry 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 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 Senate File No. 300.

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 File No. 300.

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 reports that it has on the seventh day of March, 1924, sent to the Governor for his approval, Senate File No. 300, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Calhoun county, Iowa.

GEORGE S. BANTA, *Acting Chairman.*

The report was adopted.

REPORTS OF COMMITTEES

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred the message of the Governor of date of February 19, 1924, relating to the sanitary condition of the waters of the state, begs leave to report it has had the same under consideration and recommends the same be referred to the committee on appropriations.

JNO. R. PRICE, *Chairman.*

The report was adopted and the message referred to committee on appropriations.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 290, a bill for an act to provide an appropriation to pay the expense of the Iowa Child Welfare Commission appointed by the Governor, 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 one (1) by striking the words and figures "five thousand dollars (\$5000.00)" in line two (2), and inserting the words and figures "twenty-five hundred dollars (\$2500.00)".

Also strike out the period (.) at the end of section one (1) and substitute a semicolon (;) therefor, and add the following: "provided, however, that said commission shall have authority to call upon the child welfare research station at the state university at Iowa City for any assistance in the work of the commission that may be found practicable."

B. M. STODDARD, *Chairman.*

Ordered passed on file.

MOTION TO RECONSIDER CONSIDERED

Senator Shaff called up his motion to reconsider the vote by which House File No. 220 passed the Senate.

The motion prevailed and the vote by which House File No. 220 passed the Senate was reconsidered.

On motion of Senator Dutcher the vote by which House File No. 220 passed to its third reading was reconsidered.

On motion of Senator Dutcher the vote by which the following amendment was adopted was reconsidered:

7. Amend section 29 by striking out the same and inserting in lieu thereof the following:

"Sec. 29. Unless otherwise provided in this chapter, fees, costs and expenses payable in said court shall be the same as in district court. In

cases in class 'B,' class 'C' and class 'D' fees, costs and expenses shall be the same as in the courts of justices of the peace. The bailiff may retain amount allowed to him by law for mileage and necessary actual expenses in addition to his salary. All other fees, fines, forfeitures, costs and expenses collected shall be turned over to the city treasurer by the officer collecting the same on or before the tenth day of each succeeding month."

Senator Scott offered the following amendment and moved its adoption:

Amend by striking out the Senate substitute for section 29 thereof, and inserting in lieu thereof the following:

"Sec. 29. Unless otherwise provided in this chapter, fees, costs and expenses payable in said court shall be the same as in the district court. In cases in class 'B,' class 'C' and class 'D', fees, costs and expenses shall be the same as in the courts of justices of the peace. The bailiff may retain amount allowed to him by law for mileage and necessary actual expenses in addition to his salary. All other fees, fines, forfeitures, costs and expenses shall be turned over to the city treasurer by the officer collecting the same on or before the 10th day of each succeeding month, and the city treasurer shall forthwith pay to the county treasurer for the benefit of the school fund the portion of fines and forfeitures collected for the violation of state laws.

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, 40.

Abben	Campbell	McIntosh	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Ethell	Mead	Shane
Banta	Fulton	Nelson	Shinn
Bowman	Goodwin	Newberry	Slosson
Brookhart	Hale	Perkins	Smith
Brookins	Hartman	Price	Snook
Browne	Haskell	Rees	Stoddard
Buser	Horchem	Romkey	Tuck
Caldwell	Kimberly	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Gilchrist	Olson	Thurston
Cessna	Holdoegel	Reed	White
Darting	Johnston		

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 Haskell, Senate File No. 169, 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 two (3902), inclusive, three thousand nine hundred four (3904), 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 three (3903), 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments, found on page 738 of the Senate Journal, were taken up and considered.

The preliminary section amendment was adopted.

The first twelve amendments were adopted.

Senator Horchem offered the following amendment to the thirteenth committee amendment and moved its adoption:

Amend the committee amendment to Senate File No. 169 as follows:

Amend section fourteen (14) by inserting at the beginning of line one (1) the following: "When the district method of assessment is used, as provided in section thirty-nine hundred fifteen (3915) of the supplement to the compiled code of Iowa,".

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

Ayes, 12.

Banta	Cessna	Holdoegel	Newberry
Bowman	Goodwin	Horchem	Shane
Brookins	Haskell	Kimberly	Wichman

Nays, 26.

Adams	Dutcher	Mantz	Smith
Baird	Ethell	Mead	Snook
Brookhart	Fulton	Price	Thurston
Browne	Hale	Romkey	Tuck
Buser	Hartma	Schmedika	White
Campbell	Johnston	Scott	
Dartling	McIntosh	Shinn	

Absent or not voting, 12.

Abben	Gilchrist	Perkins	Shaff
Bergman	Nelson	Reed	Slosson
Caldwell	Oison	Rees	Stoddard

Senator Horchem's amendment was lost.

The thirteenth amendment was adopted.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth and twenty-first amendments were adopted.

Senator Wichman offered the following amendment to the twenty-second amendment and moved its adoption:

Amend amendment No. 22 by striking the words "be redeemed" from the last line and inserting in lieu thereof the word "redeem".

The amendment to the amendment was adopted.

The twenty-second amendment was adopted.

The remainder of the amendments were adopted.

By unanimous consent on request of Senator Fulton the word "proposition" was stricken from the twelfth amendment and the word "amount" inserted in lieu thereof.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting as section 13-a1 the following:

"Sec. 13-a1. The council may, in addition to the requirements of the preceding section, incorporate in the resolution of necessity notice of its intention to issue bonds, as provided in section three thousand nine hundred fifty-six (3956) of the compiled code, and may also provide that unless property owners at the time of the final consideration of said resolution have on file with the clerk objections to the amount of the proposed assessment, they shall be deemed to have waived all objections thereto. No special assessment against any lot shall be more than ten per cent (10%) in excess of the estimated cost."

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by adding to section 24 the following:

"No city which shall have paid any such cost from the improvement fund shall hereafter adopt the method of assessing such cost against privately owned property, and no city which shall have heretofore assessed any of such cost against privately owned property shall hereafter pay such cost from the improvement fund, unless it shall reimburse from such improvement fund the then owners of privately owned property for any amounts, without interest, which the owners or their grantors paid as a special assessment."

The amendment was adopted.

Senator Dutcher offered the following amendment and moved its adoption:

Amend section 30 by adding thereto the following: "The cost of making the plat and schedule required to be filed with the resolution of necessity shall be paid from the improvement fund."

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, 37.

Adams	Brookins	Cessna	Fulton
Baird	Browne	Darting	Goodwin
Banta	Buser	Dutcher	Hale
Brookhart	Caldwell	Ethell	Hartman

Haskell	Mantz	Scott	Tuck
Holdoegel	Mead	Shane	White
Horchem	Nelson	Shinn	Wichman
Johnston	Newberry	Smith	
Kimberly	Price	Snook	
McIntosh	Reed	Thurston	

Nays, none.

Absent or not voting, 13.

Abben	Gilchrist	Rees	Shaff
Bergman	Olson	Romkey	Slosson
Bowman	Perkins	Schmedika	Stoddard
Campbell			

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

SENATE FILE NO. 54 WITHDRAWN

By unanimous consent Senator Mead withdrew Senate File No. 54 from further consideration.

The Journal of March 6th was corrected and approved.

On motion of Senator McIntosh the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES. IOWA, MARCH 8, 1924.

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

Prayer was offered by Rev. J. F. Baker, pastor of the Baptist church, of Des Moines.

On motion of Senator Shane rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stoddard for the day, on request of Senator Baird; Senator Gilchrist for the day, on request of Senator Wichman; Senators Olson and Dutcher for the day, on request of Senator Banta; Senator Perkins for the day, on request of Senator Cessna; Senator Shaff for the day, on request of Senator Newberry.

REPORT OF COMMITTEE

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 1 to which was referred House File No. 294, a bill for an act to legalize the transfer of funds by the city council of the city of Oskaloosa, 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.

THIRD READING OF BILLS

On motion of Senator Cessna, House File No. 69, a bill for an act to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-A (13-A) of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants, was taken up and considered, the report of the committee having been previously adopted.

The following committee amendments were considered:

1. Amend section one (1), line twenty-four (24), after the word "kitchen" by inserting the word "retail".

2. Amend section two (2), by striking out of line six (6) and line seven (7), the words "or restaurant".

3. Amend subsection six (6) of section five (5) by inserting after the word "works" in line thirteen (13) the following: "soda fountain."

4. Amend section ten (10) line three (3) by adding after the period following the word "water" the following sentence: "All new slaughter-houses shall be constructed with cement, vitrified brick, or tile floors and killing beds."

5. Amend section eighteen (18) at the end of subsection six (6) by changing the period to a comma and adding the following: "except the same be for immediate slaughter."

6. Amend section twenty-two (22) line three (3) by inserting after the word "and" the word "thoroughly".

7. Amend by striking out section 23, and inserting in lieu thereof the following: "No person shall be allowed to sleep in any workroom of any food establishment in which food is prepared for sale, served, stored or sold."

8. Amend section fifty (50), line ten (10), after the word "plant" by inserting the words "or plants".

9. Amend section fifty-five (55), line two (2), after the word "report" by inserting the words "upon blanks furnished by the department".

10. Amend section sixty-three (63), line three (3) after the comma following the word "sale" by inserting the words "cooked or".

11. Amend section sixty-four (64), line two (2), after the word "sale" by inserting the words "to consumers".

12. Amend section sixty-four (64) by adding the following after the period in line four (4): "The operator of a cold storage plant shall label all goods with the date when stored, which date shall not be removed when goods are removed, and in determining whether goods are 'cold stored' the time same have been stored in different plants shall be added together and the aggregate shall be the time stored and shall be so marked when sold."

The first three amendments were adopted.

Senator Shane withdrew the following amendment, previously filed:

Amend the fourth amendment by inserting after the comma (,) after the word "cement" the following: "asphaltum, flux."

Senator Shane offered the following amendment to the fourth committee amendment and moved its adoption:

Amend amendment No. 4 by inserting a comma (,) after the word "tile" and adding the words "or other impervious material".

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

Ayes, 26.

Abben	Hale	Mead	Smith
Adams	Hartman	Price	Snook
Baird	Haskell	Rees	Thurston
Banta	Holdoegel	Romkey	White
Cessna	Horchem	Scott	Wichman
Darting	Kimberly	Shane	
Ethell	McIntosh	Slosson	

Nays, 9.

Brookhart	Caldwell	Fulton	Nelson
Browne	Campbell	Johnston	Schmedika
Buser			

Absent or not voting, 15.

Bergman	Gilchrist	Olson	Shinn
Bowman	Goodwin	Perkins	Stoddard
Brookins	Mantz	Reed	Tuck
Dutcher	Newberry	Shaff	

The amendment to the amendment was adopted.

The fourth amendment was adopted.

The remainder of the committee amendments were 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	Cessna	Kimberly	Shane
Adams	Ethell	McIntosh	Shinn
Baird	Fulton	Mead	Slosson
Banta	Hale	Nelson	Smith
Brookhart	Hartman	Newberry	Snook
Brookins	Haskell	Price	White
Browne	Holdoegel	Rees	Wichman
Buser	Horchem	Romkey	
Campbell	Johnston	Schmedika	

Nays, none.

Absent or not voting, 16.

Bergman	Dutcher	Olson	Shaff
Bowman	Gilchrist	Perkins	Stoddard
Caldwell	Goodwin	Reed	Thurston
Darting	Mantz	Scott	Tuck

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

Senator Romkey 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, House File No. 134, 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, 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 therefrom beginning with section 3 all following up to and including section 11.

Senator Banta moved that this bill be made a special order for next Thursday at 10:30 a. m.

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

Ayes, 11.

Banta	Horchem	Price	Smith
Goodwin	Mantz	Reed	Snook
Holdoegel	Newberry	Scott	

Nays, 28.

Abben	Caldwell	Haskell	Schmedika
Adams	Campbell	Johnston	Shane
Baird	Cessna	Kimberly	Slosson
Bowman	Darting	McIntosh	Thurston
Brookhart	Ethell	Nelson	Tuck
Browne	Fulton	Rees	Wife
Buser	Hartman	Romkey	Wichman

Absent or not voting, 11.

Bergman	Gilchrist	Olson	Shinn
Brookins	Hale	Perkins	Stoddard
Dutcher	Mead	Shaff	

The motion was lost.

Senator Abben moved that this bill be made a special order for next Thursday at 10:30 a. m.

Senator Buser raised the point of order that the motion was out of order as it was exactly the same as the previous motion.

The President held the point well taken.

Senator Abben moved that the bill be made a special order for 10:30 a. m. next Tuesday, to immediately follow Senate File No. 283.

The roll was called.

Senator Ethell invoked rule 8.

Senator Price moved that the Senate adjourn until 10 a. m. Monday.

Senator Buser raised the point of order that the motion was out of order during the roll call.

The President held the point well taken.

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

Ayes, 24.

Abben	Darting	Mantz	Scott
Banta	Fulton	Newberry	Shane
Brookins	Goodwin	Price	Slosson
Bowman	Holdoegel	Reed	Smith
Caldwell	Horchem	Rees	Snook
Campbell	Kimberly	Romkey	Wichman

Nays, 16.

Adams	Buser	Haskell	Shinn
Baird	Cessna	Johnston	Thurston
Brookhart	Ethell	Nelson	Tuck
Browne	Hartman	Schmedika	White

Absent or not voting, 10.

Bergman	Hale	Olson	Shaff
Dutcher	McIntosh	Perkins	Stoddard
Gilchrist	Mead		

The motion having failed to receive a two-thirds vote was declared to have been lost.

Further action was deferred.

Senator Campbell asked unanimous consent to be excused from the call of the Senate on Senate File No. 283 next Tuesday.

Senator Holdoegel moved that Senate File No. 283 be made a special order for Friday at 10:30 a. m. instead of Tuesday.

Senator Romkey moved to amend the motion by making the time Monday, at 10:30 a. m.

The amendment was adopted.

Senator Holdoegel withdrew his motion.

Senator Baird moved that Senator Campbell be excused from the call of the Senate on Senate File No. 283, which motion prevailed.

On motion of Senator Caldwell the rules were suspended and House File No. 294, a bill for an act to legalize the transfer of funds by the city council of the city 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, 32.

Abben	Campbell	Kimberly	Scott
Adams	Cessna	Mantz	Shane
Baird	Ethell	Nelson	Shinn
Bowman	Goodwin	Newberry	Smith
Brookhart	Hartman	Price	Snook
Brookins	Haskell	Reed	Thurston
Browne	Holdoegel	Rees	Tuck
Caldwell	Horchem	Romkey	White

Nays, none.

Absent or not voting, 18.

Banta	Fulton	Mead	Shaff
Bergman	Gilchrist	Olson	Slosson
Buser	Hale	Perkins	Stoddard
Darting	Johnston	Schmedika	Wichman
Dutcher	McIntosh		

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

SENATE FILE NO. 7 REFERRED TO COMMITTEE

The President of the Senate referred Senate File No. 7 to the committee on departmental affairs.

AMENDMENT FILED TO HOUSE FILE NO. 134

Senator Scott filed the following amendment to House File No. 134:

Amend section 6 by adding after the comma (,) at the end of the first line the following: "with the approval of the court".

The Journal of March 7th was corrected and approved.

Senator Price moved that the Senate adjourn until 10:00 a. m. Monday.

Senator Buser moved to amend the motion by making the time 1:00 p. m. today.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 10, 1924.

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 Price 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 Abben; Senator Tuck for the day, on request of Senator Holdoegel; Senator Mantz for the day, on request of Senator Olson.

Senator Wichman asked unanimous consent to introduce a bill from the committee on elections, which consent was refused.

Senator Price moved that the rules be suspended and Senator Wichman be allowed to introduce a bill from the committee on elections.

The motion prevailed.

INTRODUCTION OF BILL

Senate File No. 302, by committee on elections, a bill for an act to amend chapters one hundred four (104) and one hundred five (105) of the acts of the fortieth (40) General Assembly relating to limitations on the expenditures of public funds in counties.

Read first and second times and ordered placed on the calendar.

REPORTS OF COMMITTEES

Senator Wichman submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 25, a bill for an act relating to method of conducting elections 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:

1. Amend section 12 by adding the following thereto: "providing that nothing in this act shall change or abrogate any of the provisions of law relating to double election boards."

2. Amend section 45 by striking out all after the word "between" in line 3 and substituting the following in lieu thereof: "the several constitutional amendments or public measures to be submitted."

3. Amend section 58 by inserting after the word "furnished" in line 6 "the voter with his ballot" and strike out the word "reasonably" in line 6.

4. Amend section 12, line 4, by inserting after the word "electors" the words "of another party". Change the comma after the word "clerk" in line 5 to a period and strike out the rest of the sentence.

5. Amend by striking out section 53 and substituting in lieu thereof the following: "The cost of printing the official election ballots shall not exceed twenty-five dollars (\$25.00) per thousand ballots or fraction thereof except in presidential years, when the cost shall not exceed thirty dollars (\$30.00) per thousand where two thousand or more ballots are printed for a county. Where less than two thousand ballots are printed the price shall not exceed thirty dollars (\$30.00) per thousand, except in presidential years when the price shall not exceed forty dollars (\$40.00) per thousand or fraction thereof."

6. Amend section 78 by striking out the word "such" in line 2 and inserting in lieu thereof the word "a".

7. Amend section 88 by striking out of line 1 the word "exclusive."

8. Amend section 95 by adding the following: "but where the voter uses a paster and places the same in the proper place or inserts in writing in the proper place, the name of any person for whom he desires to vote, the same shall be counted whether he marks a cross in the square in front of said name or not."

9. Amend by adding the following as section 117-a1:

Sec. 117-a1. Duties of counting and receiving boards.

The counting boards shall proceed to their respective voting places to which they have been appointed at ten o'clock A. M. on election day, and shall take charge of the ballot box containing the ballots already cast in that precinct. It shall retire to a partitioned space or room provided for that purpose and there proceed to count and tabulate the ballots as it shall find them deposited in the ballot box. The receiving board shall continue to receive the votes of electors in the other box provided, until such time as the counting board shall have finished counting and tabulating the ballots cast in the first ballot box. The two boards shall then exchange the first box for the second box and so continue until they have counted and tabulated all the votes cast on that election day. When the hour arrives for closing the polls, the receiving board shall certify to all matters pertaining to casting of ballots and shall then unite with the counting board in the counting of ballots. The judges shall then divide the ballots not counted and each group of judges and clerks shall proceed to canvass

their portion of the same. When the canvass has been completed the judges and clerks shall report the result of their canvass which report shall be incorporated in the returns provided by law.

10. Amend the title by striking out the word "Section" following the word "and" in line 4, and inserting in lieu thereof the words and figures "Sections four hundred ninety-nine-a four (499-a4) and"; also amend the heading preceding section 1 by striking out of line 3 the word "Section" and inserting in lieu thereof the following: "Sections four hundred ninety-nine-a four (499-a4) and".

J. E. WICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 72, a bill for an act contesting elections—voter witness, 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.

HOUSE FILE NO. 134 REREFERRED

Senator Thurston moved that House File No. 134 be referred to the two committees on judiciary, that they may consider it jointly, 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. 85, a bill for an act relating to instruction in patriotism.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 261-A, a bill for an act relating to drugs, poisons, narcotics and abortifacents.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 230, a bill for an act relating to evidence—depositions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 261, a bill for an act relating to regulation and inspection of foods, drugs and other articles.

Also: That the House has concurred in Senate amendments to sections 8, 12, 33, 34 and 65, and refused to concur in Senate amendments to sec-

tions 5 and 98 of House File No. 66, a bill for an act relating to state fair and agricultural organizations receiving state aid.

Also: That the House has adopted the conference committee report and the amendment proposed therein to Senate File No. 275, a bill for an act relating to bonds.

Also: That the House has concurred in Senate amendments to House amendments to sections 15 and 18, and refused to concur in Senate amendments to House amendments to section 2 of Senate File No. 123, a bill for an act relating to township road system.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 126, a bill for an act relating to removal of obstructions from highways, Representatives Frahm, Gallagher, Fackler and Storey.

Also: That the House has concurred in Senate amendments to House amendments to Senate File No. 117, a bill for an act relating to establishment of highways.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 230, a bill for an act to amend, revise, and codify sections seventy-three hundred sixty-two (7362), seventy-three hundred ninety-two (7392) and seventy-three hundred ninety-eight (7398) of the compiled code of Iowa, relating to evidence.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 261-A, a bill for an act to amend, revise, and codify sections fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, eighty-eight hundred fifty-two (8852), eighty-eight hundred sixty-four (8864), eighty-eight hundred sixty-five (8865), and chapter fifteen (15) of title six (6) of the compiled code of Iowa; and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), and chapter fourteen-A (14-A) of title six (6) of the supplement to the compiled code of Iowa, relating to drugs, poisons, narcotics, and abortifacients.

Read first and second times and referred to committee on pharmacy.

House File No. 261, a bill for an act to amend, revise, and codify chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), and sections nine hundred (900)

to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundred seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hundred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, of the compiled code of Iowa; chapters seven (7) and twelve (12) of title (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one (1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods and other articles.

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

The Journal of March 8th was corrected and approved.

Senator McIntosh moved that the Senate adjourn until 4 p. m.

Senator Haskell moved to amend by making the hour 1:30 p. m.

The amendment was lost.

Senator Bowman moved to amend by making the hour 2 p. m.

Senator Banta raised the point of order that Senator Bowman's motion was out of order as it was an amendment to an amendment.

The President held the point not well taken.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 2 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS 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. 94, 142, 212, 292.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

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:

Senate Files Nos. 41, 55 and 197.

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. 41, 55 and 197.

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 tenth day of March, sent to the Governor for his approval, Senate File No. 41, a bill for an act relating to coal mines, and mining; Senate File No. 55, a bill for an act relating to the state board of conservation and state parks, and Senate File No. 197, a bill for an act relating to regulation of carriers.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 179, a bill for an act relating to municipal corporations—bonds, 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:

1. Amend section 1 thereof by striking the following language in lines 20, 21, 22, 23, and 24, to-wit: "And it is hereby certified and recited that all acts, conditions, and things required by the laws and constitution of the state of Iowa to be done precedent to and in the issue of this bond have been properly done, happened, and been performed in regular and due form as required by law," and inserting in lieu thereof the following: "And it is hereby represented and certified that all things requisite according to the laws and constitution of the state of Iowa to be done precedent to the lawful issue of this bond have been performed as required by law,".

2. Amend section 2 of said bill by striking the period (.) following the word "clerk" at the end of said section and inserting in lieu thereof a comma (,) and the following "or a facsimile thereof."

3. Amend said bill by striking therefrom section 4 and adopting in lieu thereof the following:

"Sec. 4. The council may provide by resolution for the exchange of such bonds or any part thereof, for legal indebtedness of the city or town evidenced by bonds, warrants or judgments which were outstanding when the resolution authorizing such bonds was passed; or said council may by resolution order said bonds sold as provided by law for the sale of public bonds."

4. Amend section 5 of said bill by striking therefrom all thereof after the word "paid" in line 5 of said section and inserting in lieu of said portion so stricken the following: "Bonds shall not be exchanged for less than par plus accrued interest. The proceeds of the sale of such bonds shall be used only for the purpose for which such bonds were issued."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your joint committee on judiciary Nos. 1 and 2 to which was referred House File No. 134, 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), thirty-one hundred ninety-three (3193), ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293), of the compiled code of Iowa, relating to county attorneys, 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 6 by adding after the word "attorney" in line two the following: "with the approval of the district court or a judge thereof".

The committee further recommended by a vote of 12 to 6 that the Buser amendment be rejected.

CARL W. REED, *Chairman*.

Ordered passed on file.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 65, a bill for an act to amend the law relating to the department of agriculture and fruit-trees and forest reservations, 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 paragraph 1 of section 3, after the word "co-operate" in line two (2) thereof the following: "in all ways that the department may deem" and inserting in lieu thereof the following: "in all ways that may be".

J. D. BUSER, *Chairman*.

Ordered passed on file.

SENATE INSISTS ON AMENDMENTS

Senator Holdoegel moved that the Senate insist on its amendments to House File No. 213.

Senator Shinn raised the point of order that this amendment was exactly the same as the Bowman resolution which was defeated and consequently could not be considered.

The President held the point not well taken.

Senator Brookhart moved that the matter be laid on the table.

Senator Holdoegel raised the point of order that to lay it on the table would take the bill with it and a motion to lay on the table would be, therefore, out of order.

The President held the point well taken.

Senator Brookhart moved that the motion to insist be laid on the table.

Senator Gilchrist raised the point of order that the motion was out of order as the only motion possible was that the Senate either insist or recede.

The President held the point well taken.

Senator Brookhart moved to amend Senator Holdoegel's motion by moving that the Senate recede from its amendments.

Senator Gilchrist raised the point of order that this amendment was out of order as it was in direct opposition to the motion.

Senator Brookhart then moved as a substitute motion that the Senate recede from its amendments.

On the question "Shall the Senate recede?" the vote was:

Ayes, 10.

Brookhart	Hartman	Price	Shinn
Darting	Kimberly	Schmedika	Snook
Hale	Nelson		

Nays, 30.

Abben	Cessna	Mead	Slosson
Adams	Ethell	Newberry	Smith
Baird	Fulton	Olson	Stoddard
Banta	Gilchrist	Reed	Thurston
Bowman	Goodwin	Romkey	White
Brookins	Haskell	Scott	Wichman
Buser	Holdoegel	Shaff	
Caldwell	Johnston	Shane	

Absent or not voting, 10.

Bergman	Dutcher	Mantz	Rees
Browne	Horchem	Perkins	Tuck
Campbell	McIntosh		

The motion was lost and the Senate refused to recede from its amendments.

The motion to insist prevailed.

Senator Holdoegel moved that a conference committee be appointed.

Senator Newberry raised the point of order that this motion was unnecessary as the failure to recede in itself makes it necessary to appoint a conference committee.

The President held the point well taken.

THIRD READING OF BILLS

On motion of Senator Reed, House File No. 134, 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, with report of committee recommending that the Buser amend-

ment be rejected and the bill amended and passed, was taken up and considered.

Senator Reed moved that the reference to the Buser amendment be stricken from the report, which motion prevailed.

The committee report was adopted.

Senator Buser raised the point of order that his amendment was at the desk before this report was received and should be considered.

The President held the point well taken.

Senator Scott withdrew his amendment to section 6, found on page 849 of the Senate Journal.

Senator Reed offered the following amendment to Senator Buser's amendment and moved its adoption:

Amend the amendment of Senator Buser by adding thereto the following:

That House File No. 134 be amended by striking therefrom the following: "that section ninety-two hundred eighty-one (9281) of the compiled code of Iowa is amended, revised, and codified to read as follows", and where such words appear immediately preceding section 3.

Senator Price moved the previous question, which motion prevailed.

Senator Price moved that Senator Buser be granted time to close the debate on his amendment, which motion prevailed.

Senator Buser raised the point of order that Senator Reed, the chairman of the committee, had the right to close the debate, but he did not have the right to pass that right on to some other Senator.

Senator Baird moved that Senator Price be allowed to close the debate, which motion prevailed.

Senator Buser invoked rule 8.

On the question "Shall Senator Buser's amendment be adopted?" the vote was:

Ayes, 23.

Abben	Buser	Hartman	Shane
Adams	Caldwell	Johnston	Shinn
Baird	Cessna	McIntosh	Slosson
Bowman	Darting	Nelson	Thurston
Brookhart	Ethell	Romkey	White
Browne	Hale	Schmedika	

Nays, 20.

Banta	Goodwin	Newberry	Shaff
Brookins	Haskell	Olson	Smith
Dutcher	Holdoegel	Price	Snook
Fulton	Horchem	Reed	Stoddard
Gilchrist	Kimberly	Scott	Wichman

Absent or not voting, 7.

Bergman	Mantz	Perkins	Tuck
Campbell	Mead	Rees	

Senator Buser's amendment was adopted.

Senator Reed's amendment was adopted.

Senator Reed withdrew the committee amendment.

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	Cessna	Holdoegel	Schmedika
Adams	Darting	Horchem	Scott
Baird	Dutcher	Johnston	Shane
Banta	Ethell	Kimberly	Shinn
Bowman	Fulton	McIntosh	Slosson
Brookhart	Gilchrist	Nelson	Smith
Brookins	Goodwin	Newberry	Snook
Browne	Hale	Olson	Stoddard
Buser	Hartman	Reed	Thurston
Caldwell	Haskell	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Mead	Rees	Tuck
Campbell	Perkins	Shaff	White
Mantz	Price		

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 striking therefrom the words and figures "ninety-two hundred eighty-one (9281), ninety-two hundred ninety-two (9292), and ninety-two hundred ninety-three (9293)".

The amendment was adopted and the title, as amended, was agreed to.

The President held the point well taken.

On motion of Senator Stoddard, Senate File No. 290, a bill for an act to provide to pay the expenses of the Iowa Child Welfare Commission appointed by the Governor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following motion and moved its adoption:

I move to rerefer Senate File No. 290 to committee on appropriations, and that said committee be instructed to rewrite said bill and include it as a part of the work of the child welfare and research station as established in chapter 282, acts of the Thirty-seventh General Assembly.

Senator Hale raised the point of order that Senator Scott's remarks were not germane.

Senator Haskell moved the previous question, which motion prevailed.

Senator Shane invoked rule 8.

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

Ayes, 20.

Adams	Fulton	Mead	Shane
Brookhart	Hale	Nelson	Shinn
Browne	Hartman	Price	Smith
Buser	Johnston	Romkey	Snook
Cessna	McIntosh	Schmedika	White

Nays, 22.

Abben	Darting	Horchem	Shaff
Baird	Dutcher	Kimberly	Stoddard
Banta	Gilchrist	Newberry	Thurston
Bowman	Goodwin	Olson	Wichman
Brookins	Haskell	Reed	
Caldwell	Holdoegel	Scott	

Absent or not voting, 8.

Bergman	Ethell	Perkins	Slosson
Campbell	Mantz	Rees	Tuck

The motion was lost.

The following committee amendments were adopted:

Amend section one (1) by striking the words and figures "five thousand dollars (\$5000.00)" in line two (2), and inserting the words and figures "twenty-five hundred dollars (\$2500.00)".

Also strike out the period (.) at the end of section one (1) and substitute a semicolon (;) therefor, and add the following: "provided, however, that said commission shall have authority to call upon the child welfare research station at the state university at Iowa City for any assistance in the work of the commission that may be found practicable."

The bill was read for information.

Senator Stoddard moved that the reading 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, 26.

Abben	Cessna	Holdoegel	Scott
Adams	Darting	Horchem	Shaff
Baird	Dutcher	Kimberly	Stoddard
Banta	Fulton	Mead	Thurston
Bowman	Gilchrist	Newberry	Wichman
Brookins	Goodwin	Olson	
Caldwell	Haskell	Reed	

Nays, 16.

Brookhart	Hartman	Price	Shinn
Browne	Johnston	Romkey	Smith
Buser	McIntosh	Schmedika	Snook
Hale	Nelson	Shane	White

Absent or not voting, 8.

Bergman	Ethell	Perkins	Slosson
Campbell	Mantz	Rees	Tuck

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.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 213

The President appointed as a conference committee on House File No. 213, on the part of the Senate, the following: Senators Gilchrist, Reed, Hale and Baird.

AMENDMENTS FILED TO SENATE FILE NO. 283

MR. PRESIDENT: I move to amend Senate File No. 283 as follows:

Amend section 39 of Substitute for Senate File No. 283 by adding the following as subsection 10:

10. Alcohol and other intoxicating liquors to any corporation located and doing business in any foreign state and legally entitled to purchase and receive such liquors under the laws of such foreign state.

E. W. ROMKEY.

On motion of Senator Abben the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 11, 1924.

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

Prayer was offered by Rev. Wm. H. Griffin, pastor of the St. Paul A. M. E. church, of Des Moines.

On motion of Senator Shinn rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Tuck for the day by unanimous consent on request of Senator Price.

PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Rees, from the business men of Sidney, Iowa, protesting the Wamstad amendment to Senate File No. 211, relating to unlawful combinations of pools and trusts. Judiciary No. 2.

By Senator Holdoegel, from citizens of Kalo, Iowa, urging support of Substitute for Senate File No. 283, relating to intoxicating liquors. Suppression of intemperance.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 1924, he had signed Senate File No. 300; that on March 11, 1924, he had signed Senate Files Nos. 55, 197 and 41.

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. 111, 171, 257, 263 and 295.

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. 111, 171, 257, 263 and 295; also House Files Nos. 94, 142, 212 and 292.

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 eleventh day of March, sent to the Governor for his approval: Senate File No. 111, a bill for an act relating to education; Senate File No. 171, a bill for an act relating to municipal corporations; Senate File No. 257, a bill for an act relating to cigarettes, cigarette papers, wrappers, and tubes and to the sale and advertisement of tobacco; Senate File No. 263, a bill for an act relating to the state printing board and to the public reports of various public offices; Senate File No. 295, a bill for an act to legalize the official acts of Laura Smith Day, of Wapello county, Iowa, as notary public.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Abben called up for consideration Senate File No. 85, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 2, line 1, by inserting after the word "corporation" the following: "and the authorities in charge of each private school".

Amend by striking section 8 from the bill and substituting in lieu thereof the following: "The Bible shall not be excluded from any public school or institution in the state nor shall any child be required to read it contrary to the wishes of his parent or guardian."

Senator Brookins invoked rule 8.

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Abben	Dutcher	Kimberly	Shinn
Adams	Ethell	Mantz	Slosson
Baird	Gilchrist	Mead	Smith
Banta	Goodwin	Newberry	Stoddard
Bowman	Hale	Perkins	White
Brookhart	Hartman	Rees	Wichman
Browne	Holdoegel	Scott	
Cessna	Horchem	Shane	

Nays, 14.

Brookins	Fulton	Price	Shaff
Buser	Johnston	Romkey	Snook
Caldwell	McIntosh	Schmedika	Thurston
Darting	Nelson		

Absent or not voting, 6.

Bergman	Haskell	Reed	Tuck
Campbell	Olson		

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 McIntosh, Senate File No. 283, a bill for an act to amend, revise, and codify sections nine hundred twenty (920) to nine hundred sixty-one (961), inclusive, and nine hundred eighty (980) of the compiled code of Iowa, relating to the sale and transportation of intoxicating liquors under permits, with report of committee recommending amendment and passage, was taken up, and considered, having been made a special order for 10:30 a. m. today.

The roll was called under the call of the Senate previously filed and found on page 814 of the Senate Journal.

The roll call revealed the presence of the following Senators:

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

The President declared the call complete, Senators Bergman, Campbell and Tuck having been excused from the call.

The committee report was adopted.

The substitute offered by the committee on suppression of intemperance was considered.

Senator Buser raised the point of order that the committee amendment was in effect a new bill and, therefore, contrary to the provisions of the resolution passed by the Senate December 4th, and it would be necessary to suspend the rules to adopt same.

The President ruled that the amendment, under the rules that have been followed here in the matter of code revision, could be considered. The point of order was over-ruled.

On motion of Senator Shane the Senate adjourned until 1:15 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment.

The roll call revealed the presence of a full membership, with the exception of those previously excused.

Senator Brookins asked to submit an amendment to the main bill.

Senator Brookhart raised the point of order that under rule 10, "when a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, or to postpone indefinitely".

The President ruled as follows:

"It is allowable, according to present practice, to offer as an amendment a substitute for an entire paragraph or for the whole proposition under consideration. This is essentially a motion to strike out and insert, being equivalent to a motion to strike out the paragraph, or all after the enacting words, and to insert in place thereof a new paragraph, or series of paragraphs, relating to the same matter. The substitute may deviate in any degree from the original intention, even to reversing it; but it is not permissible, in the guise of a substitute, to introduce a wholly new and unrelated proposition.

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—the amendment by substitution and an ordinary amendment to some part of the main question with an amendment to that. The purpose is to get both propositions fully and fairly before the assembly before the final decision is made. This usage 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. (See the new Cushing's Manual of Parliamentary Practice, Gainé's edition, section 67.) Under the foregoing rule the point of order is held not well taken."

Senator McIntosh raised the point of order that the amendment Senator Brookins wished to introduce was not friendly to the bill.

The President held the point not well taken.

Senator Brookhart raised the point of order that this amendment could only be offered as a substitute for the pending amendment.

The President held the point not well taken.

Senator Romkey offered the following amendment and moved its adoption:

Amend section 39 of Substitute for Senate File No. 283 by adding the following as subsection 10:

10. Alcohol and other intoxicating liquors to any corporation located and doing business in any foreign state and legally entitled to purchase and receive such liquors under the laws of such foreign state.

The amendment offered by Senator Romkey was adopted.

Senator Brookins offered the following amendments to the original bill and moved their adoption:

Amend sub-paragraph seven (7) of section two (2) by striking out the words "within the two years next preceding the making of his application."

Amend section twenty-five (25) by striking out the period (.) at the end of said section and inserting a semi-colon (;) in lieu thereof, and by adding to said section the following: "and if any practicing physician shall issue a prescription for vinous or spirituous liquor for other than medical purposes, or in quantities in excess of the amounts reasonably neces-

sary for such medical purposes, or in excess of the quantities specified in this chapter, then upon conviction thereof the court shall order the certificate of such physician suspended for the period of not to exceed five years, and during the period of such suspension such physician shall be wholly barred from the practice of his profession in this state, and the clerk of said court shall forthwith notify the Board of Medical Examiners of such suspension and the period thereof; any physician practicing or attempting to practice his profession during the interim of such suspension shall be guilty of a misdemeanor."

Senator Price raised the point of order that the substitute, as amended, is the only proposition that can occupy the attention of the Senate, and can not be set aside.

The President ruled as follows:

"When a substitute for the document referred is reported, this is merely a wholesale form of amendment. Both papers should first be read entire. The original document is then to be read by sections, and any amendments to it put to a vote; but no vote is to be taken on adopting it as a whole while the substitute is still pending. The substitute is next to be considered by sections and is open to amendment. The question is then put on amending the original document by accepting the substitute. If this prevails, the substitute wholly supersedes the original document and is put to vote in place of it on the question of final adoption; but if the substitute is rejected, the question is put on final adoption of the original paper with the amendments agreed to when it was considered by sections. (See section 105, Cushing's Parliamentary Practice, Gaine's Edition.) Under this ruling the point of order is held not well taken."

The amendment offered by Senator Brookins was adopted.

Senator Banta offered the following amendment and moved its adoption:

Amend section 1 by striking the period (.) at the end of said section and inserting in lieu thereof a comma (,) and adding thereto: "provided, not more than one pharmacist in any one county shall be so licensed."

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

Ayes, 9.

Banta	Gilchrist	Holdoegel	Olson
Brookhart	Hartman	Mead	Price
Browne			

Nays, 34.

Abben	Brookins	Darting	Hale
Adams	Buser	Ethell	Haskell
Baird	Caldwell	Fulton	Horchem
Bowman	Cessna	Goodwin	Johnston

Kimberly	Rees	Shinn	Thurston
Nelson	Schmedika	Slosson	White
Newberry	Scott	Smith	Wichman
Perkins	Shaff	Snook	
Reed	Shane	Stoddard	

Absent or not voting, 7.

Bergman	Dutcher	Mantz	Tuck
Campbell	McIntosh	Romkey	

The amendment was lost.

Senator Dutcher offered the following amendment and moved its adoption:

Amend section 25 of Senate File No. 283 by adding to said section, as amended, the following: "The board of medical examiners may upon its own motion and shall upon complaint filed by any citizen of the state against any licensed physician, investigate violations of this act by any physician, and if said board shall find that any physician has prescribed intoxicating liquors contrary to the provisions of this act, the certificate of said physician shall be revoked by said board for a period of not less than one year and not exceeding five years. The statutes as to notice, charges, procedure and appeals under chapter 6 of title VI of the compiled code shall apply to the proceedings hereby authorized so far as applicable."

The amendment was adopted.

On the question "Shall the substitution be made?" the vote was:

Ayes, 20.

Brookhart	Goodwin	Nelson	Schmedika
Browne	Hartman	Olson	Scott
Caldwell	Holdoegel	Perkins	Shinn
Ethell	Johnston	Price	Thurston
Fulton	McIntosh	Romkey	Wichman

Nays, 27.

Abben	Cessna	Kimberly	Shane
Adams	Darting	Mantz	Slosson
Baird	Dutcher	Mead	Smith
Banta	Gilchrist	Newberry	Snook
Bowman	Hale	Reed	Stoddard
Brookins	Haskell	Rees	White
Buser	Horchem	Shaff	

Absent or not voting, 3.

Bergman	Campbell	Tuck
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The substitute was lost.

Senator Shane moved that the bill be rereferred to the committee on suppression of intemperance.

Senator Brookhart moved to amend the motion by striking out "the committee on suppression of intemperance" and inserting "a new committee".

Senator Holdoegel moved that the Senate adjourn until 10:00 a. m. Wednesday.

Senator Shinn moved to amend by making the hour 9:30 a. m.

The amendment was lost.

On the question "Shall the motion prevail and the Senate adjourn?" the vote was:

Ayes, 17.

Brookins	Holdoegel	Price	Slosson
Caldwell	McIntosh	Reed	Snook
Dutcher	Oison	Rees	Stoddard
Fulton	Perkins	Shane	Wichman
Gilchrist			

Nays, 28.

Abben	Cessna	Horchem	Romkey
Adams	Darting	Johnston	Schmedika
Baird	Ethell	Kimberly	Shaff
Bowman	Goodwin	Mantz	Shinn
Brookhart	Hale	Mead	Smith
Browne	Hartman	Nelson	Thurston
Buser	Haskell	Newberry	White

Absent or not voting, 5.

Banta	Campbell	Scott	Tuck
Bergman			

The motion was lost.

Senator Price moved the previous question on the matter of reference.

On the question "Shall the question be now put?" the vote was:

Ayes, 30.

Abben	Ethell	Mead	Scott
Adams	Gilchrist	Newberry	Slosson
Banta	Hale	Perkins	Smith
Brookhart	Hartman	Price	Snook
Browne	Haskell	Reed	Stoddard
Caldwell	Holdoegel	Rees	Wichman
Cessna	McIntosh	Romkey	
Darting	Mantz	Schmedika	

Nays, 13.

Baird	Goodwin	Kimberly	Shaff
Bowman	Horchem	Nelson	Shane
Buser	Johnston	Olson	Shinn
Fulton			

Absent or not voting, 7.

Bergman	Campbell	Thurston	White
Brookins	Dutcher	Tuck	

The motion prevailed.

Senator Brookhart's amendment was lost.

Senator Shane's motion to rerefer was lost.

By unanimous consent Senator Haskell was released from the call of the Senate after 11:00 a. m. Wednesday.

The Journal of March 10th was corrected and approved.

AMENDMENTS FILED TO SENATE FILE NO. 283

I move to amend section 53 of Senate File No. 283, by striking from lines 37 and 38 the following: "emergency medical treatment by the physicians as defined by federal statutes", and by inserting in lieu thereof the following: "use by them in accordance with federal statutes or regulations or in accordance with state statutes,".

F. C. GILCHRIST.

Amend Senate File No. 283 as follows:

Amend by adding the following section:

"Sec. 25-a1.

If any physician shall charge more than one dollar for any office examination and prescription where intoxicating liquor is prescribed, he shall forfeit, upon conviction thereof in addition to all other penalties, his certificate to practice medicine in Iowa."

J. A. McINTOSH.

Amend Senate File No. 283 as follows:

Amend by adding the following section:

"Sec. 25-a2.

If any druggist, who is the holder of a permit, shall charge more than two dollars a pint for filling any prescription written by a physician for intoxicating liquor, he shall, upon conviction thereof, in addition to all other penalties, forfeit his permit to sell intoxicating liquor in Iowa."

J. A. McINTOSH.

Amend Senate File No. 283 as follows:

Amend by adding the following section:

"Sec. 26-a.

No licensed pharmacist operating under a permit in accordance with this chapter, shall be allowed, during any one year, more than twenty-five gallons of alcohol and intoxicating liquor in filling prescriptions and any druggist violating this provision shall be guilty of all penalties imposed by law for such violation and in addition shall have his permit revoked.

J. A. McINTOSH.

Senator Shane moved that the Senate adjourn until 10:00 a. m. Wednesday.

Senator Shinn moved to amend by making the hour 9:30 a. m.

The amendment was lost.

On the question "Shall the motion prevail and the Senate adjourn?" the vote was:

Ayes, 25.

Adams	Fulton	Olson	Shane
Brookhart	Gilchrist	Perkins	Slosson
Brookins	Holdoegel	Price	Snook
Caldwell	McIntosh	Reed	Stoddard
Cessna	Mantz	Rees	White
Dutcher	Mead	Scott	Wichman
Ethell			

Nays, 22.

Abben	Darting	Johnston	Shaff
Baird	Goodwin	Kimberly	Shinn
Banta	Hale	Nelson	Smith
Bowman	Hartman	Newberry	Thurston
Browne	Haskell	Romkey	
Buser	Horchem	Schmedika	

Absent or not voting, 3.

Bergman	Campbell	Tuck
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The motion prevailed and the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 12, 1924.

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

Prayer was offered by Rev. H. C. Bode, pastor of the First Christian Reformed church, Wellsburg, Iowa.

On motion of Senator Shaff rule 33 was suspended for the day. Senator Newberry moved that ex-Senator Boe, President of the St. Olaf College, of Northfield, Minn., be invited to the desk.

The motion prevailed and the President appointed Senators Newberry and Slosson as a committee to escort Rev. Boe to the desk.

Rev. Boe addressed the Senate briefly.

MESSAGES FROM 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. 296, a bill for an act relating to municipal corporations.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

Substitute for House File No. 185, a bill for an act relating to drainage of highways and highway drainage districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 43, a bill for an act relating to health and safety appliances and industrial accidents.

Also: That the House has adopted the conference committee report and the amendments proposed therein to House File No. 144, a bill relating to relief for soldiers, sailors and marines.

Also: That the House has refused to concur in the Senate amendments to Substitute for House File No. 54, a bill for an act relating to propagation and protection of fish, game, wild birds, and animals.

Also: That the House has concurred in Senate amendments to House File No. 82, a bill relating to trustees to manage cemetery funds.

Also: That the House insists on its amendments to Senate File No. 247, a bill for an act relating to carrying dangerous weapons, and the Speaker has appointed on such conference committee on the part of the House, Representatives Diltz, Johnson, Brittain and Forsling.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 296, a bill for an act to amend, revise, and codify section one (1) of chapter 261 acts of the Fortieth General Assembly, relating to municipal corporations.

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

Substitute for House File No. 185, a bill for an act to amend, revise, and codify chapters one (1), two (2) and two-a (2-a) of title fifteen (15) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and water courses, and chapter two (2) of title eleven (11) of the compiled code of Iowa, relating to drainage of highways and highway drainage districts.

Read first and second times and referred to committee on drainage.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 283.

Senator Shane moved that Senate File No. 283 be rereferred to the committee on suppression of intemperance together with pending amendments.

Senator Buser raised the point of order that this motion was out of order as the Senate yesterday acted negatively on this matter of rereference.

The President held the point well taken.

Senator Price moved that the vote by which the Senate refused to rerefer the bill be reconsidered.

On the question "Shall the motion prevail and the vote be reconsidered?" the vote was:

Ayes, 21.

Cessna	Haskell	Perkins	Shane
Darting	Holdoegel	Price	Slosson
Ethell	McIntosh	Reed	Smith
Gilchrist	Mead	Romkey	Snook
Goodwin	Olson	Scott	Stoddard
Hartman			

Nays, 22.

Abben	Buser	Kimberly	Schmedika
Adams	Caldwell	Mantz	Shaff
Baird	Fulton	Nelson	Shinn
Bowman	Hale	Newberry	White
Brookhart	Horchem	Rees	Wichman
Browne	Johnston		

Absent or not voting, 7.

Banta	Brookins	Dutcher	Tuck
Bergman	Campbell	Thurston	

The motion was lost.

Senator Price moved that the bill, with all amendments, be referred to the committee on pharmacy.

Senator Buser raised the point of order that this motion was out of order as it was exactly the same subject matter upon which the Senate acted yesterday.

The President held the point not well taken.

Senator Buser raised the point of order that the Senate was operating under a call of the Senate and there were Senators absent that had not been excused.

The President held the point well taken.

The roll call revealed the presence of the following Senators:

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

The President held the call complete.

Senator Stoddard moved as a substitute motion for the motion made by Senator Price, that further action be deferred until 1:30 p. m.

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

Ayes, 20.

Banta	Ethell	Mead	Scott
Brookins	Goodwin	Newberry	Slosson
Cessna	Hale	Olson	Smith
Darting	Haskell	Reed	Stoddard
Dutcher	Holdoegel	Rees	Thurston

Nays, 27.

Abben	Caldwell	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Nelson	Shinn
Bowman	Hartman	Perkins	Snook
Brookhart	Horchem	Price	White
Browne	Johnston	Romkey	Wichman
Buser	Kimberly	Schmedika	

Absent or not voting, 3.

Bergman Campbell Tuck

The substitute motion was lost.

On the question "Shall Senator Price's motion to refer the bill to the committee on pharmacy be adopted?" the vote was:

Ayes, 14.

Cessna	Haskell	Olson	Scott
Ethell	Holdoegel	Price	Slosson
Gilchrist	McIntosh	Reed	Smith
Goodwin	Mead		

Nays, 33.

Abben	Caldwell	Kimberly	Shaff
Adams	Darting	Mantz	Shane
Baird	Dutcher	Nelson	Shinn
Banta	Fulton	Newberry	Snook
Bowman	Hale	Perkins	Stoddard
Brookhart	Hartman	Rees	Thurston
Brookins	Horchem	Romkey	White
Browne	Johnston	Schmedika	Wichman
Buser			

Absent or not voting, 3.

Bergman Campbell Tuck

The motion was lost.

Senator Wichman offered the following amendment and moved its adoption:

Amend by adding the following as an additional section:

"Sec. 79. Sacramental wines.

Nothing in this chapter or in any other statute relating to intoxicating liquors shall be construed as prohibiting any minister of the gospel, priest, rabbi, or religious organization from purchasing, receiving, possessing, causing to be shipped, and using, under federal rules and regulations, sacramental wines solely for sacramental purposes."

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

Ayes, 39.

Abben	Dutcher	Johnston	Shaff
Adams	Ethell	McIntosh	Shane
Baird	Fulton	Mantz	Shinn
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Snook
Brookins	Hale	Olson	Stoddard
Buser	Hartman	Perkins	Thurston
Caldwell	Haskell	Reed	White
Cessna	Holdoegel	Schmedlka	Wichman
Darting	Horchem	Scott	

Nays, 8.

Brookhart	Kimberly	Price	Romkey
Browne	Nelson	Rees	Smith

Absent or not voting, 3.

Bergman	Campbell	Tuck
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Senator Wichman's amendment was adopted.

Senator McIntosh offered the following amendment and moved its adoption:

Amend by adding the following section:

"Sec. 26-a1.

No licensed pharmacist operating under a permit in accordance with this chapter, shall be allowed, during any one year, more than twenty-five gallons of alcohol and intoxicating liquor in filling prescriptions and any druggist violating this provision shall be guilty of all penalties imposed by law for such violation and in addition shall have his permit revoked.

Senator Smith moved the previous question, which motion prevailed.

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

Ayes, 10.

Brookhart	McIntosh	Romkey	Shinn
Browne	Nelson	Scott	Snook
Caldwell	Price		

Nays, 36.

Abben	Dutcher	Johnston	Schmedika
Adams	Ethell	Kimberly	Shaff
Baird	Fulton	Mantz	Shane
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Smith
Brookins	Hale	Olson	Stoddard
Buser	Hartman	Perkins	Thurston
Cessna	Holdoegel	Reed	White
Darting	Horchem	Rees	Wichman

Absent or not voting, 4.

Bergman	Campbell	Haskell	Tuck
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The amendment was lost.

Senator McIntosh offered the following amendment and moved its adoption:

Amend by adding the following section:

"Sec. 25-a1.

If any physician shall charge more than one dollar for any office examination and prescription where intoxicating liquor is prescribed, he shall forfeit, upon conviction thereof in addition to all other penalties, his certificate to practice medicine in Iowa."

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

Ayes, 14.

Brookhart	Holdoegel	Reed	Shinn
Browne	McIntosh	Romkey	Snook
Caldwell	Nelson	Scott	Thurston
Cessna	Price		

Nays, 32.

Abben	Dutcher	Johnston	Schmedika
Adams	Ethell	Kimberly	Shaff
Baird	Fulton	Mantz	Shane
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Smith
Brookins	Hale	Olson	Stoddard
Buser	Hartman	Perkins	White
Darting	Horchem	Rees	Wichman

Absent or not voting, 4.

Bergman	Campbell	Haskell	Tuck
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The amendment was lost.

Senator McIntosh offered the following amendment and moved its adoption:

Amend by adding the following section:

"Sec. 25-a2.

If any druggist, who is the holder of a permit, shall charge more than two dollars a pint for filling any prescription written by a physician for intoxicating liquor, he shall, upon conviction thereof, in addition to all other penalties, forfeit his permit to sell intoxicating liquor in Iowa."

Senator McIntosh withdrew the amendment.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend section 53 by striking from lines 37 and 38 the following: "emergency medical treatment by the physicians as defined by federal statutes", and by inserting in lieu thereof the following: "use by them in accordance with federal statutes or regulations or in accordance with state statutes."

The amendment was adopted.

Senators Shane and Romkey offered the following amendments and moved their adoption:

1. Amend by striking out all of section 3.
2. Amend by striking the word "court" as it occurs in line 1 of section 26 and substituting in lieu thereof the following, "commissioners of pharmacy".

Senator White moved that the Senate adjourn until 1:30 p. m.

Senator Bowman moved to amend the motion, making the hour 1 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 1 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 283.

The roll call revealed the presence of the following Senators:

Abben	Bowman	Buser	Darting
Adams	Brookhart	Caldwell	Dutcher
Baird	Brookins	Cessna	Ethell

Fulton	Johnston	Reed	Shinn
Gilchrist	Kimberly	Rees	Slosson
Goodwin	McIntosh	Romkey	Smith
Hale	Mead	Schmedika	Snook
Hartman	Nelson	Scott	Stoddard
Holdoegel	Newberry	Shaff	Thurston
Horchem	Perkins	Shane	

Senators Olson, White, Wichman, Banta, Price, Brown and Mantz appeared and the President declared the call complete.

Senator Shane withdrew amendment number 2 (striking the word "court").

The first amendment was adopted.

Senator Shane offered the following amendments and moved their adoption:

1. Amend section 5 by striking the semicolon (;) following the word "made" as it occurs in line 7 of section 5 and substituting a period (.), and striking the rest of said section.

2. Amend by striking the comma (,) following the word "permit" in line 1 of section 21 and inserting in lieu thereof the words "as referred to in this chapter".

3. Amend by striking lines 1, 2, 3, 4, and 5 of section 49 and inserting in lieu thereof the following: "A corporation which is located and doing a wholesale drug business within this state may be granted a permit to purchase, use and sell intoxicating liquors, not including malt liquors, for the purpose hereinafter specified and for use in compounding and manufacture of patent and proprietary medicines, toilet articles, tinctures, extracts, and other like commodities, none of which are susceptible of use as a beverage but which require as one of their ingredients alcohol or vinous liquors. Application for such permit shall be by petition, which shall show."

4. Amend by striking paragraph 2 of section 53 and inserting in lieu thereof the following: "Alcohol and wine for the purpose of manufacturing patent and proprietary medicines and toilet articles and compounding medicines, tinctures, extracts or other like commodities, none of which are susceptible of use as a beverage to pharmacists who have qualified under the state law and regulations to purchase alcohol and wine for such purposes and who are actively engaged in the retail drug business or in such compounding."

5. Amend by striking paragraph 3 of section 53, and inserting in lieu thereof the following:

"Alcohol and wine for the purpose of manufacturing patent and proprietary medicines and toilet articles and compounding medicines, tinctures, extracts, or other like commodities, none of which are susceptible of use as a beverage, to firms or corporations which are actively engaged in the retail drug business and in compounding such medicines, toilet articles, tinctures, extracts, or other like commodities under the immediate

supervision of a pharmacist and who have qualified under the state law and regulations to purchase alcohol and wine for such purposes."

6. Amend by striking the words "of this state" as they occur in line 24 of section 53.

7. Amend by striking the words "of this state" as they occur in line 28 of section 53.

8. Amend by striking the words "of this state" as they occur in line 41 of section 53.

9. Amend by striking the words "of this state" as they occur in line 43 of section 53.

10. Amend by striking out all of section 56.

11. Amend by striking out all of sections 57, 58, 59, 60, and 61.

12. Amend by striking paragraph 5 of section 64.

13. Amend by striking all of section 67-a2 after the word "continued" in line 4 and insert in lieu thereof the following: "until its expiration."

14. Amend by inserting a comma (,) and the word "used" after the word "received" in line 4 of section 68.

15. Amend by striking lines 1 and 2 of section 71.

By unanimous consent Senator Shane withdrew amendment No. 11.

By unanimous consent on request of Senator Shane the words "as referred to in this chapter" were stricken from the last line of the second amendment and the words "under the provisions of this chapter" were inserted in lieu thereof.

By unanimous consent Senator Shane withdrew amendment No. 3 and offered the following in lieu thereof:

Amend section 49 by adding the words "purchase, use and" after the word "to" in line 2 thereof.

President pro tem. Price took the chair at 1:45 p. m.

By unanimous consent Senator Shane withdrew amendment No. 4 and offered the following in lieu thereof:

Amend by inserting after the word "of" in line 7 of section 53 the words "manufacturing patent and proprietary medicines and toilet articles and".

By unanimous consent Senator Shane withdrew amendment No. 5 and offered the following in lieu thereof:

Amend section 53 by inserting in line 12 after the word "of" the words "manufacturing patent and proprietary medicines and toilet articles and".

By unanimous consent on request of Senator Shane the following words were added to amendment No. 9: "also amend by

striking the words 'of this state' from line 36 of section 53".

The first nine amendments were adopted.

On the question "Shall amendment No. 10 be adopted?" the vote was:

Ayes, 24.

Adams	Fulton	Mantz	Scott
Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Olson	Shinn
Cessna	Johnston	Perkins	Slosson
Dutcher	Kimberly	Rees	Snook
Ethell	McIntosh	Romkey	Stoddard

Nays, 18.

Abben	Darting	Newberry	Shaff
Brookins	Hale	Price	Smith
Browne	Hartman	Reed	Thurston
Buser	Holdoegel	Schmedika	Wichman
Caldwell	Nelson		

Absent or not voting, 8.

Bergman	Brookhart	Haskell	Tuck
Bowman	Campbell	Horchem	White

Amendment No. 10 was adopted.

By unanimous consent Senator Shane withdrew amendment No. 15 and offered the following in lieu thereof:

Amend by striking out all of section 71 and by adding the following to section 69: "Said blank forms may be exact reproductions of the blank forms furnished by the Federal Department."

The remainder of the amendments were adopted.

Senator Romkey offered the following amendments and moved their adoption:

1. Amend section 7, line 2, by inserting following the word "appear" the words "in person or".

2. Amend section 12, line 8, following the word "applications" by striking the comma and inserting a period and striking the words "as will best subserve the public good".

3. Amend section 22, line 5, by striking therefrom the words "federal statutes and regulations" and inserting in lieu thereof "state statutes".

4. Amend section 53, line 29, by placing a period following the word "persons" and striking the words "as defined by federal statutes and regulations."

4-a. Amend section 53, lines 4 and 5, by striking the words "federal statutes and regulations" and inserting in lieu thereof "state statutes".

5. Amend section 55, line 3, by striking the words "federal statutes and regulations" and inserting in lieu thereof "state statutes."

6. Amend section 58 by placing a period after the word "employees" and striking balance of lines 41 and 42.

7. Amend section 64, line 7, by striking the word "residence" and inserting the words "place of business" in lieu thereof.

On motion of Senator Buser the roll was called to ascertain whether the call was complete.

The roll call revealed the presence of a full membership, with exception of those previously excused.

Senator Romkey's first four amendments were adopted.

Further action was deferred.

The Journal of March 11th was corrected and approved.

AMENDMENTS FILED TO S. F. 283

Senator Brookhart filed the following amendment:

Amend section 22 by adding thereto the following as sub-section 7:

"7. The permit holder shall label the bottle of every prescription filled stating the cost of the content thereof in plain figures and it shall be a misdemeanor for any permit holder to charge more than seventy-five per cent profit on the original cost thereof, and a false statement of the original cost shall be forgery."

Senator Brookhart filed the following amendment:

Amend section 1 by adding thereto the following:

"But no permit shall be granted to a registered pharmacist to buy, keep and sell such intoxicating liquors within six miles of any state school or college."

Senator Stoddard filed the following amendments:

Amend section twenty-five (25) as amended by inserting after the word "not" in line 12 the following: "less than thirty (30) days and not".

Also amend said section by changing the word "the" in line 9 to the word "a".

MR. PRESIDENT: I move to amend section 25 of S. F. 283 as amended by the Brookins amendment as follows:

Amend by adding the words "as a part of the judgment," following the word "court" in line 10.

Also by striking from line 12 the words "for the period of" and inserting in lieu thereof the words "for a period of not less than one year and".

E. W. ROMKEY.

Senator Romkey filed the following amendment:

Amend section 53 of Senate File 283 by inserting following sub-section 11 the following:

"12. Alcohol and other intoxicating liquors to any person firm, or corporation located and doing business in any foreign state and legally entitled to purchase and receive such liquors under the laws of such foreign state."

Senator Stoddard filed the following amendment:

Amend section 49 by striking the words "within this state" from line 2 of section 49 and by inserting said words in line 1 after the word "located".

MR. PRESIDENT: I move to amend S. F. 283 as follows:

Amend section twenty-five (25) as amended by adding as an additional paragraph the following: "The Pharmacy Commission may, upon its own motion, and shall upon complaint filed by any citizen of the state against any permit holder, investigate violations of this act by any permit holder and if such board shall find that any permit holder has violated any of the provisions of this act in the filling of prescriptions contrary to the provisions of this act, they shall enter an order revoking the license of such pharmacist for a period of not less than one year and not exceeding five years. The statutes as to notice, charges, procedure and appeals, under chapter fourteen (14) of title VI of the compiled code shall apply to the proceedings hereby authorized so far as applicable."

J. D. BUSER.

MR. PRESIDENT: I move to amend section 54 as follows:

Amend by striking from line four (4) of section fifty-four (54) the words "in the state".

B. M. STODDARD.

MR. PRESIDENT: I move to amend S. F. 283 as follows:

Amend by adding as an additional section the following:

"Sec. 58-a. The provisions of section fifty-eight (58) shall not apply to sales made to persons, firms or corporations outside the state of Iowa who are now authorized to purchase the same under the federal law."

B. M. STODDARD.

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

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, MARCH 13, 1924.

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

Prayer was offered by Rev. C. W. Cornn, pastor of the Christian church, Bloomfield, Iowa.

On motion of Senator Darting rule 33 was suspended for the day.

RESIGNATION OF DOORKEEPER

The resignation of Joe Horan, doorkeeper, dating from March 10th, was accepted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing, that on March 12, 1924, he had signed Senate Files Nos. 295, 263, 257, 171 and 111.

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 Nos. 46 and 256.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File No. 101, a bill for an act relating to education and to provide tuition for children in certain charitable institutions.

A. C. GUSTAFSON, *Chief Clerk.*

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 301, a bill for an act to legalize the action of the Board of Directors of the Independent School District of Toledo, Tama County, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the school house fund of said school district, 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 the word "Toledo" following the word "of" and before the word "Tama" in line 2.

J. L. BROOKHART, *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. 89, a bill for an act to amend, revise, and codify sections 2313 and 2315 of the compiled code of Iowa, and section 2558-a2 of the supplement to said code, relating to normal training high schools, 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 Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 100, a bill for an act to amend, revise and codify sections 2508, 2509, 2515 to 2517, inclusive, and 2526 to 2534, inclusive, of the compiled code, and sections 2524-a1 to 2524-a40, inclusive, and 2525, of the supplement to said code, relating to school 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:

1. Amend the bill by adding thereto as a new section to be inserted immediately after section 11 the following:

"Sec. 11-a1. Separate ballot.

Whenever it is proposed to extend the limits of, or add territory to, an existing independent city, town or consolidated district, the voters residing within the proposed extension or addition and outside the existing independent district, shall be entitled to vote separately upon the proposition by presenting a petition to that effect signed by twenty-five per cent of them. In such event a separate ballot shall be had by the voters re-

siding within the territory of the existing independent district and those residing outside of it. The proposition must be approved by a majority of the voters voting thereon in each of such territories."

2. Amend section 15 of the bill by striking therefrom the word "central" appearing in line 4 and by inserting in lieu thereof the word "consolidated".

3. Amend section 19 of the bill by changing the comma after the word "published" in line 9 into a period and by striking therefrom the remainder of the section.

4. Amend section 36 of the bill by changing the word "district" in line 3 so as to read "districts".

5. Amend section 37 of the bill by striking therefrom the word "central" appearing in line 2 and by inserting in lieu thereof the word "consolidated".

6. Amend section 39 of the bill by striking from lines 1 and 2 thereof the words: "and every school township maintaining a central school".

7. Amend section 42 of the bill by striking therefrom the word "central" appearing in line 1 and by inserting in lieu thereof the word "consolidated".

8. Amend section 44 of the bill by striking therefrom the words "four (4) room schools," and by inserting in lieu thereof the words "schools having four or more rooms,".

9. Amend the bill by striking therefrom all of section 44-a.

10. Amend section 45 of the bill by striking therefrom the following language in lines 1 and 2 thereof: "and of each school township maintaining a central school".

11. Amend section 47 of the bill as amended by the House by inserting after the words "or built a school building" as contained in the House amendment the following: "or maintained a consolidated school".

12. Also amend section 47 of the bill by striking therefrom the word "central" appearing in line 2 thereof and inserting in lieu thereof the word "consolidated".

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 283.

The following amendments by Senator Romkey were considered:

4-a. Amend section 53, lines 4 and 5, by striking the words "federal statutes and regulations" and inserting in lieu thereof "state statutes".

5. Amend section 55, line 3, by striking the words "federal statutes and regulations" and inserting in lieu thereof "state statutes."

6. Amend section 58 by placing a period after the word "employees" and striking balance of lines 41 and 42.

7. Amend section 64, line 7, by striking the word "residence" and inserting the words "place of business" in lieu thereof.

Amendment No. 4-a was adopted.

The roll was called to ascertain whether the call of the Senate was complete.

The roll call revealed the presence of a complete membership.

Senator Buser offered the following amendment as a substitute amendment for amendment No. 5, and moved its adoption:

Amend section 55 by inserting after the word "federal" in line 3 the following: "or state". Also amend by striking from line 3 the word "or" appearing after the word "statute" and inserting the word "and" in lieu thereof.

The substitution was made.

The amendment was adopted.

Senator Buser moved that the vote by which amendment No. 4-a was adopted be reconsidered which motion prevailed.

Senator Buser offered the following amendment as a substitute for amendment No. 4-a and moved its adoption:

Amend section 53 by adding at the beginning of line 5 after the word "federal" in line 4 the words "and state".

The substitution was made.

The amendment was adopted.

Senator Buser moved that the vote by which amendment No. 3, by Senator Romkey, was adopted yesterday be reconsidered, which motion prevailed.

Senator Buser offered the following amendment as a substitute amendment for amendment No. 3, and moved its adoption:

Amend section 22 by adding after the word "federal" in line 5 the words "and state".

The substitution was made.

The amendment was adopted.

Senator Wichman moved that the vote by which amendment No. 4, by Senator Romkey, was adopted yesterday be reconsidered, which motion prevailed.

Senator Romkey withdrew amendment No. 4.

Senator Romkey withdrew amendment No. 6.

Amendment No. 7 was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend section 22 by adding thereto the following as sub-section 7:

"7. The permit holder shall label the bottle of every prescription filled stating the cost of the content thereof in plain figures and it shall be a misdemeanor for any permit holder to charge more than seventy-five per cent profit on the original cost thereof, and a false statement of the original cost shall be forgery."

Senator Shaff raised the point of order that this matter was acted upon in substantially the same form yesterday.

The President held the point not well taken as the amendment referred to was withdrawn without being considered.

Senator Gilchrist offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding thereto the following: "The expenses of procuring the permit may be included in fixing the amount of such original cost."

The amendment to the amendment was adopted.

By unanimous consent on request of Senator Brookhart the word "forgery" was stricken and the word "perjury" was inserted in lieu thereof.

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the comma (,) after the word "thereof" in line 4 and the words "and a false statement of the original cost shall be perjury".

Senator Price moved the previous question, including in his motion that the rules be suspended and each Senator that has amendments filed be allowed time to close on his amendments.

Senator Price asked that his motion be divided.

The motion to allow each Senator time to close on his amendment was lost.

Senator Price withdrew his motion for the previous question.

The amendment to the amendment was adopted.

The amendment was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend section 1 by adding thereto the following:

"But no permit shall be granted to a registered pharmacist to buy, keep and sell such intoxicating liquors within six miles of any state school or college."

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

Ayes, 27.

Brookhart	Haskell	Reed	Smith
Browne	Holdoegel	Rees	Snook
Caldwell	McIntosh	Romkey	Stoddard
Cessna	Mead	Schmedlka	Thurston
Darting	Nelson	Scott	Tuck
Ethell	Perkins	Shinn	Wichman
Fulton	Price	Slosson	

Nays, 21.

Abben	Buser	Horchem	Shaff
Adams	Dutcher	Johnston	Shane
Baird	Gilchrist	Kimberly	White
Banta	Goodwin	Mantz	
Bowman	Hale	Newberry	
Brookins	Hartman	Olson	

Absent or not voting, 2.

Bergman Campbell

The amendment was adopted.

Senator Stoddard offered the following amendments and moved their adoption:

Amend section twenty-five (25) as amended by inserting after the word "not" in line 12 the following: "less than thirty (30) days and not".

Also amend said section by changing the word "the" in line 12 to the word "a".

Senator Brookins offered the following amendment to the first amendment and moved its adoption:

Amend the amendment by striking out the words and figures "thirty (30) days" and inserting the words and figure "one (1) year" in lieu thereof.

The amendment to the amendment was adopted.

The amendments were adopted.

Senator Romkey offered the following amendment and moved its adoption:

Amend section 25, as amended, by adding the words "as a part of the judgment," following the word "court" in line 10.

Also by striking from line 12 the words "for a period of" and inserting in lieu thereof the words "for a period of not less than one year and".

Senator Romkey withdrew the last section of the amendment.

The first part of the amendment was adopted.

Senator Romkey offered the following amendment and moved its adoption:

Amend section 53 of Senate File 283 by inserting following sub-section 11 the following:

"12. Alcohol and other intoxicating liquors to any person, firm, or corporation located and doing business in any foreign state and legally entitled to purchase and receive such liquors under the laws of such foreign state."

The amendment was adopted.

Senator Romkey offered the following amendment and moved its adoption:

Amend by striking out all of section 75-a1.

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend section 49 by striking the words "within this state" from line 2 of section 49 and by inserting said words in line 1 of said section, after the word "located".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend section twenty-five (25) as amended by adding as an additional paragraph the following: "The Pharmacy Commission may, upon its own motion, and shall upon complaint filed by any citizen of the state against any permit holder, investigate violations of this act by any permit holder and if such board shall find that any permit holder has violated any of the provisions of this act in the filling of prescriptions contrary to the provisions of this act, they shall enter an order revoking the license of such pharmacist for a period of not less than one year and not exceeding five years. The statutes as to notice, charges, procedure and appeals, under chapter fourteen (14) of title VI of the compiled code shall apply to the proceedings hereby authorized so far as applicable."

Senator Holdoegel offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "prescriptions" the words "for the illegal sale of liquor".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Stoddard withdrew the following amendments:

Amend by striking from line four (4) of section fifty-four (54) the words "in the state".

Amend by adding as an additional section the following:

Sec. 58-a. "The provisions of section fifty-eight (58) shall not apply to sales made to persons, firms or corporations outside the state of Iowa who are now authorized to purchase the same under the federal law."

Senator Brookins offered the following amendment and moved its adoption:

Amend by inserting immediately after section 26 the following:

"Sec. 26-a1. Disqualification.

Any licensed pharmacist who is hereafter convicted of violating any provision of any statute relating to intoxicating liquors, or who for the purpose of avoiding a prosecution for such violation, surrenders a permit issued under this chapter, shall be forever barred from securing a further permit under this chapter."

Senator Price offered the following amendment as a substitute for Senator Brookins' amendment and moved its adoption:

Amend section 26 by inserting after the word "court" in line 1 the words "as a part of its judgment" and by striking the word "may" from line 2 and inserting the word "shall" in lieu thereof.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 283.

Senator Brookins moved to amend his amendment by striking the words preceding the word "any" where said word first occurs, and by inserting the remainder of the amendment after the period in line 7 of section 12.

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Price withdrew his amendment which was offered as a substitute.

Senator Brookins offered the following amendment and moved its adoption:

Amend section 2 by adding immediately after the word "liquors" in line 16 the following: "and has never forfeited or surrendered a permit to sell intoxicating liquors in order to avoid a prosecution for a violation of the laws relating to intoxicating liquors."

The amendment was adopted.

Senator Buser moved that the vote by which the following amendment by Senator Wichman was adopted be reconsidered:

Amend by adding the following as an additional section:

Sec. 79. Sacramental wines.

Nothing in this chapter or in any other statute relating to intoxicating liquors shall be construed as prohibiting any minister of the gospel, priest, rabbi, or religious organization from purchasing, receiving, possessing, causing to be shipped, and using, under federal rules and regulations, sacramental wines solely for sacramental purposes.

The motion prevailed.

Senator Buser offered the following as a substitute for the amendment offered by Senator Wichman and moved its adoption:

Amend by striking from the sub-enacting clause and also from the title the words and figures "nine hundred sixty-one (961)" and inserting in lieu thereof in each place the words and figures "nine hundred fifty-one (951)".

The substitution was made.

The amendment was adopted.

By unanimous consent on request of Senator Bowman the word "six" was stricken from the following amendment and the word "five" inserted in lieu thereof.

Amend section 1 by adding thereto the following:

"But no permit shall be granted to a registered pharmacist to buy, keep and sell such intoxicating liquors within six miles of any state school or college."

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, 43.

Baird	Gilchrist	Mead	Shaff
Banta	Goodwin	Nelson	Shane
Brookins	Hale	Newberry	Shinn
Browne	Hartman	Olson	Slosson
Buser	Haskell	Perkins	Snook
Caldwell	Holdoegel	Price	Stoddard
Cessna	Horchem	Reed	Thurston
Darting	Johnston	Rees	Tuck
Dutcher	Kimberly	Romkey	White
Ethell	McIntosh	Schmedika	Wichman
Fulton	Mantz	Scott	

Nays, 5.

Abben	Bowman	Smith
Adams	Brookhart	

Absent or not voting, 2.

Bergman Campbell

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.

HOUSE AMENDMENTS CONSIDERED

Senator Cessna called up for consideration Senate File No. 9, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend section one (1) by striking from the third line thereof the words "Des Moines, Iowa" and inserting in lieu thereof the words "the state".

On the question "Shall the Senate concur?" the vote was:

Ayes, 2.

Haskell	Mead
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Nays, 43.

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

Absent or not voting, 5.

Bergman	Brookins	Shaff
Bowman	Campbell	

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

SENATE INSISTS ON AMENDMENTS TO H. F. 54

Senator Mead moved that the Senate insist on its amendments to House File No. 54.

On the question "Shall the Senate insist?" the vote was:

Ayes, 40.

Baird	Ethell	Mead	Scott
Bowman	Fulton	Nelson	Shaff
Brookhart	Hale	Newberry	Shane
Brookins	Hartman	Olson	Slosson
Browne	Holdoegel	Perkins	Smith
Buser	Horchem	Price	Snook
Caldwell	Johnston	Reed	Stoddard
Cessna	Kimberly	Rees	Thurston
Darting	McIntosh	Romkey	Tuck
Dutcher	Mantz	Schmedika	White

Nays, none.

Absent or not voting, 10.

Abben	Bergman	Goodwin	Wichman
Adams	Campbell	Haskell	
Banta	Gilchrist	Shinn	

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE ON H. F. 54

The President appointed as a conference committee on House File No. 54, on the part of the Senate. Senators Mead, Price, Newberry and Adams.

CONFERENCE COMMITTEE ON S. F. 247

The President appointed as members of conference committee on the part of the Senate on Senate File No. 247, Senators Perkins, Ethell, Dutcher and Bowman.

THIRD READING OF BILLS

On motion of Senator Newberry, House File No. 110, a bill

for an act to amend, revise, and codify sections two thousand six hundred fifty-three (2653), and two thousand six hundred fifty-eight (2658) of the compiled code of Iowa, and sections two thousand six hundred fifty (2650) and two thousand six hundred sixty (2660) of the supplement to said code, relating to education, 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:

1. Amend section 1 by striking from line 7 the words and figures "ninety dollars (\$90.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

2. Also amend section 1 by inserting as subsection 2 the following:

"2. In school corporations having a population of fifty thousand (50,000) or more, ninety dollars (\$90.00)."

3. Also amend section 1 by striking from line 10 (subsection 3) the words and figures "seventy dollars (\$70.00)" and inserting in lieu thereof the words and figures "eighty dollars (\$80.00)".

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, 41.

Abben	Darting	Kimberly	Scott
Adams	Dutcher	McIntosh	Shaff
Baird	Fulton	Mantz	Shane
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Olson	White
Browne	Haskell	Perkins	Wichman
Buser	Holdoegel	Price	
Caldwell	Horchem	Reed	
Cessna	Johnston	Schmedika	

Nays, 1.

Rees

Absent or not voting, 8.

Bergman	Ethell	Shinn	Thurston
Campbell	Romkey	Smith	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 Newberry withdrew Senate File No. 110 from further consideration.

SENATE INSISTS ON AMENDMENTS TO H. F. 66

Senator Buser moved that the Senate insist on its amendments to House File No. 66.

Senator Abben moved the previous question, which motion prevailed.

On motion of Senator Baird, Senator Buser's time was extended for closing the argument.

On the question "Shall the Senate insist?" the vote was:

Ayes, 26.

Bowman	Darting	Nelson	Shinn
Brookhart	Ethell	Olson	Snook
Brookins	Fulton	Price	Thurston
Browne	Hartman	Rees	Tuck
Buser	Johnston	Romkey	White
Caldwell	Kimberly	Schmedika	
Cessna	McIntosh	Shane	

Nays, 22.

Abben	Goodwin	Mead	Slosson
Adams	Hale	Newberry	Smith
Baird	Haskell	Perkins	Stoddard
Banta	Holdoegel	Reed	Wichman
Dutcher	Horchem	Scott	
Gilchrist	Mantz	Shaff	

Absent or not voting, 2.

Bergman Campbell

The motion prevailed and the Senate insisted on its amendments.

SUBSTITUTE FOR SENATE FILES NOS. 210 AND 211 FILED

MR. PRESIDENT: I move you that the following bill be substituted for Senate Files Nos. 210 and 211.

(Signed) P. C. HOLDOEGEL, *Chairman Sub-committee of Senate Judiciary Committee No. 2.*

A BILL FOR

An act to amend, revise and codify chapter twelve (12) of title twenty-one (XXI), sections six thousand two hundred nineteen (6219) to six thousand two hundred twenty-nine (6229), inclusive, and six thousand two hundred thirty-four (6234) to six thousand two hundred thirty-six (6236), inclusive, of the compiled code of Iowa, relating to unlawful discrimination, combinations, pools and trusts in buying, selling, handling, storing and transporting commodities and articles of commerce and penalties for violations and jurisdiction and means and methods of enforcement.

Be It Enacted by the General Assembly of the State of Iowa:

That chapter twelve (12) of title twenty-one (XXI) and sections six thousand two hundred nineteen (6219) to six thousand two hundred twenty-nine (6229), inclusive, and six thousand two hundred thirty-four (6234) to six thousand two hundred thirty-six (6236), inclusive, of the compiled code of Iowa are amended, revised and codified to read as follows:
Section 1. Definition of terms.

The term "person" as used in this act shall include dealer, corporation, partnership, company, firm, association, president, manager, director, officer, agent, employee, receiver and trustee.

The term "secretary" shall mean the secretary of the department of agriculture.

Sec. 2.

The provisions of this act shall not apply

1. To any corporation or association incorporated under the provisions of chapter three-A (3-A) of title seventeen (XVII) of the 1923 supplement to the compiled code.

2. To any corporation or association incorporated under the provisions of chapter three (3) of title seventeen (XVII) of the compiled code of Iowa.

3. To any corporation or association incorporated under the provisions of chapter three (3) of title seventeen (XVII) of the 1923 supplement to the compiled code.

4. To individuals conducting the business of corporations or associations mentioned in subsections one (1), two (2) or three (3) hereof.

5. To corporations or associations organized under the provisions of said chapter three (3) of title seventeen (XVII) of the compiled code of Iowa or chapter three (3) or chapter three-A (3-A) or chapter three-B (3-B) of title seventeen (XVII) of the 1923 supplement to said code, operating or conducting business under the provisions of chapter seven (7) or chapter eight (8) of title twenty-one (XXI) of the compiled code of Iowa.

6. To individuals conducting the business of corporations or associations organized under any of the chapters mentioned in subsections one (1), two (2) or three (3) hereof, and operating or conducting business under the provisions of chapter seven (7) or eight (8) of title twenty-one (XXI) hereof.

Sec. 3. Labor not a commodity or article of commerce.

Labor of a human being, either mental or physical, is not a commodity or an article of commerce within the meaning of this act, and it shall not be unlawful for human beings to organize themselves into or carry on unions for the purpose, by lawful means, of shortening hours of labor, increasing wages, bettering working and other conditions of the members of such organizations, or lawfully carrying out any legitimate purpose thereof.

C.C. 6227, lines 19-25.

Sec. 4. Combinations, pools and trusts.

It shall be unlawful for any person owning or operating any business of producing, buying, selling, handling, storing, consigning or transporting any commodity or article of commerce or owning or operating any grain elevator:

1. To enter into any agreement, contract, combination or understanding with any other person engaged in like business, for the fixing of the price at or the terms on which any commodity or article of commerce shall be bought or sold by himself or other person, or

2. To agree to distribute or distribute among such persons any proceeds, earnings or profits arising from such unlawful business, or

3. To form, enter into or maintain, or to contribute money or anything of value to any trust, pool, combination or association of persons of whatsoever character or name which has for its object the prevention of full and free competition among persons engaged in like lines of business, or

4. To do or permit to be done by his consent or authority any act whereby full and free competition in buying or selling any commodity or article of commerce is restrained or prevented, or

5. To purchase or agree to purchase any commodity or article of commerce at a higher rate or price or on more favorable terms to the seller, or to sell or agree to sell the same at a lower rate or price or on more favorable terms to the buyer in one section, locality, community, city or town in the state than in any other section, locality, community, city or town in the state with the purpose of injuring or destroying the business of another or creating a monopoly in any commodity or article of commerce. Any variation in price or terms of such buying or selling offered or paid in such different sections, localities, communities, cities or towns shall be prima facie evidence of the purpose to injure or destroy the business of another or to create a monopoly. Reasonable variation in price or terms of buying or selling may be made for the difference, if any, in grade or quality of the commodity or article of commerce and the actual cost of transportation.

C.C. 6205, entire,

C.C. 6227, entire,

C.C. 6234, entire.

Sec. 5. Conspiracy.

Any person transacting or conducting any kind of business in this state who creates, enters into, or becomes a member of or a party to or inter-

ested in any pool, trust, agreement, contract, combination, confederation or understanding, with any other person, to fix the price of any commodity or article of commerce, or to regulate or to fix or limit the quantity or supply of any commodity or article of commerce for the market, or who with intent to injure or destroy the business of a competitor, creates or aids or abets in creating a monopoly of any commodity or article of commerce, shall be guilty of a conspiracy.

C.C. 6219, entire.

Sec. 6. Trusts prohibited.

No person shall issue, own or hold any trust certificate or other evidence of interest in or enter into, any combination, contract or agreement with any other person for the purpose of placing the management or control of any business or industry or the product thereof in the hands of any trustee with intent to create a monopoly in, or to regulate or to fix the price or to prevent, restrict or diminish the production, use or consumption, of any commodity or article of commerce.

C.C. 6220, entire.

Sec. 7. Liability.

In case any person shall do, cause to be done, or permit to be done any act, matter or thing in this act prohibited or declared to be unlawful, such person shall be liable to the person injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable attorney fee to be fixed by the court in every case of recovery and taxed as a part of the costs in such case.

C.C. 6228, entire,

C.C. 6235, entire.

Sec. 8. Contracts void.

All contracts or agreements made in violation of any of the provisions of this act shall be null and void, and no suit at law or in equity shall be maintained thereon in any court.

C.C. 6207, entire,

C.C. 6222, entire.

Sec. 9. Forfeiture of permit.

Any corporation organized under the laws of this state, and any foreign corporation having a permit to do business in this state, which shall violate any of the provisions of this act shall upon conviction thereof forfeit its certificate of incorporation or permit, as the case may be, and the court shall enter judgment to that effect and the clerk shall certify a copy of said judgment to the secretary of state who shall make proper entry thereof in his records.

C.C. 6210, entire,

C.C. 6224, entire.

Sec. 10. Corporation enjoined.

If, after the revocation of its permit to do business in the state, any corporation shall continue or attempt to do business in the state, it shall be the duty of the attorney general, by proper procedure in the name of the state, to prevent by injunction or otherwise such corporation from transacting business of every kind and character within the state.

C.C. 6211, entire.

Sec. 11. Penalty.

Any person convicted of a violation of any provision of this act shall be punished by fine of not less than five hundred dollars (\$500.00) nor more than five thousand dollars (\$5000.00) and if an individual, by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

C.C. 6206, entire,

C.C. 6221, entire,

C.C. 6236, entire.

Sec. 12. Cumulative remedies.

The penalties and the remedies provided in this act shall not be exclusive, but shall be cumulative to all other remedies and penalties provided by law.

C.C. 6212, entire.

Sec. 13. Investigations—enforcement.

It shall be the duty of the department of agriculture through its secretary, inspectors and agents to make investigation in any part of the state as to violations of the provisions of this act. On complaint of any person that such provisions are being violated in any community, the secretary shall promptly investigate or cause to be investigated such complaint and the grounds thereof. For this purpose, he and his inspectors and agents shall have authority to subpoena and examine witnesses and administer oaths, compel the production of books, letters, documents, papers price lists and statistics and all other articles deemed essential to a full understanding of the matter under investigation.

New.

Sec. 14. Refusal to obey subpoena.

Any witness failing to obey such subpoena issued by the secretary or his inspectors or agents shall be guilty of contempt and on report of such failure to the district court of the county in which such refusal occurs, such witness shall be punished for contempt by fine not exceeding one hundred dollars (\$100.00).

New.

Sec. 15. Immunity of witness from prosecution.

No witness shall be exempt from testifying to any matter in any proceeding under the provisions of this act or from producing any books, papers, letters, or other documents or articles on the ground that the same

would tend to render him criminally liable or to expose him to public ignominy, but such witness shall not be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury.

New.

Sec. 16. -Report of investigations.

The secretary shall file in his office a report of each investigation made by him or under his supervision and also file a duplicate thereof in the office of the attorney general and if in his judgment such report discloses any violation of the provisions of this act, he shall also furnish a duplicate of such report to the county attorney of the county in which such violation occurred.

New.

Sec. 17. Information furnished by other officer.

The secretary shall at all times have the right to call upon any officer or department of the state for any information in possession thereof which he deems material to any investigation or proceeding under this act, and such officer or department shall at all times furnish him such information if in his or its possession.

New.

Sec. 18. Duty of the attorney general.

It shall be the duty of the attorney general and his deputies and assistants at all times to aid and advise the secretary or any of his inspectors or agents in relation to any investigation or proceeding under the provisions of this act, and when the attorney general or department of justice of the state is in possession of facts, either from the reports furnished by the department of agriculture or from any other source indicating or giving reasonable cause to believe that the provisions of this act have been violated in any county of the state, he shall begin or cause to be begun all such criminal or other proceedings against the person so violating as the facts will justify.

New.

Sec. 19. Duty of county attorneys.

It shall be the duty of any county attorney in the state to aid the secretary or the attorney general in any investigation, legal proceeding or criminal prosecution in his county. It shall also be his duty to bring before the grand jury of his county any evidence or information that may come to him from the secretary or the department of justice or from any other source of any violation in his county of the provisions of this act, and cause the same to be investigated by the grand jury, and when an indictment is returned by the grand jury, it shall be his duty to notify the secretary and the attorney general of such indictment and to prosecute the same with such assistance as the secretary and the attorney general may furnish him.

New.

Sec. 20. Duty of peace officers.

All peace officers in the state shall at all times, when requested, furnish to the secretary, his inspectors and agents, and the attorney general, all information they are able to procure and render each of them such aid as they can in all investigations and proceedings arising under the provisions of this act.

New.

The Journal of March 12th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1924.

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

Prayer was offered by Rev. Stanley A. Gillet, pastor of the Baptist church, of Winterset, Iowa.

On motion of Senator Goodwin rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mantz for the day, on request of Senator Scott; Senator Hartman for the forenoon, on request of Senator Scott; Senator Brookhart for the day, on request of Senator Kimberly; Senator McIntosh for the day, on request of Senator Gilchrist; Senator Banta for the day, on request of Senator Newberry.

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. 33, 51, 85, 117 and 275.

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. 33, 51, 85, 117 and 275.

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. 71 and 294.

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. 46 and 256.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 126

MR. PRESIDENT: Your conference committee, to which was referred House File No. 126 after disagreement thereon by the Senate and the House, begs leave to report that it has had the bill under consideration and submits the following report:

1. That the following be substituted for the Senate amendment to section 2:

"Poles used for telephone, telegraph, or other transmission purposes, shall not be removed until notice, in writing, of not less than thirty (30) days, has been given to the owner or company operating such lines, and in case of fences, notice in writing of not less than sixty (60) days has been given to the owner, occupant or agent of the land enclosed by said fence."

2. That the remainder of the Senate amendments be adopted.

Respectfully submitted,

ED. M. SMITH

H. C. WHITE

D. W. KIMBERLY

H. C. ADAMS

Conferees on part of the Senate.

HENRY FRAHM

J. P. GALLAGHER

S. E. FACKLER

JNO. A. STOREY

Conferees on part of the House.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 77, a bill for an act relating to conveyances.

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 relating to the commission on land titles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 87, a bill for an act relating to vocational education.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 134, a bill for an act relating to the county attorney.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 220, a bill for an act relating to municipal courts.

Also: That the Speaker of the House has appointed as a conference committee on the part of the House on House File No. 213, a bill for an act relating to marriage and incest, Representatives Powers, Elliott, Clark and Moen.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 13, relating to the proper ventilation of the Senate and House chambers.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 144
CONSIDERED

Senator Shinn called up the following conference committee report:

MR. PRESIDENT: Your conference committee to whom was referred House File No. 144 after disagreement thereon by the Senate and the House, beg leave to report that they have had the same under consideration and that they have agreed upon a compromise and submit the following report accordingly:

Amend section 9 by adding thereto the following sentence:

"If, however, a headstone of the above general description shall be provided by the national government or if a tombstone shall be furnished by private persons for such grave, the headstone herein provided for need not be provided at county expense."

Amend section 10 by striking all of said section and substituting in lieu thereof the following:

"The expenses of such burial and headstone shall be paid by the county in which such person died. If such person is a resident of a different county at the time of death, the latter county shall reimburse the county wherein he died for the cost of such burial and headstone. In either case, the board of supervisors of such respective counties shall audit the account

and pay the same from the funds provided for in this chapter in such manner as other claims are audited and paid."

A. J. SHINN
ED H. CAMPBELL
BEN C. ABBEN, JR.
LLOYD THURSTON

Conferees on part of the Senate.

VOLNEY DILTZ
RAY YENTER
C. G. OLIVER
C. F. CLARK

Conferees on part of the House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 35.

Baird	Gilchrist	Perkins	Slosson
Brookins	Goodwin	Price	Smith
Browne	Haskell	Reed	Snook
Buser	Horchem	Rees	Stoddard
Caldwell	Johnston	Schmedika	Thurston
Cessna	Kimberly	Scott	Tuck
Darting	Mead	Shaff	White
Ethell	Nelson	Shane	Wichman
Fulton	Olson	Shinn	

Nays, none.

Absent or not voting, 15.

Abben	Bowman	Hale	Mantz
Adams	Brookhart	Hartman	Newberry
Banta	Campbell	Holdoegel	Romkey
Bergman	Dutcher	McIntosh	

The conference committee report 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 Wichman, Senate File No. 302, a bill for an act to amend chapters one hundred four (104) and one hundred five (105) of the acts of the fortieth (40) General Assembly relating to limitations on the expenditures of public funds in counties, an elections committee bill, was taken up and considered.

Senator Ethell moved that further action be deferred.

Senator Abben moved as a substitute motion that the bill be made a special order for 10:30 a. m. Tuesday.

The substitution was made.

The motion prevailed and Senate File No. 302 was made a special order for Tuesday at 10:30 a. m.

Senator Buser moved that the department of justice be requested to file a written opinion with the secretary of the Senate, stating whether or not the general funds in any county in Iowa will be so exhausted June 2d that they can not pay the warrants issued for election expenses.

The motion prevailed.

On motion of Senator Wichman, House 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, 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, 37.

Abben	Fulton	Mead	Shaff
Adams	Gilchrist	Newberry	Shane
Baird	Goodwin	Olson	Shinn
Bowman	Hale	Perkins	Slosson
Brookins	Haskell	Price	Smith
Buser	Holdoegel	Reed	Snook
Caldwell	Horchem	Rees	Stoddard
Darting	Johnston	Schmedika	White
Dutcher	Kimberly	Scott	Wichman
Ethell			

Nays, none.

Absent or not voting, 13.

Banta	Campbell	McIntosh	Romkey
Bergman	Cessna	Mantz	Thurston
Brookhart	Hartman	Nelson	Tuck
Browne			

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. 179, 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-two (4062), four thousand sixty-three (4063), four thousand sixty-five (4065) to four thousand sixty-eight (4068), inclusive, of the compiled code of Iowa, and sections four thousand sixty-one (4061), four thousand sixty-five-a one (4065-a1) of the supplement to said code, relating to municipal corporations, 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:

1. Amend section 1 thereof by striking the following language in lines 20, 21, 22, 23, and 24, to-wit: "And it is hereby certified and recited that all acts, conditions, and things required by the laws and constitution of the state of Iowa to be done precedent to and in the issue of this bond have been properly done, happened, and been performed in regular and due form as required by law," and inserting in lieu thereof the following: "And it is hereby represented and certified that all things requisite according to the laws and constitution of the state of Iowa to be done precedent to the lawful issue of this bond have been performed as required by law,".

2. Amend section 2 of said bill by striking the period (.) following the word "clerk" at the end of said section and inserting in lieu thereof a comma (,) and the following "or a facsimile thereof".

3. Amend said bill by striking therefrom section 4 and adopting in lieu thereof the following:

"Sec. 4. The council may provide by resolution for the exchange of such bonds or any part thereof, for legal indebtedness of the city or town evidenced by bonds, warrants or judgments which were outstanding when the resolution authorizing such bonds was passed; or said council may by resolution order said bonds sold as provided by law for the sale of public bonds."

4. Amend section 5 of said bill by striking therefrom all thereof after the word "paid" in line 5 of said section and inserting in lieu of said portion so stricken the following: "Bonds shall not be exchanged for less than par plus accrued interest. The proceeds of the sale of such bonds shall be used only for the purpose for which such bonds were issued."

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting in line 29 of section 1 and in line 3 of section 2 in parenthesis after the word "city" the words "(or town)".

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, 36.

Abben	Ethell	Mead	Shane
Adams	Fulton	Nelson	Shinn
Baird	Gilchrist	Olson	Slosson
Bowman	Hale	Perkins	Snook
Brookins	Haskell	Price	Stoddard
Buser	Holdoegel	Reed	Thurston
Caldwell	Horchem	Schmedika	Tuck
Darting	Johnston	Scott	White
Dutcher	Kimberly	Shaff	Wichman

Nays, none.

Absent or not voting, 14.

Banta	Campbell	McIntosh	Rees
Bergman	Cessna	Mantz	Romkey
Brookhart	Goodwin	Newberry	Smith
Browne	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 White, Senate File No. 301, a bill for an act to legalize the action of the board of independent school district of Toledo, Tama county, Iowa, and the treasurer thereof in the transfer of certain funds from the general fund to the school house fund of said school district, 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 the word "Toledo" following the word "of" and before the word "Tama" in line 2.

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, 32.

Abben	Caldwell	Goodwin	Johnston
Adams	Dutcher	Hale	Kimberly
Baird	Ethell	Haskell	Mead
Bowman	Fulton	Holdoegel	Nelson
Brookins	Gilchrist	Horchem	Olson

Reed	Shaff	Snook	Tuck
Rees	Shane	Stoddard	White
Scott	Shinn	Thurston	Wichman

Nays, none.

Absent or not voting, 18.

Banta	Campbell	Mantz	Romkey
Bergman	Cessna	Newberry	Schmedika
Brookhart	Darting	Perkins	Slosson
Browne	Hartman	Price	Smith
Buser	McIntosh		

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

SENATE INSISTS ON AMENDMENT TO SENATE FILE NO. 123

Senator Holdoegel moved that the Senate recede from its amendment to the House amendment to Senate File No. 123.

Senator Holdoegel invoked rule 8.

On the question "Shall the Senate recede?" the vote was:

Ayes, 16.

Abben	Dutcher	Kimberly	Scott
Adams	Fulton	Mead	Shaff
Baird	Holdoegel	Olson	Stoddard
Brookins	Horchem	Reed	Wichman

Nays, 19.

Bowman	Goodwin	Price	Smith
Buser	Hale	Rees	Snook
Caldwell	Haskell	Schmedika	Thurston
Ethell	Johnston	Shane	White
Gilchrist	Nelson	Shinn	

Absent or not voting, 15.

Banta	Campbell	McIntosh	Romkey
Bergman	Cessna	Mantz	Slosson
Brookhart	Darting	Newberry	Tuck
Browne	Hartman	Perkins	

The motion to recede was lost.

Senator Holdoegel now moved that the Senate insist on its amendments to Senate File No. 123.

On the question "Shall the Senate insist?" the vote was:

Ayes, 28.

Bowman	Buser	Fulton	Goodwin
Browne	Caldwell	Gilchrist	Hale

Haskell	Mead	Rees	Smith
Holdoegel	Nelson	Schmedika	Snook
Horchem	Olson	Scott	Stoddard
Johnston	Price	Shane	Tuck
Kimberly	Reed	Shinn	White

Nays, 4.

Abben	Adams	Baird	Brookins
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Absent or not voting, 18.

Banta	Darting	Mantz	Shaff
Bergman	Dutcher	Newberry	Slosson
Brookhart	Ethell	Perkins	Thurston
Campbell	Hartman	Romkey	Wichman
Cessna	McIntosh		

The motion prevailed and the Senate insisted on its amendments.

SENATE RESOLUTION CONSIDERED

Senator Haskell called up the following resolution and moved its adoption:

Whereas, Our primary road system consists of some 6600 miles, and

Whereas, Not to exceed 3000 miles of said primary road system is believed to need hard surfacing for some years to come, and

Whereas, Under our present primary road law, county bond money for primary road surfacing can only be used for hard surfacing; therefore,

Be It Resolved by the Senate: That the Code Commission be instructed to prepare Code Commissioner's Bill No., amending the primary road law so that counties may vote bonds for graveling as well as hard surfacing.

M. L. BOWMAN	B. J. HORCHEM
W. G. HASKELL	J. E. WICHMAN
O. L. MEAD	D. W. KIMBERLY
CARL W. REED	P. C. HOLDOEGEL
B. M. STODDARD	H. C. ADAMS
W. A. CALDWELL	W. S. BAIRD
CHAS. OLSON	W. J. GOODWIN
R. P. SCOTT	I. N. SNOOK
B. W. NEWBERRY	H. A. DARTING
GEO. B. PERKINS	F. C. GILCHRIST
C. J. FULTON	A. T. BROOKINS
BEN C. ABBEN	H. J. MANTZ
S. C. REES	J. O. SHAFF
J. M. SLOSSON	

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

Ayes, 20.

Abben	Caldwell	Haskell	Olson
Adams	Dutcher	Holdoegel	Scott
Baird	Gilchrist	Horchem	Stoddard
Bowman	Goodwin	Kimberly	White
Brookins	Hale	Mead	Wichman

Nays, 2.

Nelson
Absent or not voting, 28.

Banta	Darting	Newberry	Shaff
Bergman	Ethell	Perkins	Shane
Brookhart	Fulton	Price	Shinn
Browne	Hartman	Reed	Slosson
Buser	Johnston	Rees	Smith
Campbell	McIntosh	Romkey	Thurston
Cessna	Mantz	Schmedika	Tuck

The motion prevailed and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 13 CONSIDERED

Senator Bowman called up the following resolution for consideration and moved its adoption:

Be It Resolved by the House, the Senate concurring: That the executive council and the architect appointed by the board of control of state institutions, acting jointly, are hereby directed to report in writing to the regular session of the Forty-first (41) General Assembly, and immediately upon the convening of said session, general plans and specifications for the proper ventilation of the Senate and House chambers, including special reference to the subject of humidity. Said report shall state the estimated cost of installing such system of ventilation.

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

Ayes, 30.

Abben	Gilchrist	Mead	Snook
Adams	Goodwin	Nelson	Stoddard
Baird	Hale	Olson	Thurston
Bowman	Haskell	Reed	Tuck
Brookins	Holdoegel	Scott	White
Caldwell	Horchem	Shane	Wichman
Dutcher	Johnston	Shinn	
Fulton	Kimberly	Smith	

Nays, none.

Absent or not voting, 20.

Banta	Campbell	McIntosh	Rees
Bergman	Cessna	Mantz	Romkey
Brookhart	Darting	Newberry	Schmedika
Browne	Ethell	Perkins	Shaff
Buser	Hartman	Price	Slosson

The motion prevailed and the resolution was adopted.

SENATE JOINT RESOLUTION NO. 1 REFERRED

Senator Bowman moved that Senate Joint Resolution No. 1 be referred to the committee on judiciary No. 1, which motion prevailed.

CONFERENCE COMMITTEE ON SENATE FILE NO. 123

The President appointed as a conference committee on Senate File No. 123, on the part of the Senate, Senators Hale, Slosson, Browne and Snook.

HOUSE MESSAGES CONSIDERED

House File No. 299, a bill for an act to amend section three (3) of chapter three hundred twenty-six (326) of the acts of the Fortieth General Assembly, relating to the commission on land titles.

Read first and second times and referred to committee on land titles.

House File No. 87, a bill for an act to amend, revise, and codify chapter three (3) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, relating to education.

Read first and second times and referred to committee on public schools.

House File No. 77, 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 five (6405), inclusive, of the compiled code of Iowa, relating to conveyances.

Read first and second times and referred to committee on land titles.

The Journal of March 13th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 15, 1924.

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

Prayer was offered by Rev. Howard P. Young, pastor of the Methodist Episcopal church, of Woodward, Iowa.

On motion of Senator Mead rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Romkey for the day, on request of Senator Price; Senator Horchem for the day, on request of Senator Reed; Senator Baird for the day, on request of Senator Buser; Senator Brookhart for the day on request of Senator Price; Senator McIntosh for the day, on request of Senator Price; Senator Goodwin for the day, on request of Senator Caldwell; Senators Stoddard, Mantz, Banta, and Dutcher, for the day on request of Senator Abben; Senator Nelson for the day, on request of Senator Wichman; Senator Schmedika for the day, on request of Senator Price; Senator Darting for the day, on request of Senator Tuck; Senator Johnston for the day, on request of Senator Price.

INTRODUCTION OF BILLS

Senate File No. 303, by Senator Brookins, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 304, by Senator Scott, a bill for an act to legalize the corporate acts and proceedings of the St. Anthony

Savings Bank of St. Anthony, Iowa, and to authorize renewal of the period of corporate existence of said bank.

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 that it has on the fifteenth day of March, sent to the Governor for his approval, Senate File No. 33, a bill for an act relating to the release of sureties on bonds required by law; Senate File No. 51, a bill for an act relating to intoxicating liquors; Senate File No. 85, a bill for an act relating to education; Senate File No. 117, a bill for an act relating to the establishment, vacation, and alteration of highways, to the erection and maintenance of bridges, and to the condemnation, establishment, and improvement of primary roads in cities and towns; Senate File No. 275, a bill for an act relating to the sale of public bonds.

F. C. GILCHRIST, *Chairman.*

The report was 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. 71 and 294.

REPORTS OF COMMITTEES

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 254, a bill for an act to amend, revise, and codify 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, 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:

1. Strike from paragraph 2 of section 1 the following language: "except in cases of public improvement for drainage or levee purposes the provisions of the drainage law in cases of conflict shall govern" and insert in lieu thereof "and shall include improvements under the jurisdiction of the board of supervisors for drainage purposes."

2. Strike from section 2 all of said section after the word "amount" in line 6 thereof.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, 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:

1. Amend by striking subsection 10 from section 17.

2. Amend by striking the period (.) following the word "hereof" in the last line of section 21-a3 and by substituting a comma (,) therefor and by adding the following: "or judges or clerks of the last preceding election."

CARL W. REED, *Chairman*.

Ordered passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Newberry called up for consideration Senate File No. 101, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting in section 9 and immediately after the word "districts" in line 1, the following: "and in all independent town, city and consolidated school districts,".

Amend section 9, line 10, by striking the word "shall" and inserting in lieu thereof the word "may".

Amend section 10, line four (4), by inserting between the words "town" and "district" the words "and consolidated". Also amend said section by adding thereto the following: "In the application of the absent voters' law, the secretary of the board shall perform the duties therein imposed upon the county auditor or clerk of the city or town. A tie vote for any elective school office shall be publicly determined by lot forthwith, under the direction of the board canvassing the returns."

Amend section 10, line four (4), by striking the word "and" and inserting in lieu thereof a comma (,).

Amend section 12 by striking lines fourteen (14) and fifteen (15) preceding the word "shall".

Amend section 19, line two (2), by striking the word "may" and inserting in lieu thereof the word "shall".

Amend section 22 by striking the period at the end of line four (4)

and inserting in lieu thereof the following: "but the board may authorize any subdirector to employ teachers for the school in his subdistrict".

Amend section 24 by striking the comma (,) following the word "year" in line three (3) and inserting in lieu thereof a period (.). Also amend by striking the words "after which" in line three (3) and inserting in lieu thereof the following: "After serving at least seven months".

Amend section 37 by adding at the end of the section as it appears in the printed bill the following: "No such certificate or affidavit shall be required for admission to the high school in any school corporation when he has finished the common school branches in the same corporation."

Senator Holdoegel moved that further action be deferred, which motion prevailed.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 220

Senator Reed moved that the Senate insist on its amendments to House File No. 220.

On the question "Shall the Senate insist?" the vote was:

Ayes, 27.

Abben	Gilchrist	Newberry	Shinn
Adams	Hale	Olson	Slosson
Bowman	Hartman	Perkins	Snook
Brookins	Haskell	Price	Thurston
Buser	Holdoegel	Reed	White
Cessna	Kimberly	Scott	Wichman
Fulton	Mead	Shane	

Nays, none.

Absent or not voting, 23.

Baird	Campbell	Johnston	Schmedika
Banta	Darting	McIntosh	Shaff
Bergman	Dutcher	Mantz	Smith
Brookhart	Ethell	Nelson	Stoddard
Browne	Goodwin	Rees	Tuck
Caldwell	Horchem	Romkey	

The motion prevailed and the Senate insisted on its amendments.

THIRD READING OF BILLS

On motion of Senator Buser, House File No. 65, a bill for an act to amend, revise, and codify sections nine hundred seven (907), fourteen hundred forty (1440), fourteen hundred forty-three (1443), fourteen hundred fifty-two (1452), fourteen hundred sixty-nine (1469), fourteen hundred seventy-two (1472), fourteen hundred eighty-one (1481), fifteen hundred thirty-six

(1536), fifteen hundred ninety-two (1592), sixteen hundred thirteen (1613), sixteen hundred seventeen (1617), sixteen hundred twenty-six (1626), sixteen hundred twenty-seven (1627), and sixteen hundred ninety-nine (1699) of the compiled code of Iowa and sections eight hundred ninety-nine (899), nine hundred three (903), fourteen hundred forty-two (1442), fifteen hundred thirty-two-a fifteen (1532-a15), sixteen hundred thirty-one-a one (1631-a1) to sixteen hundred thirty-one-a fifteen (1631-a15), inclusive, and sixteen hundred fifty-three-a one (1653-a1) to sixteen hundred fifty-three-a seven (1653-a7), inclusive, of the supplement to said code, relating to the department of agriculture and fruit-tree and forest reservations, 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 paragraph 1 of section 3, after the word "co-operate" in line two (2) thereof the following: "in all ways that the department may deem" and inserting in lieu thereof the following: "in all ways that may be".

Senator Shane offered the following amendment and moved its adoption:

Amend by striking the word "drugs" from line 18 of section 6 and inserting the words "stock food" in lieu thereof.

By unanimous consent on request of Senator Newberry the words "and stock tonics" were inserted after the word "food".

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, 30.

Abben	Fulton	Olson	Shinn
Bowman	Gilchrist	Perkins	Slosson
Brookins	Hale	Price	Snook
Browne	Hartman	Reed	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Kimberly	Scott	White
Cessna	Mead	Shane	Wichman
Ethell	Newberry		

Nays, none.

Absent or not voting, 20.

Adams	Campbell	Horchem	Romkey
Baird	Darting	Johnston	Schmedika
Banta	Dutcher	McIntosh	Shaff
Bergman	Goodwin	Mantz	Smith
Brookhart	Haskell	Nelson	Stoddard

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

PROOF OF PUBLICATION OF SENATE FILE NO. 303

I hereby certify, that as secretary of the Senate I have received the proof of publication of Senate File No. 303, a proposed bill to legalize an election held by the town of Ionia, county of Chickasaw, Iowa, relative to an electric light and power system.

L. W. AINSWORTH, *Secretary of the Senate.*

PROOF OF PUBLICATION OF HOUSE FILE NO. 298

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of House File No. 298, a proposed bill for the legalization of the proceedings of the town council of Clayton, Iowa.

L. W. AINSWORTH, *Secretary of the Senate.*

CONFERENCE COMMITTEES APPOINTED

The President appointed as members of conference committee on the part of the Senate, on House File No. 220, Senators Dutcher, Reed, Scott and Wichman.

The President appointed as members of conference committee on the part of the Senate, on House File No. 66, Senators Shaff, Mead, Cessna and Kimberly.

The Journal of March 14th was corrected and approved.

On motion of Senator Newberry the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 17, 1924.

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 Price rule 33 was suspended for the day.

Senator Schmedika presented a petition signed by 118 citizens of Ackley, protesting against the issuance of bonds for graveling primary roads. Referred to committee on highways.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Banta for the day, on request of Senator Olson; Senator Dutcher for the day, on request of Senator Stoddard; Senator Rees for the day on request of Senator Ethell.

INTRODUCTION OF BILLS

Senate File No. 305, by committee on appropriations, a bill for an act to repeal chapter three hundred ten (310) acts of the Thirty-ninth (39) General Assembly and chapter three hundred thirty-five (335) acts of the Fortieth (40) General Assembly, relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance of said appropriation to the general revenue of the state.

Read first and second times and ordered 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 File No. 43.

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. 43.

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 seventeenth day of March, sent to the Governor for his approval, Senate File No. 43, a bill for an act relating to health and safety appliances and industrial accidents.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and Senate File No. 305, a bill for an act to repeal chapter three hundred ten (310), acts of the Thirty-ninth (39) General Assembly and chapter three hundred thirty-five (335) acts of the Fortieth (40) General Assembly, relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance of said appropriation to the general revenue of the state, (a bill by the committee on appropriations), was taken up and considered.

The bill was read for information.

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

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

Ayes, 34.

Abben	Cessna	Mantz	Shane
Adams	Darting	Mead	Shinn
Baird	Ethell	Newberry	Snook
Bowman	Fulton	Olson	Stoddard
Brookins	Gilchrist	Price	Thurston
Browne	Hale	Reed	White
Buser	Hartman	Romkey	Wichman
Caldwell	Holdoegel	Schmedika	
Campbell	Johnston	Scott	

Nays, none.

Absent or not voting, 16.

Banta	Goodwin	McIntosh	Shaff
Bergman	Haskell	Nelson	Slosson
Brookhart	Horchem	Perkins	Smith
Dutcher	Kimberly	Rees	Tuck

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

MOTION FILED

MR. PRESIDENT: I move that the following rule be adopted:

That all Senate bills now in the hands of standing committees be reported out and placed on the calendar by March 24th, and that after March 24th all House bills be reported out of committee within three days after date of reference.

T. C. CESSNA.

On motion of Senator Stoddard further action on the motion was deferred.

The Journal of March 15th was corrected and approved.

On motion of Senator Caldwell the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, MARCH 18, 1924.

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

Prayer was offered by Rev. M. F. Campbell, pastor of the Methodist Episcopal church, of Yarmouth, Iowa.

On motion of Senator Holdoegel rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Banta for the day, on request of Senator Abben.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 17, 1924, he had signed Senate Files Nos. 275, 117, 85, 33, 51 and 43.

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. 72, 82 and 144.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

PROOF OF PUBLICATION OF HOUSE FILE NO. 288

I hereby certify, that as secretary of the Senate, I have received the proof of publication of House File No. 288, a proposed bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the Police Equipment Fund of said city, and legalizing and validating said warrants as issued.

L. W. AINSWORTH, *Secretary of the Senate.*

REPORTS OF COMMITTEES

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred House File No. 196, a bill for an act 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.

Also:

MR. PRESIDENT: Your committee on railroads to which was referred House File No. 190, a bill for an act relating to construction and operation of railways, 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 which was referred House File No. 200, a bill for an act relating to interurban railways, 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 which was referred House File No. 192, a bill for an act relating to voting taxes in aid of railways, 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 Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 87, a bill for an act to amend, revise, and codify chapter three (3) of title ten (10) of the compiled code of Iowa, and the supplement to said code, relating to vocational education, 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.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 107, a bill for an act to amend, revise, and codify

sections 2619, 2621 and 2625 of the compiled code, relating to school teachers, 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 Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs, to which was referred Senate File No. 7, a bill for an act relating to a budget or financial statement for the state, to the duties of various officers in relation thereto, and to various existing appropriations, begs leave to report it has had the same under consideration and recommends that the Senate concur in the House amendment.

T. C. CESSNA, *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. 288, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued, 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.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: Your conference committee on Senate File No. 125 recommends that the differences now existing between House and Senate on said bill be adjusted by receding from all House and Senate amendments and by the adoption of the following amendments:

First Amendment—Strike out section 1, and in lieu thereof insert the following:

The provisions of this chapter shall be enforced:

1. By the board of supervisors as to all county and primary roads.
2. By the councils and commissioners of all cities and towns, irrespective of their local form of government, as to all roads, streets and other lands within said cities and towns.
3. By the township trustees as to all township roads and as to all other lands within the township not embraced in paragraphs one (1) and two (2) hereof.

Second Amendment—Amend Sec. 2 by inserting after the comma following the last parenthesis in line eight the following: sow thistles (*sou-chus arvensis*).

Third Amendment—Amend Sec. 3 by inserting after the word “thereon” in line three the words “or on the streets or highways adjoining the same”; also by inserting after the word “lands” in line six the words “and the streets or highways adjoining them,”; also by striking out all following line nine.

Fourth Amendment—Strike out Sec. 5 and insert the following:

Sec. 5. Order for destruction.

The secretary of agriculture shall each year, by proper order, fix the time when and the manner in which all noxious weeds shall be destroyed. He may fix different times for different varieties of weeds or for different sections of the state. He shall, on or before April first of each year, notify the county auditor of each county of the date or dates and manner of destruction so fixed.

Fifth Amendment—Strike out Sec. 6 and insert in lieu thereof the following:

Sec. 6. Notice of order.

The board of supervisors of each county shall at once give notice of aforesaid order by one publication in the official newspapers of the county, and said notice shall be directed to all property owners. Said notice shall state:

1. Time for destruction.
2. Manner of destruction if other than cutting above the surface of the ground.
3. That unless said order is complied with, the trustees (or council or commissioners, or board of supervisors, as the case may be) will cause said weeds to be destroyed and the cost thereof to be taxed to the owner of the property.

Sixth Amendment—Strike out Sec. 6-a1 and insert in lieu thereof the following:

Sec. 6-a1. Complaints—duty of road officer to make.

It shall be the duty of all officers directly responsible for the care of public streets and highways, on or before the date fixed for destruction, to make reports to the proper board of the existence of noxious weeds upon lands, streets or highways within their jurisdiction. After such date such road officers shall, and any citizen may, at any time make complaint to the secretary of agriculture of the presence of noxious weeds either upon the public highways or upon private lands, and furnish the secretary with the location of such weeds and with the name of the owner, tenant or custodian of the land upon which said weeds exist. The name of such informant shall not be divulged.

Seventh Amendment—Add Sec. 6-a2. Duty of secretary.

The secretary of agriculture, upon receipt of the aforesaid notice, shall at once notify the owner, tenant or custodian by registered mail, advising:

1. That such weeds are alleged to be on the property described.
2. That if such complaint is true, the owner, tenant and occupant is violating the law in failing to destroy said weeds.
3. The best known methods of destroying such weeds.

An exact copy of such notification shall be sent to the officials who are charged with the enforcement of the law in each instance.

Eighth Amendment—Add Sec. 6-a3. Duty of local officials.

The officials charged with the enforcement aforesaid shall, immediately upon receiving notice from the secretary of agriculture, view the property and determine whether the notice from the secretary has been complied with, and notify the secretary accordingly.

Ninth Amendment—Add Sec. 6-a4. Enforcement and report.

The officials shall in all instances take such action as will insure the enforcement of the law, and make prompt report of their action to the secretary of agriculture.

Tenth Amendment—Add Sec. 6-a5. Failure to report.

Failure of such officials to report as provided in the last preceding section shall be reported by the secretary of agriculture to the county attorney of the county in which the weeds are located, and the county attorney is charged with the duty of requiring the proper officials to act.

Eleventh Amendment—Amend Sec. 7 by inserting after the word "with" in line three, the word "such"; also strike out the word "said" where it appears immediately following, and by adding after the word "order" in said line three, the words "or notice". Also amend Sec. 7 by changing the comma after the word "be" in line seven to a period and striking out all following.

Twelfth Amendment—Strike out Sec. 9 as it appears in the original bill and insert in lieu thereof the following:

Sec. 9. Notice by personal service.

Before making said assessment ten days' notice shall be given each owner of the time and place of meeting of the trustees, council, commissioners or board of supervisors, which notice shall also contain a statement of the work done and the expense thereof with costs.

Thirteenth Amendment—Strike out Sec. 9-a1 of the original bill and insert the following:

Sec. 9-a1. Personal service of notice.

Said notice of assessment shall be personally served on the owner of the land upon which said weeds exist if service of such notice can be made within the township in which such land is situated, and if it can not be so served, then said notice shall be made by mailing the same by registered mail to the owner at his last known address, and also by giving a copy of the notice to the person, company or corporation in apparent control or occupancy of said land.

Fourteenth Amendment—Add Sec. 9-a2. Notice by publication.

In a city or town the aforesaid notice of assessment may be given by one publication in a newspaper of general circulation in such city or town, of a general notice of assessment to all property owners. When no such newspaper exists, said general notice may be served by posting the same in at least three public places within said city or town.

Fifteenth Amendment—Add Sec. 9-a3. Notice of assessment by mail.

In cities and towns said notice of assessment may be given by mailing the same in a letter or postal card to the last known address of the person owning or controlling the premises.

Sixteenth Amendment—Add Sec. 9-a4. Hearing.

At the time and place fixed for hearing on the question of assessment such owner may appear, with the same rights given before boards of review upon increase of assessments.

Seventeenth Amendment—Strike out Sec. 10 and insert in lieu thereof the following:

Sec. 10. Report—to whom made.

It shall be the duty of the township and city or town clerks, between the fifteenth and thirtieth days of October of each year, to make reports upon blanks furnished by the department of agriculture, to the board of supervisors of the county in which his township, city or town is situated, as to the presence and location of noxious weeds that have been reported or found within their township, city or town, and the steps, if any, taken to bring about the destruction thereof, a copy of which report shall be forwarded to the board of supervisors, to be kept on file, and a copy of same to be forwarded by them to the secretary of agriculture not later than the first day of December following.

Sec. 11. Publication.

This act, being deemed of immediate importance, shall be in full force and effect upon publication in the Des Moines News and the Des Moines Capital, newspapers published in Des Moines, Iowa.

J. O. SHAFF
BYRON W. NEWBERRY
J. K. HALE
CHAS. OLSON

Conferees on part of Senate.

EARL W. VINCENT
FRANCIS JOHNSON
G. L. VENARD

Conferees on part of House.

COMMUNICATION
STATE OF IOWA
DEPARTMENT OF JUSTICE
DES MOINES

March 18, 1924.

Hon. John Hammill,
Senate Chamber,
Building.

Dear Governor Hammill:

This department is in receipt of a communication from the Iowa State Senate in words as follows:

"Senator Buser moved that the department of justice be requested to file a written opinion with the secretary of the Senate, stating whether

or not the general funds in any county in Iowa will be so exhausted June 2nd, that they cannot pay the warrants issued for election expenses."

This question almost answers itself. However, for the information of the Senate, may I state that the statute relating to the limitation of expenditures from the county funds in a given year in practical operation works substantially as follows: On the first day of January the legally collectible revenues for the ensuing year are placed on one side of the ledger. On the other side of the ledger are to be placed the expenditures for the year as they arise from day to day and month to month until the two balance, at which time all expenditures from the fund must cease. This being true, it will be apparent to you that on June 2nd there would not be such a ledger balance.

I am frank in saying, therefore, that in my judgment, although I have no specific knowledge, the general funds in Iowa counties would not be exhausted on June 2nd.

Respectfully yours,

(Signed) BEN J. GIBSON,
Attorney General.

MESSAGES FROM 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. 201, a bill for an act relating to corporations.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 301, a bill for an act relating to the practice of chiropractic.

Also: That the House refuses to concur in Senate amendments to the following bill:

House File No. 110, a bill for an act relating to school funds and bonds.

Also: That the House has amended and concurred in Senate amendments to sections 1, 2, 10, 22, 50 and 55 and first amendment to section 64; also amended and refused to concur in all other amendments to the following bill:

House File No. 69, a bill for an act relating to hotels, restaurants, food establishments, and cold storage plants.

Also: That the House has adopted the conference committee report and the amendments proposed therein on the following bill:

House File No. 126, a bill for an act relating to removal of obstructions from highway.

Also: That the Speaker of the House has appointed as a conference committee on the part of the House on House File No. 54, a bill for an act relating to propagation and protection of fish, game, wild birds and animals, Representatives Johnson, Quirk, Blume and Knutson.

Also: That the Speaker of the House has appointed as a conference committee on the part of the House on Senate File No. 123, a bill for an act relating to township road system, Representatives Henderson, Healy, Hauge and King.

Also: That the House insists on its amendments to Senate File No. 9, a bill for an act relating to the treasurer of state—appropriations, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Sampson, Rust, Henderson and Fackler.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 301, a bill for an act to amend chapter seven (7), section twelve (12), acts of the Thirty-ninth General Assembly, relating to the practice of chiropractic.

Read first and second times and referred to committee on public health.

SENATE CONSIDERS AMENDMENTS TO HOUSE FILE NO. 134

Senator Mantz moved that the Senate recede from its amendments to House File No. 134.

Senator Mantz invoked rule 8.

On the question "Shall the Senate recede?" the vote was:

Ayes, 23.

Abben	Gilchrist	Newberry	Smith
Adams	Goodwin	Perkins	Snook
Brookins	Hartman	Price	Stoddard
Darting	Holdoegel	Reed	White
Dutcher	Horchem	Scott	Wichman
Fulton	Mantz	Shaff	

Nays, 22.

Baird	Cessna	Mead	Shane
Bowman	Ethell	Nelson	Shinn
Browne	Hale	Rees	Slosson
Buser	Johnston	Romkey	Thurston
Caldwell	Kimberly	Schmedika	Tuck
Campbell	McIntosh		

Absent or not voting, 5.

Banta	Brookhart	Haskell	Olson
Bergman			

The motion to recede failed.

Senator Mantz now moved that the Senate insist on its amendments.

Senator Buser raised the point of order that the question was decided on the vote just taken.

The President held the point not well taken.

On the question "Shall the Senate insist?" the vote was:

Ayes, 23.

Adams	Campbell	McIntosh	Shane
Baird	Cessna	Mead	Shinn
Bowman	Ethell	Nelson	Slosson
Browne	Hale	Rees	Thurston
Buser	Johnston	Romkey	Tuck
Caldwell	Kimberly	Schmedika	

Nays, 24.

Abben	Goodwin	Newberry	Shaff
Brookins	Hartman	Olson	Smith
Darting	Haskell	Perkins	Snook
Dutcher	Holdoegel	Price	Stoddard
Fulton	Horchem	Reed	White
Gilchrist	Mantz	Scott	Wichman

Absent or not voting, 3.

Banta	Bergman	Brookhart
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The motion to insist failed.

THIRD READING OF BILLS

On motion of Senator Wichman, Senate File No. 302, a bill for an act to amend chapters one hundred four (104) and one hundred five (105) of the acts of the Fortieth (40) General Assembly relating to limitations on the expenditures of public funds in counties, a bill by the committee on elections, was taken up and considered.

Senator Wichman moved that further action be deferred.

On the question "Shall the motion prevail and further action be deferred?" the vote was:

Ayes, 27.

Abben	Goodwin	Mead	Shane
Adams	Hartman	Nelson	Slosson
Brookins	Holdoegel	Newberry	Smith
Dutcher	Horchem	Olson	Snook
Ethell	Kimberly	Reed	Stoddard
Fulton	McIntosh	Rees	Wichman
Gilchrist	Mantz	Scott	

Nays, 17.

Baird	Campbell	Price	Shinn
Bowman	Cessna	Romkey	Thurston
Browne	Hale	Schmedika	Tuck
Buser	Johnston	Shaff	White
Caldwell			

Absent or not voting, 6.

Banta	Brookhart	Haskell	Perkins
Bergman	Darting		

The motion prevailed and action was deferred.

Senator Newberry moved that when the Senate adjourns it be until 4 p. m. today.

The motion prevailed.

On motion of Senator Wichman, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend section 12 by adding the following thereto: "providing that nothing in this act shall change or abrogate any of the provisions of law relating to double election boards."

2. Amend section 45 by striking out all after the word "between" in line 3 and substituting the following in lieu thereof: "the several constitutional amendments or public measures to be submitted."

3. Amend section 58 by inserting after the word "furnished" in line 6 "the voter with his ballot" and strike out the word "reasonably" in line 6.

4. Amend section 12, line 4, by inserting after the word "electors" the words "of another party". Change the comma after the word "clerk" in line 5 to a period and strike out the rest of the sentence.

5. Amend by striking out section 53 and substituting in lieu thereof the following: "The cost of printing the official election ballots shall not exceed twenty-five dollars (\$25.00) per thousand ballots or fraction thereof except in presidential years, when the cost shall not exceed thirty dollars (\$30.00) per thousand where two thousand or more ballots are printed for a county. Where less than two thousand ballots are printed the price shall not exceed thirty dollars (\$30.00) per thousand, except in presidential years when the price shall not exceed forty dollars (\$40.00) per thousand or fraction thereof."

6. Amend section 78 by striking out the word "such" in line 2 and inserting in lieu thereof the word "a".

7. Amend section 88 by striking out of line 1 the word "exclusive."

8. Amend section 95 by adding the following: "but where the voter uses a paster and places the same in the proper place or inserts in writing in the proper place, the name of any person for whom he desires to vote, the same shall be counted whether he marks a cross in the square in front of said name or not."

9. Amend by adding the following as section 99-a1:

Sec. 99-a1. Duties of counting and receiving boards.

The counting boards shall proceed to their respective voting places to which they have been appointed at ten o'clock A. M. on election day, and shall take charge of the ballot box containing the ballots already cast in that precinct. It shall retire to a partitioned space or room provided for that purpose and there proceed to count and tabulate the ballots as it shall find them deposited in the ballot box. The receiving board shall continue to receive the votes of electors in the other box provided, until such time as the counting board shall have finished counting and tabulating the ballots cast in the first ballot box. The two boards shall then exchange the first box for the second box and so continue until they have counted and tabulated all the votes cast on that election day. When the hour arrives for closing the polls, the receiving board shall certify to all matters pertaining to casting of ballots and shall then unite with the counting board in the counting of ballots. The judges shall then divide the ballots not counted and each group of judges and clerks shall proceed to canvass their portion of the same. When the canvass has been completed the judges and clerks shall report the result of their canvass which report shall be incorporated in the returns provided by law.

10. Amend the title by striking out the word "Section" following the word "and" in line 4, and inserting in lieu thereof the words and figures "Sections four hundred ninety-nine-a four (499-a4) and"; also amend the heading preceding section 1 by striking out of line 3 the word "Section" and inserting in lieu thereof the following: "Sections four hundred ninety-nine-a four (499-a4) and".

The first seven amendments were adopted.

Senator Wichman invoked rule 8.

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

Ayes, 22.

Abben	Darting	Horchem	Scott
Adams	Dutcher	Kimberly	Shaff
Baird	Fulton	Mead	Shane
Bowman	Gilchrist	Newberry	Snook
Brookins	Haskell	Perkins	Wichman
Caldwell	Holdoegel		

Nays, 24.

Browne	Hartman	Price	Slosson
Buser	Johnston	Reed	Smith
Campbell	McIntosh	Rees	Stoddard
Cessna	Mantz	Romkey	Thurston
Ethell	Nelson	Schmedika	Tuck
Hale	Oison	Shinn	White

Absent or not voting, 4.

Banta	Bergman	Brookhart	Goodwin
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The amendment was lost.

Further action was deferred.

On motion of Senator Newberry, House File No. 100, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Further action was deferred.

AMENDMENTS FILED TO SENATE FILE NO. 25

Senator Buser filed the following amendment:

Amend Senate File No. 25 by striking lines 5 and 6 from section 58.

Senator Smith filed the following amendment to the eighth committee amendment to Senate File No. 25:

Amend by inserting after the word "paster" in line 2 the following: "furnished by the judges of election,".

On motion of Senator Shane the Senate adjourned until 4 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The Senate resumed consideration of Senate File No. 25.

Amendment No. 8 was taken up for consideration.

By unanimous consent on request of Senator Brookhart, the comma was struck out after the word "place" in line 3 of the amendment.

The amendment previously filed by Senator Smith was withdrawn.

On the question "Shall amendment number 8 be adopted?" the vote was:

Ayes, 17.

Baird	Holdoegel	Newberry	Shane
Brookhart	Horchem	Reed	Tuck
Dutcher	Johnston	Scott	White
Fulton	McIntosh	Shaff	Wichman
Gilchrist			

Nays, 24.

Abben	Cessna	Haskell	Schmedika
Bowman	Darting	Mantz	Shinn
Brookins	Ethell	Nelson	Smith
Buser	Goodwin	Olson	Snook
Caldwell	Hale	Price	Stoddard
Campbell	Hartman	Romkey	Thurston

Absent or not voting, 9.

Adams	Browne	Mead	Rees
Banta	Kimberly	Perkins	Slosson
Bergman			

The amendment was lost.

Senator Tuck moved to reconsider the vote by which amendment number 9 was lost, which motion prevailed.

Senator Brookhart offered the following amendment to the amendment:

Amend by inserting after the word "at" in line 2 the following: "one o'clock p. m., except that in precincts where more than five hundred votes were cast at the last preceding general election they shall meet at".

The amendment to the amendment was adopted.

On the question "Shall amendment number 9 be adopted?" the vote was:

Ayes, 32.

Abben	Brookhart	Campbell	Ethell
Baird	Brookins	Darting	Fulton
Bowman	Caldwell	Dutcher	Gilchrist

Goodwin	Horchem	Olson	Shaff
Hale	Johnston	Price	Shane
Hartman	McIntosh	Reed	Snook
Haskell	Mantz	Romkey	Tuck
Holdoegel	Newberry	Scott	Wichman

Nays, 3.

Buser	Smith	White
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Absent or not voting, 15.

Adams	Cessna	Perkins	Slosson
Banta	Kimberly	Rees	Stoddard
Bergman	Mead	Schmedika	Thurston
Browne	Nelson	Shinn	

Amendment No. 9 was adopted.

Amendment number 10, amending the title, was adopted.

The following amendment filed by Senator Buser was considered:

Amend Senate File No. 25 by striking lines 5 and 6 from section 58.

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

Ayes, 12.

Bowman	Campbell	Reed	Smith
Brookins	Cessna	Schmedika	Snook
Buser	Nelson	Shinn	Thurston

Nays, 23.

Abben	Hartman	Mantz	Shane
Brookhart	Haskell	Newberry	Stoddard
Dutcher	Holdoegel	Olson	Tuck
Fulton	Horchem	Price	White
Gilchrist	Johnston	Scott	Wichman
Goodwin	McIntosh	Shaff	

Absent or not voting, 15.

Adams	Browne	Hale	Rees
Baird	Caldwell	Kimberly	Romkey
Banta	Darting	Mead	Slosson
Bergman	Ethell	Perkins	

The amendment was lost.

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, 32.

Abben	Hale	Newberry	Shane
Brookhart	Hartman	Olson	Shinn
Brookins	Haskell	Price	Snook
Dutcher	Holdoegel	Reed	Stoddard
Ethell	Horchem	Romkey	Thurston
Fulton	Johnston	Schmedika	Tuck
Gilchrist	McIntosh	Scott	White
Goodwin	Mantz	Shaff	Wichman

Naves, none.

Absent or not voting, 18.

Adams	Browne	Darting	Perkins
Baird	Buser	Kimberly	Rees
Banta	Caldwell	Mead	Slosson
Bergman	Campbell	Nelson	Smith
Bowman	Cessna		

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

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 110

Senator Newberry moved that the Senate insist on its amendments to House File No. 110.

On the question "Shall the Senate insist?" the vote was:

Ayes, 20.

Abben	Dutcher	Horchem	Scott
Baird	Gilchrist	Mantz	Shaff
Bowman	Goodwin	Newberry	Stoddard
Brookins	Haskell	Olson	White
Campbell	Holdoegel	Reed	Wichman

Nays, 17.

Brookhart	Hale	Nelson	Shinn
Buser	Hartman	Price	Smith
Cessna	Johnston	Romkey	Snook
Ethell	McIntosh	Shane	Tuck
Fulton			

Absent or not voting, 13.

Adams	Caldwell	Mead	Schmedika
Banta	Darting	Perkins	Slosson
Bergman	Kimberly	Rees	Thurston
Browne			

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE ON SENATE FILE NO. 110

The President appointed as members of the conference committee on the part of the Senate, on Senate File No. 110, Senators Newberry, Caldwell, Mantz and Gilchrist.

MOTION FILED TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote whereby the motion that the Senate insist on its amendments to House File No. 134 failed to pass the Senate; also to reconsider the vote by which the motion to recede failed to pass.

H. J. MANTZ.

The Journal of March 18th was corrected and approved.

Senator Gilchrist moved that the Senate adjourn until 10:00 o'clock a. m. Wednesday.

Senator Shinn moved to amend by making the time 9:30.

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

Ayes, 19.

Abben	Buser	Reed	Stoddard
Baird	Campbell	Romkey	Thurston
Bowman	Cessna	Shaff	White
Brookins	Ethell	Shinn	Wichman
Browne	McIntosh	Smith	

Nays, 11.

Brookhart	Gilchrist	Holdoegel	Newberry
Darting	Goodwin	Johnston	Snook
Fulton	Haskell	Mantz	

Absent or not voting, 20.

Adams	Hale	Nelson	Schmedika
Banta	Hartman	Olson	Scott
Bergman	Horchem	Perkins	Shane
Caldwell	Kimberly	Price	Slosson
Dutcher	Mead	Rees	Tuck

The amendment was adopted.

The motion, as amended, prevailed and the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 19, 1924.

The Senate met in regular session, President pro tem. John R. Price presiding.

Prayer was offered by Rev. E. Carnell Wilson, pastor of the Congregational church, of Peterson, Iowa.

On motion of Senator Stoddard rule 33 was suspended for the day.

BILLS SIGNED BY THE PRESIDENT

The President pro tem. of the Senate announced that, as President pro tem. of the Senate, he had signed in the presence of the Senate, House Files Nos. 72, 82 and 144.

MESSAGES FROM 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. 203, a bill for an act relating to cooperative associations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 21, a bill for an act relating to nominations by primary elections.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 27, a bill for an act relating to absent voters.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Newberry, House File No. 100, 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), in-

clusive, 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, was taken up and considered, the report of the committee having been previously adopted.

The following committee amendments were considered:

1. Amend the bill by adding thereto as a new section to be inserted immediately after section 11 the following:

"Sec. 11-a1. Separate ballot.

Whenever it is proposed to extend the limits of, or add territory to, an existing independent city, town or consolidated district, the voters residing within the proposed extension or addition and outside the existing independent district, shall be entitled to vote separately upon the proposition by presenting a petition to that effect signed by twenty five per cent of them. In such event a separate ballot shall be had by the voters residing within the territory of the existing independent district and those residing outside of it. The proposition must be approved by a majority of the voters voting thereon in each of such territories."

2. Amend section 15 of the bill by striking therefrom the word "central" appearing in line 4 and by inserting in lieu thereof the word "consolidated".

3. Amend section 19 of the bill by changing the comma after the word "published" in line 9 into a period and by striking therefrom the remainder of the section.

4. Amend section 36 of the bill by changing the word "district" in line 3 so as to read "districts".

5. Amend section 37 of the bill by striking therefrom the word "central" appearing in line 2 and by inserting in lieu thereof the word "consolidated".

6. Amend section 39 of the bill by striking from lines 1 and 2 thereof the words: "and every school township maintaining a central school".

7. Amend section 42 of the bill by striking therefrom the word "central" appearing in line 1 and by inserting in lieu thereof the word "consolidated".

8. Amend section 44 of the bill by striking therefrom the words "four (4) room schools," and by inserting in lieu thereof the words "schools having four or more rooms,".

9. Amend the bill by striking therefrom all of section 44-a.

10. Amend section 45 of the bill by striking therefrom the following language in lines 1 and 2 thereof: "and of each school township maintaining a central school".

11. Amend section 47 of the bill as amended by the House by insert-

ing after the words "or built a school building" as contained in the House amendment the following: "or maintained a consolidated school".

12. Also amend section 47 of the bill by striking therefrom the word "central" appearing in line 2 thereof and inserting in lieu thereof the word "consolidated".

Senator Fulton offered the following amendment to the first committee amendment and moved its adoption:

Amend by striking the words "be entitled to" from line 4, and by inserting a period (.) after the word "proposition" in line 5 and striking the words down to the sentence beginning in line 8.

The amendment to the amendment was adopted.

Amendment No. 1 was adopted.

Amendments Nos. 2, 5, 6, 7 and 12 were adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

Amendment No. 8 was adopted.

Senator Fulton offered the following amendment to the ninth committee amendment and moved its adoption:

Amend by striking the words "all of" and inserting in lieu thereof the following: "section 44 and".

Senator Ethell invoked rule 8.

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

Ayes, 18.

Browne	Hartman	Rees	Shinn
Caldwell	Johnston	Romkey	Snook
Cessna	McIntosh	Schmedika	Thurston
Ethell	Nelson	Shane	White
Fulton	Price		

Nays, 26.

Abben	Dutcher	Kimberly	Scott
Adams	Gilchrist	Mantz	Shaff
Baird	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Brookhart	Haskell	Olson	Tuck
Brookins	Holdoegel	Reed	Wichman
Buser	Horchem		

Absent or not voting, 6.

Banta	Campbell	Perkins	Slosson
Bergman	Darting		

The amendment to the amendment was lost.

Senator Gilchrist offered the following amendment as a substitute for the committee amendment No. 9 and moved its adoption:

Amend the bill by striking therefrom all of section 44-a and by inserting in lieu thereof the following:

"Sec. 44-a. State aid.

No consolidated school shall receive state aid under the last preceding section and also additional aid for maintaining a normal training course in high schools as provided in chapter five of this title. But every consolidated school may maintain a normal training course, in which case it shall receive state aid therefor in the same amount and upon the same terms, conditions and regulations as other schools which maintain such a course."

The substitution was made and the substituted amendment was adopted.

Amendment No. 10 was adopted.

President Hammill took the chair at 11:35 a. m.

Senator Gilchrist invoked rule 8.

On the question "Shall amendment No. 11 be adopted?" the vote was:

Ayes, 15.

Abben	Goodwin	Mantz	Stoddard
Baird	Hale	Newberry	White
Dutcher	Holdoegel	Shaff	Wichman
Gilchrist	Horchem	Smith	

Nays, 23.

Bowman	Cessna	McIntosh	Shane
Brookhart	Ethell	Nelson	Shinn
Brookins	Fulton	Price	Snook
Buser	Hartman	Rees	Thurston
Caldwell	Johnston	Romkey	Tuck
Campbell	Kimberly	Schmedika	

Absent or not voting, 12.

Adams	Browne	Mead	Reed
Banta	Darting	Olson	Scott
Bergman	Haskell	Perkins	Slosson

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 9 by striking from line 5 the words "be entitled to";

by striking the comma (,) in line 6 after the word "district" and inserting a period (.), and by striking the following to the word "if" in line 8, and by beginning the word "if" with a capital letter.

The amendment was adopted.

Senator Romkey offered the following amendment and moved its adoption:

Amend section 47 by inserting following the word "land" in line 5 and before the word "into" in line 6 the words "except where a district composed of less than four (4) government sections prior to its merger in the consolidated district."

By unanimous consent on request of Senator Romkey the word "was" was inserted between the words "district" and "composed".

By unanimous consent on request of Senator Romkey the words "the former boundaries of such district may be used" were added at the end of the amendment.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line 1 of section 47 the words "for at least two years".

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

Ayes, 25.

Baird	Ethell	Kimberly	Schmedika
Bowman	Fulton	McIntosh	Shane
Brookhart	Hale	Nelson	Shinn
Buser	Hartman	Price	Smith
Caldwell	Haskell	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna			

Nays, 14.

Abben	Goodwin	Mead	Shaff
Brookins	Holdoegel	Newberry	Stoddard
Dutcher	Horchem	Scott	Wichman
Gilchrist	Mantz		

Absent or not voting, 11.

Adams	Browne	Perkins	Snook
Banta	Darting	Reed	White
Bergman	Olson	Slosson	

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, 36.

Abben	Ethell	Kimberly	Shane
Adams	Fulton	Mantz	Shinn
Baird	Gilchrist	Mead	Smith
Bowman	Goodwin	Nelson	Snook
Buser	Hale	Newberry	Stoddard
Caldwell	Hartman	Rees	Thurston
Campbell	Haskell	Romkey	Tuck
Cessna	Holdoegel	Schmedika	White
Dutcher	Horchem	Shaff	Wichman

Nays, none.

Absent or not voting, 14.

Banta	Browne	Olson	Reed
Bergman	Darting	Perkins	Scott
Brookhart	Johnston	Price	Slosson
Brookins	McIntosh		

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

Senator Smith moved that his amendments to Senate File No. 7 be printed in the Journal and that there be five hundred extra copies of the amendments printed.

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

Ayes, 34.

Abben	Fulton	McIntosh	Shane
Baird	Gilchrist	Mantz	Smith
Banta	Goodwin	Newberry	Snook
Bowman	Hale	Price	Stoddard
Brookins	Hartman	Reed	Thurston
Caldwell	Haskell	Romkey	Tuck
Campbell	Holdoegel	Scott	White
Cessna	Horchem	Shaff	Wichman
Dutcher	Kimberly		

Nays, 3.

Buser	Nelson	Schmedika
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Absent or not voting, 13.

Adams	Darting	Mead	Rees
Bergman	Ethell	Olson	Shinn
Brookhart	Johnston	Perkins	Slosson
Browne			

The motion prevailed.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on Senate File No. 9, on the part of the Senate, Senators Cassana, Abben, Hartman and Perkins.

MOTION FILED

MR. PRESIDENT: I move that when the Senate adjourns it adjourn until 4 o'clock this afternoon.

ED. M. SMITH.

The motion prevailed.

On motion of Senator Shinn the Senate adjourned until 4:00 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORTS OF COMMITTEES

Senator Rees submitted the following report:

MR. PRESIDENT: Your committee on land titles to which was referred House File No. 299, a bill for an act to amend section three (3) of chapter three hundred twenty-six (326) of the acts of the Fortieth General Assembly, relating to the commission on land titles, 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. 77, 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 five (6405), inclusive, of the compiled code of Iowa, relating to conveyances, 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 Shane submitted the following report:

MR. PRESIDENT: Your committee on pharmacy to which was referred House File No. 261-A, a bill for an act to amend, revise, and codify sections fourteen hundred twenty-four (1424), fourteen hundred twenty-seven

(1427) to fourteen hundred twenty-nine (1429), inclusive, eighty-eight hundred fifty-two (8852), eighty-eight hundred sixty-four (8864), eighty-eight hundred sixty-five (8865), and chapter fifteen (15) of title six (6) of the compiled code of Iowa; and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), and chapter fourteen-A (14-A) of title six (6) of the supplement to the compiled code of Iowa, relating to drugs, poisons, narcotics, and abortifacients, 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:

1. Amend by inserting in section 120-A26, line 3, immediately preceding the word "denatured" the following: "concentrated lye,".

2. Amend by inserting in line 5 immediately preceding the word "and" the following: "the most available antidote,".

3. Amend by inserting immediately after section 120-a29 the following: "Sec. 120-a29a. Chemical analysis of drugs.

Any chemical analysis deemed necessary by the pharmacy examiners in the enforcement of this and the preceding chapter shall be made by the department of agriculture when requested by said examiners."

FRANK SHANE, *Chairman*.

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 236, 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 decedents, 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:

1. Amend by inserting after the word "Iowa" in the second line of the title to said bill the following: "section seven thousand nine hundred and one-a four (7901-a4) of the supplement to the compiled code of Iowa,".

2. Amend by striking out all after the enacting clause of said bill and inserting the following in lieu thereof:

That section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa be amended, revised and codified to read as follows:

Section 1. Within thirty days after his appointment, each administrator or executor shall file under oath, a list of the names of the heirs of the deceased giving the age, relationship to the intestate and place of residence of each heir, and the name, age and place of residence of the surviving spouse, if any.

That section seven thousand nine hundred and one-a four (7901-a4) of the supplement to the compiled code of Iowa be amended, revised and codified to read as follows:

Sec. 2. In case such surviving spouse does not make such election within six months from the date of the completed service of such notice, or

if such surviving spouse shall be the executor of the will and falls, within six months after the will is admitted to probate, to file with the clerk of the court an election to refuse to take under the provisions of the will of the deceased, it shall be conclusively presumed that such survivor consents to the provisions of the will and elects to take thereunder; unless within such period of six months an affidavit should be filed setting forth that such surviving spouse is mentally incapable of making such election.

CARL W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 281, a bill for an act to amend, revise, and codify section sixty-three hundred forty-one (6341) of the compiled code of Iowa, relating to future estates, 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. 303, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town in respect to said election and said bonds, 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 Price submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred House File No. 260, a bill for an act relating to public health, 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:

1. Amend line 3 of section 2 by striking out the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".
2. Amend line 4 section 2 by inserting after the word "senate" the words "in executive session".
3. Amend line 1 of section 4 by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".
4. Amend section 4 by adding thereto the following: "The commissioner shall receive four thousand dollars (\$4,000) a year for his serv-

ices, and give bond in an amount approved by the executive council for the faithful performance of his duties."

5. Amend section 14 by striking all of lines 21, 22, 23, and 24.

6. Amend section 14-A-1 by striking the word and figure "six (6)" as they occur in line 7 of said section and insert in lieu thereof the word and figure "four (4)".

7. Strike the word "shall" as it occurs in line 2 of section 14-A-1 and insert in lieu thereof the word "may".

8. Amend section 14-A-1 by striking therefrom the following: "one manufacturer or wholesale dealer of plumbing materials, one master plumber, one journeyman plumber and one city plumbing inspector," and insert in lieu thereof the following: "the housing commissioner and one journeyman plumber".

9. Insert after the word "treasurer" as it occurs in line 5 of section 14-A-4 the words "of the state".

10. Change the period after the word "plumbing" in the last line of section 14-A-4 and insert a comma (,) and add the following words: "plumbers license and application blanks".

11. Amend section 27 by striking lines 4 to 17 inclusive and substituting in lieu thereof as subsection 3 the following: "Five health officers to be appointed by the Governor and who shall serve for a period of two years."

12. Strike the word and figure "nine (9)" in line 6 section 30 and insert in lieu thereof the following: "a majority of the".

13. Strike all of section 35 after the word "from" in line 2 and insert in lieu thereof the following: "funds not otherwise appropriated in the general fund of the state".

14. Amend section 40 by striking out all of the House amendment after the word "physician" and substituting in lieu thereof the words "or practitioner".

15. Amend section 242-A-2 by adding thereto the following: "who shall receive thirty-six hundred dollars (\$3600) per year for his services and give bond in an amount approved by the executive council for the faithful performance of his duty".

JNO. R. PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred House File No. 301, a bill for an act relating to the practice of chiropractic, 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.

SENATE FILES NOS. 100, 65 AND 66 WITHDRAWN

By unanimous consent Senator Newberry withdrew Senate File

No. 100 from further consideration, the companion bill having been passed.

By unanimous consent Senator Buser withdrew Senate Files No. 65 and 66 from further consideration, the companion bills having been passed.

CONFERENCE COMMITTEE REPORTS CONSIDERED

Senator Holdoegel called up the following conference committee report on House File No. 126:

MR. PRESIDENT: Your conference committee, to which was referred House File No. 126 after disagreement thereon by the Senate and the House, begs leave to report that it has had the bill under consideration and submits the following report:

1. That the following be substituted for the Senate amendment to section 2:

"Poles used for telephone, telegraph, or other transmission purposes, shall not be removed until notice, in writing, of not less than thirty (30) days, has been given to the owner or company operating such lines, and in case of fences, notice in writing of not less than sixty (60) days has been given to the owner, occupant or agent of the land enclosed by said fence."

2. That sections 4 and 5 of the bill be amended to read as follows:

"Sec. 4. All such fences and poles shall, within the time named, be removed to such line on the highway as the county engineer may designate. If there be no county engineer, the board of supervisors shall designate said line. If not so removed the public authorities may forthwith remove them.

Sec. 5. New lines, or parts of lines hereafter constructed, shall be located by the county engineer upon written application filed with the county auditor and shall thereafter be removable according to the provisions of this chapter. If there be no county engineer, the board of supervisors shall designate said location."

Respectfully submitted,

ED. M. SMITH
H. C. WHITE
D. W. KIMBERLY
H. C. ADAMS

Conferees on part of the Senate.

HENRY FRAHM
J. P. GALLAGHER
S. E. FACKLER
JNO. A. STOREY

Conferees on part of the House

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 32.

Abben	Ethell	Horchem	Romkey
Adams	Cessna	Johnston	Schmedika
Baird	Fulton	Kimberly	Shaff
Bowman	Goodwin	McIntosh	Shane
Brookins	Hale	Mantz	Shinn
Buser	Hartman	Mead	Snook
Caldwell	Haskell	Nelson	Stoddard
Campbell	Holdoegel	Olson	Thurston

Nays, none.

Absent or not voting, 18.

Banta	Dutcher	Reed	Smith
Bergman	Gilchrist	Rees	Tuck
Brookhart	Newberry	Scott	White
Browne	Perkins	Slosson	Wichman
Darting	Price		

The conference committee report having received a constitutional majority was declared to have been adopted and the amendments proposed therein concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Campbell called up for consideration Senate File No. 201, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) line seven (7) by inserting after the word "paid" the following: "or have been exempted from".

Amend by striking out the word "and" after the word "substance" in line twelve (12) of section three (3), and inserting in lieu thereof the word "or".

Amend section three (3) by striking from the last line thereof the words "the members of" and inserting in lieu thereof the following: "those appointed by".

Amend by adding as section seven (7) the following:

"Sec. 7. Publication clause. This act being deemed of immediate importance shall be in full force and effect after publication in the Des Moines Capital and the Iowa Forum, newspapers published in the city of Des Moines, Iowa."

Amend the title by striking therefrom the words: "for profit and not for profit".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Abben	Ethell	Kimberly	Romkey
Baird	Fulton	McIntosh	Schmedika
Brookins	Goodwin	Mantz	Shaff
Browne	Hale	Mead	Shane
Buser	Hartman	Nelson	Shinn
Caldwell	Haskell	Newberry	Snook
Campbell	Holdoegel	Olson	Stoddard
Cessna	Johnston	Price	Thurston

Nays, none.

Absent or not voting, 18.

Adams	Horchem	Reed	Smith
Banta	Darting	Rees	Tuck
Bergman	Dutcher	Slosson	White
Bowman	Gilchrist	Scott	Wichman
Brookhart	Perkins		

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 Stoddard, House File No. 288, a bill for an act to legalize the issuance of certain warrants of the city of Sioux City, Iowa, issued against the police equipment fund of said city and legalizing and validating said warrants as issued, 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 until Thursday.

On the question "Shall action be deferred?" the vote was:

Ayes, 9.

Browne	Nelson	Price	Scott
Johnston	Olson	Romkey	Snook
McIntosh			

Nays, 21.

Abben	Fulton	Holdoegel	Schmedika
Adams	Goodwin	Horchem	Shaff
Baird	Hale	Mantz	Shane
Brookins	Hartman	Mead	Shinn
Caldwell	Haskell	Newberry	Stoddard
Ethell			

Absent or not voting, 20.

Banta	Campbell	Kimberly	Smith
Bergman	Cessna	Perkins	Thurston
Bowman	Darting	Reed	Tuck
Brookhart	Dutcher	Rees	White
Buser	Gilchrist	Slosson	Wichman

The motion to defer was lost.

Senator Price moved that the Senate adjourn until 9:00 a. m. Thursday.

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

Ayes, 10.

Browne	McIntosh	Price	Shinn
Hartman	Nelson	Romkey	Snook
Johnston	Olson		

Nays, 25.

Abben	Ethell	Mantz	Shane
Adams	Fulton	Mead	Smith
Baird	Goodwin	Newberry	Stoddard
Bowman	Hale	Reed	Thurston
Brookins	Holdoegel	Schmedika	White
Caldwell	Horchem	Shaff	Wichman
Dutcher			

Absent or not voting, 15.

Banta	Campbell	Haskell	Scott
Bergman	Cessna	Kimberly	Stossion
Brookhart	Darting	Perkins	Tuck
Buser	Gilchrist	Rees	

The motion was lost.

Senator Price moved that the Senate adjourn until 9:00 a. m. Thursday.

The President held the motion out of order, no business having been transacted since an identical motion had been defeated.

Senator Hale moved the previous question which motion prevailed.

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.

Baird	Gilchrist	Mantz	Shaff
Bowman	Goodwin	Nelson	Shane
Brookhart	Hale	Newberry	Snook
Brookins	Hartman	Olson	Stoddard
Browne	Holdoegel	Price	Thurston
Caldwell	Horchem	Reed	White
Dutcher	Johnston	Romkey	Wichman
Ethell	McIntosh	Scott	

Nays, 8.

Abben	Fulton	Mead	Shinn
Adams	Haskell	Schmedika	Smith

Absent or not voting, 11.

Banta	Campbell	Kimberly	Slosson
Bergman	Cessna	Perkins	Tuck
Buser	Darting	Rees	

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. 293 from further consideration, the companion bill having been passed.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 119

MR. PRESIDENT: We, your conference committee appointed for the consideration of the differences between the Senate and the House on the Senate File No. 119, beg leave to report that we have had the differences under consideration, and have agreed on the following:—Other provisions of the bill are agreed to.

Substitute for the House Amendment to subsection 10 of section 6, the following:

10. Establish a system of uniform guide and warning signs to provide for convenience and safety of travel upon the primary road system; also to adopt rules and regulations for the location, erection and maintenance of the same, said signs to be erected by the board of supervisors under said rules and regulations.

Such signs shall be furnished by the highway commission, to the several counties making application therefor at actual cost and paid for from the county's allotment of the primary road fund.

Upon the failure of the board of supervisors of any county to complete the marking by August 1, 1925, the commission shall proceed to erect such guide and warning signs. Where primary roads are now well marked, such uniform marking shall be deferred until the present markings need renewing.

P. C. HOLDOEGEL.
A. T. BROOKINS
J. O. TUCK
J. M. SLOSSON
FRED C. LOVRIEN
BREDE WAMSTAD
J. S. GARBER
C. A. KNUTSON

The Journal of March 18th was corrected and approved.

Senator Haskell moved that the Senate adjourn until 10:00 a. m. Thursday.

Senator Shinn moved to amend by making the time 9:00 o'clock.

Senator Newberry moved to amend the amendment by making the time 9:30.

The amendment to the amendment was adopted.

The amendment was adopted.

The motion, as amended, prevailed and the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1924.

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 Smith rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Banta for the day, on request of Senator Abben; Senator Scott for the day, on request of Senator Abben.

MESSAGES FROM 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. 300, a bill for an act legalizing certain acknowledgments and acts of notaries public.

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 legalizing the corporate acts and proceedings of the Farmers Saving Bank of Beaconsfield, Iowa.

Also: That the House refuses to concur in Senate amendment to section three (3) and amends and concurs in Senate amendments to section six (6) to the following bill:

House File No. 65, a bill for an act relating to the department of agriculture.

Also: That the House insists on its amendments to Senate File No. 93, a bill for an act relating to the state college of agriculture and mechanic arts, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Storey, Clark, Edson and Harrison.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 66, a bill for an act

relating to state fair and agricultural organizations receiving state aid, Representatives Brady, Rust, Sampson and Held.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 220, a bill for an act relating to municipal courts, Representatives Gilbert, Diltz, Johnson and Hollis.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

Substitute for House File No. 42, a bill for an act relating to employers' liability and workmen's compensation.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House 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, as amended by sections eight hundred twenty-three-a-one (823-a1), 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 times and referred to committee on labor.

House File No. 300, a bill for an act to legalize certain acknowledgments and acts of notaries public.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said bank.

Read first and second times and referred to committee on judiciary No. 2.

The roll call revealed the presence of the following Senators:

Abben	Fulton	McIntosh	Shane
Baird	Gilchrist	Mantz	Shinn
Bowman	Goodwin	Nelson	Slosson
Brookhart	Hale	Newberry	Smith
Brookins	Hartman	Price	Snook
Browne	Haskell	Reed	Stoddard
Buser	Holdoegel	Rees	Thurston
Caldwell	Horchem	Romkey	Tuck
Campbell	Johnston	Schmedika	White
Cessna	Kimberly	Shaff	Wichman
Ethell			

HOUSE AMENDMENTS CONSIDERED

Senator Wichman called up for consideration Senate File No. 27, amended by the House, and moved that the Senate refuse to concur in the following amendments:

Amend by striking from lines one (1) and two (2) of section one (1) the following: "not engaged in the service of the government of the United States, or of this state."

Amend section one (1) by adding immediately after the word "election" in line four (4), the following: ", or at any election held in any independent town, city, or consolidated school district".

Amend by inserting immediately after section two (2) the following: "Sec. 2-a1. Secretary of school board."

In the application of this chapter to elections held in independent-city, town, and consolidated school districts, the secretary of the school board shall perform the duty herein imposed on the county auditor or clerk of the city or town."

Amend by striking from section twenty (20) the following "except ballots forwarded to voters in the military or naval service,".

Amend by striking section thirty-five (35) and all subsequent sections.

On the question "Shall the Senate concur?" the vote was:

Ayes, 1.

Shinn

Nays, 36.

Abben	Fulton	McIntosh	Shane
Baird	Gilchrist	Mantz	Slosson
Bowman	Goodwin	Mead	Smith
Brookhart	Hale	Nelson	Snook
Brookins	Hartman	Newberry	Stoddard
Buser	Holdoegel	Reed	Thurston
Caldwell	Horchem	Romkey	Tuck
Campbell	Johnston	Schmedika	White
Cessna	Kimberly	Shaff	Wichman

Absent or not voting, 13.

Adams	Darting	Haskell	Price
Banta	Dutcher	Olson	Rees
Bergman	Ethell	Perkins	Scott
Browne			

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

SENATE FILE NO. 60-A WITHDRAWN

By unanimous consent Senator Price withdrew Senate File No. 60-A from further consideration, the companion bill having been indefinitely postponed in the House.

HOUSE AMENDMENTS CONSIDERED

Senator Wichman called up for consideration Senate File No. 21, amended by the House, and moved that the Senate concur in the following amendments:

Amend section three (3) by striking out the section and substituting in lieu thereof the following: "Candidates of all political parties for all offices which are filled at a regular biennial election by the direct vote of the people, except the office of judge of the supreme and district courts, shall be nominated at a primary election at the time and in the manner hereinafter directed."

Amend section eleven (11) line five (5) by striking out the words "for presidential electors,".

Amend by striking from line seven (7) of subsection two (2) of section eleven (11), the words "at least", and substituting in lieu thereof the following "not more than sixty (60) days nor less than".

Amend section 115-a1 by striking from line five (5) thereof the word "second" and inserting in lieu thereof the word "Monday" and by striking from line six (6) thereof the word "third" and inserting in lieu thereof the word "Tuesday".

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Abben	Ethell	Kimberly	Romkey
Baird	Fulton	McIntosh	Schmedika
Bowman	Gilchrist	Mantz	Shaff
Brookhart	Goodwin	Mead	Shane
Brookins	Hale	Nelson	Shinn
Browne	Hartman	Newberry	Snook
Buser	Haskell	Olson	Stoddard
Campbell	Holdoegel	Price	White
Cessna	Horchem	Reed	Wichman
Dutcher	Johnston	Rees	

Nays, none.

Absent or not voting, 11.

Adams	Caldwell	Scott	Thurston
Banta	Darting	Slosson	Tuck
Bergman	Perkins	Smith	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

CONFERENCE COMMITTEE REPORTS CONSIDERED

Senator Holdoegel called up for consideration the following conference committee report:

MR. PRESIDENT: We, your conference committee appointed for the consideration of the differences between the Senate and the House on the Senate File No. 119, beg leave to report that we have had the differences under consideration, and have agreed on the following:

1. That the Senate concur in House amendment to section 5.
2. Substitute for the House Amendment to subsection 10 of section 6, the following:
 10. Establish a system of uniform guide and warning signs to provide for convenience and safety of travel upon the primary road system; also to adopt rules and regulations for the location, erection and maintenance of the same, said signs to be erected by the board of supervisors under said rules and regulations.

Such signs shall be furnished by the highway commission, to the several counties making application therefor at actual cost and paid for from the county's allotment of the primary road fund.

Upon the failure of the board of supervisors of any county to complete the marking by August 1, 1925, the commission shall proceed to erect such guide and warning signs. Where primary roads are now well marked, such uniform marking shall be deferred until the present markings need renewing.

P. C. HOLDOEGEL
A. T. BROOKINS
J. C. TUCK
J. M. SLOSSON
FRED C. LOVRIEN
BREDE WAMSTAD
J. S. GARBER
C. A. KNUTSON

Senator Holdoegel invoked rule 8.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 23.

Abben	Dutcher	Kimberly	Shaff
Baird	Gilchrist	Mantz	Smith
Bowman	Hale	Mead	Stoddard
Brookhart	Hartman	Newberry	White
Brookins	Haskell	Olson	Wichman
Caldwell	Horchem	Reed	

Nays, 17.

Browne	Holdoegel	Price	Shane
Buser	Johnston	Rees	Shinn
Campbell	McIntosh	Romkey	Snook
Cessna	Nelson	Schmedika	Thurston
Ethell			

Absent or not voting, 10.

Adams	Darting	Perkins	Slosson
Banta	Fulton	Scott	Tuck
Bergman	Goodwin		

The conference committee report having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

Senator Shaff called up for consideration the following conference committee report:

MR. PRESIDENT: Your conference committee on Senate File No. 125 recommends that the differences now existing between House and Senate on said bill be adjusted by receding from all House and Senate amendments and by the adoption of the following amendments:

First Amendment—Strike out section 1, and in lieu thereof insert the following:

The provisions of this chapter shall be enforced:

1. By the board of supervisors as to all county and primary roads.
2. By the councils and commissioners of all cities and towns, irrespective of their local form of government, as to all roads, streets and other lands within said cities and towns.
3. By the township trustees as to all township roads and as to all other lands within the township not embraced in paragraphs one (1) and two (2) hereof.

Second Amendment—Amend Sec. 2 by inserting after the comma following the last parenthesis in line eight the following: sow thistles (*souchus arvensis*).

Third Amendment—Amend Sec. 3 by inserting after the word "thereon" in line three the words "or on the streets or highways adjoining the same"; also by inserting after the word "lands" in line six the words "and the streets or highways adjoining them,"; also by striking all following line nine.

Fourth Amendment—Strike out Sec. 5 and insert the following:

Sec. 5. Order for destruction.

The secretary of agriculture shall each year, by proper order, fix the time when and the manner in which all noxious weeds shall be destroyed. He may fix different times for different varieties of weeds or for different sections of the state. He shall, on or before April first of each year, notify the county auditor of each county of the date or dates and manner of destruction so fixed.

Fifth Amendment—Strike out Sec. 6 and insert in lieu thereof the following:

Sec. 6. Notice of order.

The board of supervisors of each county shall at once give notice of aforesaid order by one publication in the official newspapers of the county,

and said notice shall be directed to all property owners. Said notice shall state:

1. Time for destruction.
2. Manner of destruction if other than cutting above the surface of the ground.
3. That unless said order is complied with, the trustees (or council or commissioners, or board of supervisors, as the case may be) will cause said weeds to be destroyed and the cost thereof to be taxed to the owner of the property.

Sixth Amendment—Strike out Sec. 6-a1 and insert in lieu thereof the following:

Sec. 6-a1. Complaints—duty of road officer to make.

It shall be the duty of all officers directly responsible for the care of public streets and highways, on or before the date fixed for destruction, to make reports to the proper board of the existence of noxious weeds upon lands, streets or highways within their jurisdiction. After such date such road officers shall, and any citizen may, at any time make complaint to the secretary of agriculture of the presence of noxious weeds either upon the public highways or upon private lands, and furnish the secretary with the location of such weeds and with the name of the owner, tenant or custodian of the land upon which said weeds exist. The name of such informant shall not be divulged.

Seventh Amendment—Add Sec. 6-a2. Duty of secretary.

The secretary of agriculture, upon receipt of the aforesaid notice, shall at once notify the owner, tenant or custodian by registered mail, advising:

1. That such weeds are alleged to be on the property described.
2. That if such complaint is true, the owner, tenant and occupant is violating the law in failing to destroy said weeds.
3. The best known methods of destroying such weeds.

An exact copy of such notification shall be sent to the officials who are charged with the enforcement of the law in each instance.

Eighth Amendment—Add Sec. 6-a3. Duty of local officials.

The officials charged with the enforcement aforesaid shall, immediately upon receiving notice from the secretary of agriculture, view the property and determine whether the notice from the secretary has been complied with, and notify the secretary accordingly.

Ninth Amendment—Add Sec. 6-a4. Enforcement and report.

The officials shall in all instances take such action as will insure the enforcement of the law, and make prompt report of their action to the secretary of agriculture.

Tenth Amendment—Add Sec. 6-a5. Failure to report.

Failure of such officials to report as provided in the last preceding section shall be reported by the secretary of agriculture to the county attorney of the county in which the weeds are located, and the county attorney is charged with the duty of requiring the proper officials to act.

Eleventh Amendment—Amend Sec. 7 by inserting after the word "with" in line three, the word "such"; also strike out the word "said" where it

appears immediately following, and by adding after the word "order" in said line three, the words "or notice." Also amend Sec. 7 by changing the comma after the word "be" in line seven to a period and striking out all following.

Twelfth Amendment—Strike out Sec. 9 as it appears in the original bill and insert in lieu thereof the following:

Sec. 9. Notice by personal service.

Before making said assessment ten days' notice shall be given each owner of the time and place of meeting of the trustees, council, commissioners or board of supervisors, which notice shall also contain a statement of the work done and the expense thereof with costs.

Thirteenth Amendment—Strike out Sec. 9-a1 of the original bill and insert the following:

Sec. 9-a1. Personal service of notice.

Said notice of assessment shall be personally served on the owner of the land upon which said weeds exist if service of such notice can be made within the township in which such land is situated, and if it can not be so served, then said notice shall be made by mailing the same by registered mail to the owner at his last known address, and also by giving a copy of the notice to the person, company or corporation in apparent control or occupancy of said land.

Fourteenth Amendment—Add Sec. 9-a2. Notice by publication.

In a city or town the aforesaid notice of assessment may be given by one publication in a newspaper of general circulation in such city or town, of a general notice of assessment to all property owners. When no such newspaper exists, said general notice may be served by posting the same in at least three public places within said city or town.

Fifteenth Amendment—Add Sec. 9-a3. Notice of assessment by mail.

In cities and towns said notice of assessment may be given by mailing the same in a letter or postal card to the last known address of the person owning or controlling the premises.

Sixteenth Amendment—Add Sec. 9-a4. Hearing.

At the time and place fixed for hearing on the question of assessment such owner may appear, with the same rights given before boards of review upon increase of assessments.

Seventeenth Amendment—Strike out Sec. 10 and insert in lieu thereof the following:

Sec. 10. Report—to whom made.

It shall be the duty of the township and city or town clerks, between the fifteenth and thirtieth days of October of each year, to make reports upon blanks furnished by the department of agriculture, to the board of supervisors or the county in which his township, city or town is situated, as to the presence and location of noxious weeds that have been reported or found within their township, city or town, and the steps, if any, taken to bring about the destruction thereof, a copy of which report shall be forwarded to the board of supervisors, to be kept on file, and a copy of

same to be forwarded by them to the secretary of agriculture not later than the first day of December following.

Sec. 11. Publication.

This act, being deemed of immediate importance, shall be in full force and effect upon publication in the Des Moines News and the Des Moines Capital, newspapers published in Des Moines, Iowa.

J. O. SHAFF
 BYRON W. NEWBERRY,
 J. K. HALE
 CHAS. OLSON,
Conferees on part of Senate.

EARL W. VINCENT
 FRANCIS JOHNSON
 G. L. VENARD
Conferees on part of House.

Senator Buser raised the point of order that the conference committee report was out of order, inasmuch as it amended sections of the bill that were not in controversy between the Senate and House.

The President held the point not well taken.

Senator Ethell moved that the conference committee report be rereferred to the same conference committee.

The motion prevailed.

SENATE INSISTS ON ITS AMENDMENTS

Senator Romkey moved that the Senate insist on its amendments to House File No. 69.

On the question "Shall the Senate insist?" the vote was:

Ayes, 32.

Abben	Campbell	Johnston	Romkey
Baird	Cessna	McIntosh	Schmedika
Bowman	Dutcher	Mantz	Shane
Brookhart	Ethell	Mead	Smith
Brookins	Hartman	Nelson	Snook
Browne	Haskell	Olson	Stoddard
Buser	Holdoegel	Price	Tuck
Caldwell	Horchem	Reed	White

Nays, none.

Absent or not voting, 18.

Adams	Bergman	Fulton	Goodwin
Banta	Darting	Gilchrist	Hale

Kimberly	Rees	Shinn	Wichman
Newberry	Scott	Slosson	
Perkins	Shaff	Thurston	

The Senate insisted on its amendments.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 69

The President appointed as a conference committee on House File No. 69, on the part of the Senate, Senators Romkey, Schmedika, Nelson and Olson.

THIRD READING OF BILLS

On motion of Senator Reed, House File No. 266, a bill for an act to amend, revise, and codify chapters six (6) and seven (7) of title twenty-eight (28) of the compiled code of Iowa, and of the supplement to said code, and sections seventy-four hundred eighty-three (7483), ninety-three hundred (9300), and ninety-four hundred twenty-one (9421) of the compiled code of Iowa, relating to jurors, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by striking subsection 10 from section 17.
2. Amend by striking the period (.) following the word "hereof" in the last line of section 21-a3 and by substituting a comma (,) therefor and by adding the following: "or judges or clerks of the last preceding election."

The first amendment was adopted.

Senator Mantz offered the following amendment to the second committee amendment and moved its adoption:

Amend by striking from the last line the words "last preceding".

The amendment to the amendment was adopted.

The second committee 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, 39.

Abben	Dutcher	Mantz	Shaff
Baird	Ethell	Mead	Shane
Bowman	Gilchrist	Nelson	Shinn
Brookhart	Hartman	Newberry	Smith
Brookins	Haskel	Olson	Snook
Browne	Holdoegel	Price	Stoddard
Buser	Horchem	Reed	Thurston
Caldwell	Johnston	Rees	White
Campbell	Kimberly	Romkey	Wichman
Cessna	McIntosh	Schmedika	

Nays, none.

Absent or not voting, 11.

Adams	Darting	Hale	Slosson
Banta	Fulton	Perkins	Tuck
Bergman	Goodwin	Scott	

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

Senator Smith moved that Senate File No. 7 be made a special order for next Wednesday at 10:30 a. m.

Senator Smith invoked rule 8.

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

Ayes, 23.

Abben	Campbell	Kimberly	Shaff
Baird	Dutcher	Mantz	Smith
Bowman	Fulton	Mead	Stoddard
Brookhart	Haskell	Newberry	White
Brookins	Holdoegel	Olson	Wichman
Caldwell	Horchem	Price	

Nays, 15.

Browne	Hartman	Romkey	Snook
Buser	Johnston	Schmedika	Thurston
Cessna	McIntosh	Shane	Tuck
Ethell	Nelson	Shinn	

Absent or not voting, 12.

Adams	Darting	Hale	Rees
Banta	Gilchrist	Perkins	Scott
Bergman	Goodwin	Reed	Slosson

The motion having failed to receive a two-thirds vote was lost.

Senator Holdoegel moved that action on Senate File No. 7 be deferred until next Wednesday.

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

Ayes, 22.

Abben	Campbell	Kimberly	Smith
Baird	Dutcher	Mantz	Stoddard
Bowman	Goodwin	Mead	Tuck
Brookhart	Haskell	Newberry	White
Brookins	Holdoegel	Olson	Wichman
Caldwell	Horchem		

Nays, 14.

Browne	Johnston	Romkey	Shinn
Buser	McIntosh	Schmedika	Snook
Cessna	Nelson	Shane	Thurston
Hartman	Price		

Absent or not voting, 14.

Adams	Ethell	Perkins	Scott
Banta	Fulton	Reed	Shaff
Bergman	Gilchrist	Rees	Slosson
Darting	Hale		

The motion prevailed and action was deferred until Wednesday, March 26th.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Senate failed to adopt the report of the conference committee on Senate File No. 119.

P. C. HOLDOEGEL.

On motion of Senator Cessna 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 Haskell, House File No. 200, 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 railroads, 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 of Sec. 16 and substituting the following therefor.

Sec. 16. Any interurban railway company requiring an electric generating plant for its operation, shall have the power of eminent domain to acquire, by condemnation, the right of access to all necessary streams or other sources for the purpose of supplying its power house with water, and of making the necessary changes and improvements, and to repair or renew the same from time to time, in such streams, or upon the lands from which it is to obtain said water supply, in the same manner provided by law for the taking of private property for works of internal improvement. Such company shall pay to the owner of any lands or water rights, all damages arising out of the exercises of such right.

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend by striking out of section 20 all after the word "till" in line eleven (11) and inserting in lieu thereof the following: "the damages awarded by the condemnation commission have been deposited with the sheriff."

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, 30.

Abben	Caldwell	Johnston	Shane
Adams	Campbell	Kimberly	Slosson
Baird	Ethell	Mantz	Smith
Bowman	Gilchrist	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Rees	Tuck
Browne	Haskell	Shaff	Wichman
Buser	Holdoegel		

Nays, none.

Absent or not voting, 20.

Banta	Fulton	Olson	Schmedika
Bergman	Goodwin	Perkins	Scott
Cessna	Horchem	Price	Shinn
Darting	McIntosh	Reed	Thurston
Dutcher	Mead	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 Adams, House File No. 192, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Newberry was called to the chair at 1:45 p. m.

The President resumed the chair at 1:55 p. m.

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, 33.

Abben	Dutcher	Johnston	Shinn
Adams	Ethell	Kimberly	Slosson
Baird	Gilchrist	Mantz	Smith
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Price	Stoddard
Brookins	Hartman	Schmedika	Thurston
Browne	Haskell	Shaff	Tuck
Caldwell	Holdoegel	Shane	Wichman
Campbell			

Nays, none.

Absent or not voting, 17.

Banta	Fulton	Nelson	Rees
Bergman	Horchem	Olson	Romkey
Buser	McIntosh	Perkins	Scott
Cessna	Mead	Reed	White
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 Newberry, House File No. 87, a bill for an act to amend, revise, and codify chapter three (3) of title ten (10) of the compiled code of Iowa, and of the supplement to said code, 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 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, 26.

Abben	Campbell	Mantz	Shinn
Adams	Dutcher	Nelson	Slosson
Baird	Ethell	Newberry	Snook
Bowman	Gilchrist	Olson	Stoddard
Brookhart	Hale	Shaff	Tuck
Brookins	Haskell	Shane	Wichman
Browne	Kimberly		

Nays, none.

Absent or not voting, 24.

Banta	Fulton	McIntosh	Romkey
Bergman	Goodwin	Mead	Schmedika
Buser	Hartman	Perkins	Scott
Caldwell	Holdoegel	Price	Smith
Cessna	Horchem	Reed	Thurston
Darting	Johnston	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 Brookins, the rules were suspended and Senate File No. 303, a bill for an act to legalize an election held on the 21st day of January, 1924, in and for the town of Ionia, county of Chickasaw, state of Iowa, on the propositions of constructing a municipal electric light and power system and of issuing bonds in the sum of fourteen thousand dollars (\$14,000) to pay the cost thereof, and to legalize all acts and proceedings of the town council of said town 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, 29.

Abben	Dutcher	Johnston	Schmedika
Baird	Ethell	McIntosh	Shane
Bowman	Gilchrist	Mantz	Shinn
Brookhart	Goodwin	Nelson	Slosson
Brookins	Hale	Newberry	Snook
Buser	Hartman	Olson	Thurston
Caldwell	Haskell	Price	Wichman
Campbell			

Nays, none.

Absent or not voting, 21.

Adams	Fulton	Perkins	Shaff
Banta	Holdoegel	Reed	Smith
Bergman	Horchem	Rees	Stoddard
Browne	Kimberly	Romkey	Tuck
Cessna	Mead	Scott	White
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 Baird, the rules were suspended and House File No. 299, a bill for an act to amend section three (3) of chapter three hundred twenty-six (326) of the acts of the Fortieth General Assembly, relating to the commission on land titles, 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, 28.

Abben	Campbell	McIntosh	Shane
Baird	Dutcher	Mantz	Shinn
Bowman	Ethell	Nelson	Slosson
Brookhart	Gilchrist	Newberry	Snook
Brookins	Hale	Olson	Thurston
Buser	Haskell	Price	Tuck
Caldwell	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 22.

Adams	Fulton	Mead	Scott
Banta	Goodwin	Perkins	Shaff
Bergman	Hartman	Reed	Smith
Browne	Holdoegel	Rees	Stoddard
Cessna	Horchem	Romkey	White
Darting	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 Reed, House File No. 254, a bill for an act to amend, revise, and codify 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Strike from paragraph 2 of section 1 the following language: "except in cases of public improvement for drainage or levee purposes the provisions of the drainage law in cases of conflict shall govern" and insert in lieu thereof "and shall include improvements under the jurisdiction of the board of supervisors for drainage purposes."

2. Strike from section 2 all of said section after the word "amount" in line 6 thereof.

The first amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by adding to section 6 at the close thereof the following:

"Every surety on this bond shall be deemed and held, any contract to the contrary notwithstanding, to consent without notice:

1. To any extension of time to the contractor in which to perform the contract.

2. To any change in the plans, specifications or contract, when such change does not involve an increase of more than twenty per cent of the total contract price, and shall then be released only as to such excess increase.

3. That no provision of this bond or of any other contract shall be valid which limits the time to less than two years in which an action may be brought on account of defective workmanship or materials."

The first two sections of the amendment were adopted.

Senator Gilchrist withdrew the third section of his amendment.

Senator Gilchrist offered the following amendment in lieu of the third section and moved its adoption:

"3. That no provision of this bond or of any other contract shall be valid which limits to less than one year from the time of the acceptance of the work the right to sue on this bond for defects in workmanship or material not discovered or known to the obligee at the time such work was accepted."

The amendment was adopted.

The second committee 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, 27.

Abben	Ethell	Mantz	Shinn
Adams	Gilchrist	Newberry	Slosson
Baird	Hale	Olson	Snook
Brookhart	Hartman	Price	Thurston
Buser	Haskell	Romkey	Tuck
Campbell	Johnston	Schmedika	Wichman
Dutcher	McIntosh	Shane	

Nays, none.

Absent or not voting, 23.

Banta	Cessna	Kimberly	Scott
Bergman	Darting	Mead	Shaff
Bowman	Fulton	Nelson	Smith
Brookins	Goodwin	Perkins	Stoddard
Browne	Holdoegel	Reed	White
Caldwell	Horchem	Rees	

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

SENATE RESOLUTION BY BROOKHART AND SHANE

Whereas, it has been called to our attention that the board of education on the 13th of March, 1924, authorized the extension department of the State Teachers' College to establish a summer school during the summer of 1924 at Keokuk, Iowa; and

Whereas, there are in that territory already, two similar schools, one conducted by the Iowa Wesleyan College at Mt. Pleasant, Iowa, and one by Parsons College at Fairfield, Iowa; and

Whereas, these are old established schools, and by their location and equipment, fully cover the territory intended to be covered by the said summer school to be established by the state normal extension department; therefore,

Be It Resolved by the Senate: That it is the sense of the Senate that the establishment of the state normal extension school at Keokuk is an unnecessary and needless waste of the funds of the taxpayers of Iowa and should not be permitted.

Laid over under the rules.

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 125
CONSIDERED

The Senate resumed consideration of the conference committee report on Senate File No. 125, together with the following amendments to the report which were filed by the committee:

Substitute for third amendment.

Amend Sec. three as follows: Insert after the word "lands" in line two the words "including all real estate, rights of way and easements of railway and public utility companies.

Also amend Sec. three by inserting after the word "thereon" in line three the words "or on the streets or highways adjoining the same"; also by inserting after the word "lands" in line six the words "and the streets or highways adjoining them"; also by striking from Sec. 3 all following line nine.

Amend Sec. 8 by inserting after the word "land" in line two, the words "including all real estate, rights of way and easements of railway and public utility companies.

On motion of Senator Newberry further action was deferred.

THIRD READING OF BILLS

On motion of Senator Adams, House File No. 190, 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) to fifty hundred eighty-five (5085), inclusive, 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 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 railroads, 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 changing the period (.) at the end of section 8 to a semicolon (;) and adding the following: "and to recover the same it shall only be necessary for him to prove the loss of or injury to his property.

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.

On motion of Senator Brookhart the vote by which the bill passed to its third reading was reconsidered.

On motion of Senator Adams further action was deferred.

SENATE AMENDMENTS TO HOUSE FILE NO. 65 CONSIDERED

Senator Buser moved that the Senate recede from its amendments to House File No. 65.

On the question "Shall the Senate recede?" the vote was:

Ayes, 22.

Abben	Dutcher	Nelson	Shinn
Brookhart	Hale	Price	Snook
Browne	Hartman	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck
Campbell	Kimberly	Shane	Wichman
Cessna	McIntosh		

Nays, 12.

Adams	Caldwell	Haskell	Newberry
Baird	Gilchrist	Mantz	Olson
Bowman	Goodwin	Mead	Slosson

Absent or not voting, 16.

Banta	Ethell	Perkins	Shaff
Bergman	Fulton	Reed	Smith
Brookins	Holdoegel	Rees	Stoddard
Darting	Horchem	Scott	White

The motion to recede having failed to receive a constitutional majority was declared to have been lost.

Senator Buser now moved that the Senate insist on its amendments to House File No. 65.

On the question "Shall the Senate insist?" the vote was:

Ayes, 16.

Adams	Dutcher	Haskell	Shaff
Baird	Gilchrist	Mantz	Slosson
Bowman	Goodwin	Newberry	Smith
Caldwell	Hale	Olson	Wichman

Nays, 20.

Abben	Cessna	Mead	Shane
Brookhart	Hartman	Nelson	Shinn
Browne	Johnston	Price	Snook
Buser	Kimberly	Romkey	Thurston
Campbell	McIntosh	Schmedika	Tuck

Absent or not voting, 14.

Banta	Ethell	Perkins	Scott
Bergman	Fulton	Reed	Stoddard
Brookins	Holdoegel	Rees	White
Darting	Horchem		

The motion to insist was lost.

CONFERENCE COMMITTEE APPOINTED ON SENATE FILE NO. 93

The President appointed as a conference committee on Senate File No. 93, on the part of the Senate, Senators Bowman, Browne, Stoddard and McIntosh.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 260, section 2, line 5, by striking out the word "person" and inserting in lieu the words "physician or practitioner".

FRANK SHANE.

MR. PRESIDENT: I move to amend House File No. 260 as follows:

Amend section forty (40) by striking out the period (.) at the end of the first sentence in said section and add the following in lieu thereof: "or one specially trained in public hygiene or sanitation."

B. M. STODDARD.

MR. PRESIDENT: I move to amend House File No. 261-A, section 126-a26, line 5, by striking out the words "person selling the same" and inserting in lieu the words "manufacturer, distributor, or dealer".

FRANK SHANE.

MOTION FILED TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate failed to insist on its amendments to House File No. 65.

BEN C. ABEN, JR.

SENATE FILES NOS. 192 AND 200 WITHDRAWN

By unanimous consent Senator Adams withdrew Senate Files Nos. 192 and 200 from further consideration, the companion bills having been passed.

REPORT OF COMMITTEE

Senator Thurston submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred Substitute for House File No. 42, a bill for an act relating to employer's liability and workmen's compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

LLOYD THURSTON, *Chairman.*

Ordered passed on file.

The Journal of March 19th was corrected and approved.

Senator McIntosh moved that the Senate adjourn until 9:30 a. m. Friday.

Senator Brookhart moved to amend the motion by making the hour 10:00 a. m.

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

Ayes, 16.

Abben	Browne	Haskell	Nelson
Baird	Gilchrist	Johnston	Price
Bowman	Goodwin	Kimberly	Slosson
Brookhart	Hartman	Mead	Snook

Nays, 15.

Buser	Hale	Olson	Shinn
Campbell	McIntosh	Schmedika	Thurston
Cessna	Mantz	Shaff	Tuck
Dutcher	Newberry	Shane	

Absent or not voting, 19.

Adams	Darting	Perkins	Smith
Banta	Ethell	Reed	Stoddard
Bergman	Fulton	Rees	White
Brookins	Holdoegel	Romkey	Wichman
Caldwell	Horchem	Scott	

The amendment was adopted.

Senator Price moved to amend the motion by making the hour 9:45 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 21, 1924.

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

Prayer was offered by Prof. Sherman Kirk, Drake University, Des Moines, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Petitions were presented by Senator Holdoegel, from citizens of the city of Fort Dodge, relative to the establishment of a park and bathing pool on the property of the Hawkeye Fair and Exposition, which petitions were referred to the committee on conservation.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Holdoegel for the day, on request of Senator Reed; Senator Hale for the day, on request of Senator Reed; Senator Olson indefinitely on account of sickness, on request of Senator Mantz; Senator Scott for the day, on request of Senator Abben; Senator Rees for the day, on request of Senator Abben; Senator Darting for the week, on request of Senator Tuck.

REPORT OF COMMITTEE

Senator Thurston submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred Senate File No. 45, a bill for an act relating to fire escapes, 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:

1. Amend section 3 by striking out of line two the comma following the word "school house" and also strike the following words "Dance hall, lodge hall or assembly hall".
2. Amend by striking out all of section 10.

LLOYD THURSTON, *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. 262, a bill for an act relating to practice of professions affecting the public health.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 69, a bill for an act relating to hotels, restaurants, food establishments, and cold storage plants, Representatives Robson, Hattendorf, Wilson and Rhinehart.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 110, a bill for an act relating to education, Representatives Children, Napier, Edson and Carter.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 262, a bill for an act to amend, revise, and codify 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 sixteen (1416) to fourteen hundred nineteen (1419), inclusive, fourteen hundred twenty-one (1421) to fourteen hundred twenty-three (1423), inclusive, fourteen hundred twenty-five (1425), and fourteen hundred twenty-six (1426) of the compiled code of Iowa and chapters six (6), twelve (12), 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 thirteen (1413) to fourteen hundred fifteen (1415), inclusive, and fourteen hundred twenty (1420) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting the public health.

Read first and second times and referred to committee on public health.

SENATE FILES NOS. 87 AND 3 WITHDRAWN

By unanimous consent Senator Newberry withdrew Senate File

No. 87 from further consideration, the companion bill having passed.

By unanimous consent Senator Dutcher withdrew Senate File No. 3 from further consideration, the companion bill having been indefinitely postponed.

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 125
CONSIDERED

The Senate resumed consideration of the conference committee report (page 963 Senate Journal) together with the following amendments:

Substitute for third amendment.

Amend Sec. three as follows: Insert after the word "lands" in line two the words "including all real estate, rights of way and easements of railway and public utility companies.

Also amend Sec. three by inserting after the word "thereon" in line three the words "or on the streets or highways adjoining the same"; also by inserting after the word "lands" in line six the words "and the streets or highways adjoining them"; also by striking from Sec. 3 all following line nine.

Amend Sec. 8 by inserting after the word "land" in line two, the words "including all real estate, rights of way and easements of railway and public utility companies.

Senator Ethell moved the previous question, which motion prevailed.

Senator Shinn invoked rule 8.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 16.

Baird	Dutcher	Kimberly	Reed
Banta	Gilchrist	Mantz	Shaff
Bowman	Haskell	Mead	Stoddard
Brookins	Horchem	Newberry	Wichman

Nays, 24.

Abben	Campbell	McIntosh	Shinn
Adams	Ethell	Nelson	Slosson
Brookhart	Fulton	Price	Snook
Browne	Goodwin	Romkey	Thurston
Buser	Hartman	Schmedika	Tuck
Caldwell	Johnston	Shane	White

Absent or not voting, 10.

Bergman	Hale	Perkins	Scott
Cessna	Holdoegel	Rees	Smith
Darting	Olson		

The conference committee report having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

SENATE FILES NOS. 234 AND 266 WITHDRAWN

By unanimous consent Senator Reed withdrew Senate Files No. 234 and 266 from further consideration, the companion bills having passed.

HOUSE AMENDMENTS CONSIDERED

Senator Ethell called up for consideration Senate File No. 203, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting a comma (,) after the word "directors" in line one (1) of section two (2) and adding the following: "subject to revision by the association at any general or special meeting."

Amend by adding to the bill the following:

"That section five thousand four hundred eight-a one (5408-a1) of the supplement to the compiled code is amended, revised and codified to read as follows:

Sec. 5. Organization. Any number of persons, not less than five, may associate themselves as a cooperative association, without capital stock, for the purpose of conducting any agricultural, live stock, horticultural, dairy, mercantile, mining, manufacturing or mechanical business, or the constructing and operating of telephone and high tension electric transmission lines on the cooperative plan and of acting as a cooperative selling agency for its members.

Sec. 6. Publication clause. This act being deemed of immediate importance shall be in full force and effect after publication in the Des Moines Capital and the Iowa Forum, newspapers published in the city of Des Moines, Iowa."

Amend the title by inserting after the word "Iowa" in the last line the following: "and section five thousand four hundred eight-a one (5408-a1) of the supplement to the compiled code".

On the question "Shall the Senate concur?" the vote was:

Ayes, 36.

Abben	Banta	Brookhart	Buser
Baird	Bowman	Browne	Caldwell

Campbell	Haskell	Nelson	Slosson
Dutcher	Horchem	Newberry	Smith
Ethell	Johnston	Price	Snook
Fulton	Kimberly	Reed	Stoddard
Gilchrist	McIntosh	Romkey	Tuck
Goodwin	Mantz	Schmedika	White
Hartman	Mead	Shane	Wichman

Nays, 1.

Brookins

Absent or not voting, 18.

Adams	Hale	Perkins	Shaff
Bergman	Holdoegel	Rees	Shinn
Cessna	Olson	Scott	Thurston
Darting			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

HOUSE FILE NO. 190 REREFERRED

On motion of Senator Adams, House File No. 190 was rereferred to the committee on railroads.

SECOND CONFERENCE COMMITTEE ON SENATE FILE NO. 125

The President appointed as a second conference committee on Senate File No. 125, on the part of the Senate, Senators Goodwin, Johnston, Mead and White.

THIRD READING OF BILLS

On motion of Senator Price, House File No. 301, a bill for an act to amend chapter seven (7), section twelve (12), acts of the Thirty-ninth General Assembly, relating to the practice of chiropractic, 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	Baird	Brookhart	Browne
Adams	Banta	Brookins	Buser

Caldwell	Haskell	Price	Stoddard
Campbell	Johnston	Reed	Thurston
Dutcher	Kimberly	Romkey	Tuck
Ethell	McIntosh	Schmedika	White
Fulton	Mantz	Shane	Wichman
Gilchrist	Mead	Shinn	
Goodwin	Nelson	Slosson	
Hartman	Newberry	Snook	

Nays, none.

Absent or not voting, 13.

Bergman	Hale	Olson	Scott
Bowman	Holdoegel	Perkins	Shaff
Cessna	Horchem	Rees	Smith
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 Reed, Senate File No. 281, a bill for an act to amend, revise, and codify section sixty-three hundred forty-one (6341) of the compiled code of Iowa, relating to future estates, 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 sections 2 and 3.

Senator Brookhart offered the following amendment as a substitute for the amendment offered by Senator Ethell and moved its adoption:

Amend by striking out all after the enacting clause.

Senator Campbell moved that further action be deferred.

On motion of Senator Newberry the Senate adjourned until 4:00 p. m. today.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The Senate resumed consideration of Senate File No. 281:

Senator Campbell withdraw his motion to rerefer.

Senator Brookhart withdrew his amendment.

By unanimous consent on request of Senator Dutcher, all after the word "the" in line 9 up to and including the blank in line 10 were stricken and the words "first day of January, nineteen hundred twenty-five" inserted in lieu thereof.

By unanimous consent on request of Senator Dutcher lines 12, 13 and 14 of section 2 were stricken.

On the question "Shall the amendment by Senator Ethell, striking out sections 2 and 3, be adopted?" the vote was:

Ayes, 8.

Brookhart	Browne	Ethell	Mead
Brookins	Caldwell	Johnston	Shinn

Nays, 23.

Abben	Fulton	Mantz	Shane
Banta	Goodwin	Newberry	Smith
Buser	Hartman	Price	Snook
Campbell	Haskell	Reed	Stoddard
Cessna	Holdoegel	Romkey	Wichman
Dutcher	Horchem	Schmedika	

Absent or not voting, 19.

Adams	Gilchrist	Olson	Slosson
Baird	Hale	Perkins	Thurston
Bergman	Kimberly	Rees	Tuck
Bowman	McIntosh	Scott	White
Darting	Nelson	Shaff	

Senator Ethell's amendment was lost.

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, 24.

Abben	Dutcher	Horchem	Reed
Adams	Fulton	Mantz	Shane
Banta	Goodwin	Mead	Smith
Bowman	Hartman	Nelson	Snook
Campbell	Haskell	Newberry	Stoddard
Cessna	Holdoegel	Price	Wichman

Nays, 11.

Baird	Browne	Ethell	Schmedika
Brookhart	Buser	Johnston	Shinn
Brookins	Caldwell	Romkey	

Absent or not voting, 15.

Bergman	Kimberly	Rees	Thurston
Darting	McIntosh	Scott	Tuck
Gilchrist	Olson	Shaff	White
Hale	Perkins	Slosson	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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.

Senator Wichman asked for a division of the motion.

The motion to lay on the table was lost.

Senator Wichman moved that the motion to reconsider be deferred until next Tuesday.

Senator Ethell raised the point of order that Senator Price was discussing the main bill, which was not the subject before the Senate.

The President held the point not well taken.

Senator Wichman withdrew his motion.

Senator Buser withdrew his motion to reconsider.

Senator Price raised the point of order that any motion which has been the subject of discussion can not be withdrawn except by unanimous consent.

The President held the point not well taken, as under rule 9 any motion not amended nor with amendments pending may be withdrawn.

Senator Abben raised the point of order that the motion was a motion to reconsider and lay on the table and as part of the motion had been acted on the other part could not be withdrawn.

The President held them to be two separate and distinct motions, and the point not well taken.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move that the Senate reconsider the vote by which Senate File No. 281 failed to pass the Senate.

W. A. CALDWELL.

On motion of Senator Reed, House File No. 236, 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 estate of decedents, 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:

1. Amend by inserting after the word "Iowa" in the second line of the title to said bill the following: "and section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa,".

2. Amend by striking out all after the enacting clause of said bill and inserting the following in lieu thereof:

"That section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa be amended, revised and codified to read as follows:

Section 1. Within thirty days after his appointment, each administrator or executor shall file under oath, a list of the names of the heirs of the deceased giving the age, relationship to the intestate and place of residence of each heir, and the name, age and place of residence of the surviving spouse, if any.

That section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa be amended, revised and codified to read as follows:

Sec. 2. In case such surviving spouse does not make such election within six months from the date of the contemplated service of such notice, or if such surviving spouse shall be the executor of the will and fails, within six months after the will is admitted to probate, to file with the clerk of the court an election to refuse to take under the provisions of the will of the deceased, it shall be conclusively presumed that such survivor consents to the provisions of the will and elects to take thereunder; unless within such period of six months an affidavit should be filed setting forth that such surviving spouse is mentally incapable of making such election."

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, 30.

Abben	Campbell	Horchem	Reed
Adams	Dutcher	Johnston	Romkey
Baird	Ethell	Mantz	Schmedlka
Banta	Fulton	Mead	Shane
Bowman	Goodwin	Nelson	Smith
Brookhart	Hartman	Newberry	Snook
Brookins	Holdoegel	Price	Wichman
Caldwell	Haskell		

Nays, none.

Absent or not voting, 20.

Bergman	Gilchrist	Perkins	Slosson
Browne	Hale	Rees	Stoddard
Buser	Kimberly	Scott	Thurston
Cessna	McIntosh	Shaff	Tuck
Darting	Olson	Shinn	White

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 Reed, Senate File No. 236 was withdrawn from further consideration.

On motion of Senator Shane, House File No. 261-A, a bill for an act to amend, revise, and codify sections fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, eighty-eight hundred fifty-two (8852), eighty-eight hundred sixty-four (8864), eighty-eight hundred sixty-five (8865), and chapter fifteen (15) of title six (6) of the compiled code of Iowa; and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), and chapter fourteen-A (14-A) of title six (6) of the supplement to the compiled code of Iowa, relating to drugs, poisons, narcotics, and abortifacients, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend by inserting in section 120-A-26, line 3, immediately preceding the word "denatured" the following: "concentrated lye."
2. Amend by inserting in line 5 immediately preceding the word "and" the following: "the most available antidote."
3. Amend by inserting immediately after section 120-a29 the following: "Sec. 120-a29a. Chemical analysis of drugs.

Any chemical analysis deemed necessary by the pharmacy examiners in the enforcement of this and the preceding chapter shall be made by the department of agriculture when requested by said examiners."

The first two amendments were adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend section 120-a26, line 5, by striking out the words "person selling the same" and inserting in lieu the words "manufacturer, distributor, or dealer".

The amendment was adopted.

The third committee 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, 30.

Abben	Caldwell	Horchem	Schmedika
Adams	Campbell	Johnston	Shane
Baird	Cessna	Mantz	Shinn
Banta	Ethell	Mead	Smith
Brookhart	Fulton	Nelson	Snook
Brookins	Goodwin	Reed	Stoddard
Browne	Haskell	Romkey	Wichman
Buser	Holdoegel		

Nays, none.

Absent or not voting, 20.

Bergman	Hale	Olson	Shaff
Bowman	Hartman	Perkins	Slosson
Darting	Kimberly	Price	Thurston
Dutcher	McIntosh	Rees	Tuck
Gilchrist	Newberry	Scott	White

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 Abben, House File No. 77, 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 five (6405), inclusive, of the compiled code of Iowa, relating to conveyances, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Abben offered the following amendment and moved its adoption:

Amend section 53 by inserting immediately after the section number the following:

"Said index book shall be ruled and headed substantially after the following form:".

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, 30.

Abben	Campbell	Johnston	Schmedika
Baird	Cessna	Mantz	Shane
Banta	Darting	Nelson	Shinn
Bowman	Dutcher	Newberry	Smith
Brookhart	Ethell	Price	Snook
Brookins	Haskell	Reed	Stoddard
Browne	Holdoegel	Romkey	Wichman
Buser	Horchem		

Nays, none.

Absent or not voting, 20.

Adams	Goodwin	Mead	Shaff
Bergman	Hale	Olson	Slosson
Caldwell	Hartman	Perkins	Thurston
Fulton	Kimberly	Rees	Tuck
Gilchrist	McIntosh	Scott	White

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

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 260, subsection six (6) of section fourteen (14) by inserting in line eighteen (18) after the word "state" the following: ", of the public water supplies, sewer systems, sewage treatment plants, and garbage and refuse disposal plants,".

T. C. CESSNA.

MR. PRESIDENT: I move to amend House File No. 196 as follows:

1. Strike all of section 1 and insert in lieu thereof the following: "The provisions of this chapter shall apply to the transportation of passengers and property, and to the receiving, delivering, storing and handling of property wholly within this state, and shall apply to all railroad corporations, express companies, car companies, sleeping car companies, freight or freight line companies, and to any common carrier engaged in this state in the transportation of passengers or property by railroad therein, and to shipments of property made from any point within the state to any point within the state, whether the transportation of the same shall be wholly within this state or partly within this state and partly within an adjoining state."

2. Insert the words "or carrier" after the word "railroad" in line 9 of section 5.

3. Strike the words "and means" in line 6 of section 6.

FRANK SHANE.

CONFERENCE COMMITTEE REPORT FILED

MR. PRESIDENT: Your conference committee on Senate File No. 75, recommends that the differences now existing between the House and the Senate on said bill be adjusted as follows:

1. The House recedes from its amendment to section 3 of the bill and in lieu thereof the following is adopted:

Amend section 3 by striking therefrom all of lines 7, 8 and 9, and inserting in lieu thereof the following: "where the holder of the property resides. If the property is situated in a different county than that county where the holder of the property resides, then said instrument, or a true copy thereof, shall also be filed or recorded with the recorder of the county where the property is situated. But if the holder be a non-resident of the State, then such instrument shall be filed or recorded with the recorder of the county where the property is situated."

2. The House recedes from its amendment to section 7 of the bill, and adopts the Senate amendment to said section.

3. The Senate adopts all other House amendments.

4. Section 13 of the bill is further amended by striking from line 4 thereof the words "or action".

5. Amend said bill by adding after section 15 the following:

Sec. 15-a1. Duplicate filed recorder's office.

When a negotiable warehouse certificate is issued, the sealer shall also issue and deliver to the owner a duplicate certificate marked "no value". When the owner negotiates the original certificate, he shall at the same time deliver to the assignee the duplicate or the county recorder's receipt for the same. Such assignee may file the duplicate in the office of the county recorder of the county in which the grain is located, which duplicate shall remain in the custody of the recorder, except as hereinafter provided.

Sec. 15-a2. Indexing by recorder.

When a duplicate is filed in the office of the recorder, he shall index the same in the chattel mortgage index or other suitable index book showing date of the certificate, the number thereof, to whom issued, kind, quantity, and location of the grain. He shall collect twenty-five cents (25c) for each certificate indexed.

Sec. 15-a3. Record of assignment.

When the owner or holder of a certificate makes written assignment thereof, the recorder shall on request of the assignee enter a copy of such assignment upon the duplicate in his office, and enter upon his index book the date of the assignment, the names of the assignor and the assignee.

In case of re-assignment of the certificate to the person to whom issued, the recorder shall copy such assignment on the duplicate and deliver the same to the original owner and enter upon the index book 're-assigned to the original owner'."

Sec. 15-a4. Notice imparted.

The filing and indexing of such certificate shall impart the same notice as the filing and indexing of a chattel mortgage."

J. L. BROOKHART
BYRON W. NEWBERRY
ED H. CAMPBELL
BEN C. ARBEN, JR.

Conferees on part of Senate.

EARL W. VINCENT
JOHN BRADLEY
R. O. GARBER

Conferees on part of House.

REPORTS OF COMMITTEES

Senator Reed, submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 57, a bill for an act to amend, revise and codify sections twelve hundred four (1204) to twelve hundred and seven (1207) inclusive, and twelve hundred nine (1209) of the compiled code of Iowa, relating to lost 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:

1. Amend by striking from line two (2) of section four (4) the following words "goods, money, bank notes or other things", and substitute in lieu thereof the following: "money, bank notes and a description of any other property".

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 300, a bill for an act to legalize certain acknowledgments and acts of notaries public, 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 Bowman submitted the following report:

MR. PRESIDENT: Your joint committee on rules submits the following report:

Amendment to Joint Rule No. 1:

Amend by inserting the following sentence after the word "insist" in line thirteen (13): "If a motion to recede fails of a constitutional majority, such action shall be deemed as insisting on the amendments and shall be so entered upon the journal of the house."

Further amend by inserting the following after the comma (,) in line fifteen (15): "and such negative vote is equal to a constitutional majority,".

M. L. BOWMAN,

Chairman of Senate Committee on Rules.

O. A. ONTJES,

Chairman of House Committee on Rules.

Laid over under the rules.

Senator Holdoegel moved that there be one thousand extra copies printed of Senator Smith's amendments to Senate File No. 7, which motion prevailed.

The Journal of March 20th was corrected and approved.

On motion of Senator Ethell, the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 22, 1924.

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

Prayer was offered by Rev. Father J. P. Quinin, St. Patrick's church, Britt, Iowa.

On motion of Senator Ethell, 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 Tuck for the day, on request of Senator Reed; Senator McIntosh for the day, on request of Senator Price; Senator Romkey for the day, on request of Senator Price; Senator Scott for the day, on request of Senator Abben; Senator Dutcher for the day, on request of Senator Abben; Senator Thurston for the day, on request of Senator Slosson; Senator Gilchrist for the day, on request of Senator Wichman; Senator Horchem for the day, on request of Senator Baird.

INTRODUCTION OF BILL

Senate File No. 306, by Senator Bowman, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

PROOF OF PUBLICATION OF S. F. 306.

I hereby certify, that as secretary of the Senate, I have received the proof of publication of Senate File No. 306, a proposed bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa.

LEON W. AINSWORTH,
Secretary of the Senate.

REPORTS OF COMMITTEES

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 183, a bill for an act relating to taxation, 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:

1. Amend section 1 by striking the word "entirely" from line six thereof and by striking the words "rented, leased, or otherwise" from line seven thereof.

2. Amend section 1 by striking lines 8, 9, 10 and 11 therefrom and inserting in lieu thereof the following:

"(c) Public grounds, including all places for the burial of the dead; and crematoriums with the land, not exceeding one acre, on which they are built and appurtenant thereto, so long as no dividends or profits are derived therefrom."

3. Amend section 1 by striking therefrom lines 12, 13 and 14 and by inserting in lieu thereof the following:

"(d) Fire engines and all implements for extinguishing fires, and the grounds and buildings used exclusively for keeping them and for meetings of fire companies."

4. Amend section 1 by striking therefrom lines 15, 16 and 17 and inserting in lieu thereof the following:

"(e) The property of any organization composed wholly of veterans of any war, when such property is devoted entirely to its own use and not rented, leased, or otherwise held for pecuniary profit."

5. Amend section 1 by striking therefrom lines 18, 19, 20, 21, 22, 23 and 24 and inserting in lieu thereof the following:

"2. Certain bonds.

Bonds or certificates issued by any municipality, school district, drainage or levee district, or county within the state of Iowa. No deduction from the assessment of the shares of stock of any bank or trust company shall be permitted because such bank or trust company holds such bonds as are exempted above."

6. Amend section 1 by striking from lines 26 thereof the words "including libraries" and by inserting in lieu thereof the following: "public art galleries, and libraries and art galleries".

7. Amend section 1 by striking line 29 therefrom and inserting in lieu thereof the following:

"(b) By cemetery associations and societies for cemetery purposes."

8. Amend section 1 by striking therefrom lines 30 to 33 inclusive and inserting in lieu thereof the following:

"(c) By literary, scientific, charitable, benevolent, agricultural, and religious institutions and societies solely for their appropriate objects, not exceeding one hundred sixty (160) acres in extent and not leased or otherwise used with a view to".

9. Amend section 1 by striking from line 41 thereof the words "and apparatus" and inserting in lieu thereof the following: "pictures, works of art, apparatus and other personal property".

10. Amend section 1 by striking from line 41 thereof the comma following the word "institutions" and inserting in lieu thereof the word "and".

11. Amend section 1 by striking therefrom lines 44, 45, 46 and 47 and inserting in lieu thereof the following:

"5. Educational institutions—real estate.

Real estate owned by any educational institution of this state as a part of its endowment fund, to the extent of one hundred sixty acres in any civil township."

12. Amend section 1 by striking therefrom lines 53, 54, 55, 56 and 57 and inserting in lieu thereof the following:

"6. Agricultural produce.

The agricultural produce harvested by or for the person assessed within one year previous to the listing, all wool shorn from his sheep within such time, all poultry, ten stands of bees, all swine and sheep under six months of age, and all other domestic animals under one year of age."

13. Amend section 1 by striking from lines 65 and 66 thereof the following: "and the two (2) preceding subsections shall not be held to", and by inserting in lieu thereof the words "subsection shall not".

14. Amend section 1 by striking the semicolon in line 70 and inserting a comma in lieu thereof, and also by striking the comma after the word "wagon" in line 70.

15. Amend section 1 by striking all of lines 91, 92, 93 and 94 therefrom and inserting in lieu thereof the following: "in case any property or any part thereof, upon which said tax has been suspended, shall pass by devise, bequest or inheritance to any person other than the surviving spouse or minor child of such infirm person, the taxes, without any accrued penalty, that have been thus suspended shall all become due and payable, with six per cent interest per annum from the date of such suspension, and shall be enforceable against the property or part thereof which does not pass to such spouse or minor child."

16. Amend section 1 by striking the comma in line 109 immediately after the word "merchandising" and by striking the comma in line 114.

17. Amend section 5 by striking the comma in line 1 and by inserting the word "it" immediately after the word "but" in line 2.

18. Amend section 6 by striking the words "even-numbered" in line 4 and by inserting the words "odd-numbered" in lieu thereof.

19. Amend section 7 by striking the first comma in line 7.

20. Amend and revise section 8 of the bill so as to read as follows:
"Sec. 8. Assessment stocks of merchandise. In assessing such stocks of merchandise, the assessor shall require the production of the last inventory and enter the date thereof in the assessment roll. If in the judgment of the assessor the inventory is not correct, or if it was taken at such time as to render it unreliable as to the amount or value of such merchandise, he shall assess the same by personal examination. The assessment shall be made at the average value of the stock during the year next preceding the time of assessment, and if the merchant has not been engaged in business for one year then the average value during such time as he shall have been so engaged, and if commencing on January 1st then the value at that time."

21. Amend and revise section 9 of the bill so as to read as follows:

"Sec. 9. Manufacturers. Any person, firm, or corporation who purchases, receives, or holds personal property of any description for the

purpose of adding to the value thereof by any process of manufacturing, refining, purifying, combining of different materials, or by the packing of meats, with a view of selling the same for gain or profit, shall be deemed a manufacturer for the purposes of this title, and shall list such property for taxation. Such personal property shall be assessed at its average value estimated upon those materials only, whether manufactured or unmanufactured, which enter into the combination, manufacture or pack; such average to be ascertained as in the preceding section. Machinery used in manufacturing establishments shall, for the purpose of taxation, be regarded as real estate. Corporations organized under the laws of this state for pecuniary profit and engaged in manufacturing as defined by this section shall list their real estate, personal property not hereinbefore mentioned and moneys and credits in the same manner as is required of individuals."

22. Amend section 11 by striking therefrom lines 23 to 29 inclusive, and inserting in lieu thereof the following:

"The aggregate actual value of moneys and credits less the amount of deposits, the aggregate actual value of bonds and stocks less the portion thereof otherwise taxed in this state, and other property except real estate pertaining to the business, shall be assessed and taxed as moneyed capital in competition with banks as provided in section 15 hereof. Real estate shall be listed and assessed as other real estate."

23. Amend section 12 by striking the comma in line 7 thereof and inserting in lieu thereof a period and by striking the word "and" following such comma and capitalizing the first letter of the next word.

24. Amend section 12 by striking the comma in line 13 thereof and inserting in lieu thereof a period, also by striking the word "and" following such comma and capitalizing the first letter of the next word.

25. Amend section 12 by striking the period at the end of the section and adding the following to said section:

"at the same ratio of assessed value to actual value as the assessed value of real estate in the taxing district where such bank is located generally bears to its actual value. The taxable value of such shares of stock shall be one-fourth of the assessed value and shall be taxed as other property of such taxing district."

26. Amend by striking from the bill all of sections 14 and 15 and the language of the bill contained between said sections and inserting in lieu thereof the following:

"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 leasehold interests, if any,) on or in which the bank or trust company 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."

27. Amend section 16 by striking therefrom the word "and" in line 2, by striking therefrom the semicolon in line 6, and inserting in lieu

thereof a period, and by striking therefrom all of the section following such semicolon and adding immediately thereafter the following:

"In arriving at the assessable value of the shares of stock of such corporations, the amount of their capital actually invested in property other than moneys and credits shall be deducted from the actual value of such shares. Such property other than moneys and credits shall be assessed as other like property."

28. Amend section 17 by striking therefrom the words "and value" in line 10 thereof, by changing the period in line 11 thereof to a comma and by inserting immediately thereafter the following: "and the amount of capital actually invested therein."

29. Amend section 17 by adding the following between lines 11 and 12 of the section:

"5. An itemized list of all other property owned by said corporation except moneys and credits, together with the location thereof, and the amount of capital actually invested therein."

30. Amend section 17 by renumbering subsections 5, 6, 7, 8 and 9, as 6, 7, 8, 9 and 10 respectively.

31. Amend section 20 by striking therefrom lines 6, 7, 8 and 9 and inserting in lieu thereof the following:

"county auditor shall transcribe the assessments of the several townships, towns, or cities, under their names alphabetically arranged, to be known as the tax list, properly ruled and headed, with separate columns in which shall be entered alphabetically the names of taxpayers, descriptions of lands, number of".

32. Amend section 21 by striking from line 4 the words "records of" and inserting in lieu thereof the words "transfer book in".

33. Amend section 23 by striking therefrom lines 1 to 7 inclusive and also by striking the words "according to law" in line 8 and by inserting in lieu thereof the following:

"When the valuations for the several taxing districts shall have been adjusted by the several boards for the current year, the county auditor shall thereupon apply such a rate, not exceeding the rate authorized by law, as will (without including moneys and credits) raise the amount required for such taxing district."

34. Amend section 26 by striking the first word thereof and inserting in lieu thereof the following: "The holder of the certificate of sale".

35. Amend section 28 by striking therefrom the comma in line 1 and the comma in line 4 and the language between said commas contained in lines 1, 2, 3 and 4, being the last word of line 1, all of lines 2 and 3 and the first two words of line 4.

36. Amend section 28 by inserting a period after the word "book" in line 12 thereof, by striking all of line 12 following the word "book" and by inserting the word "No" as the first word of line 13.

37. Amend section 5 by inserting in line 3 thereof following the word "year" the words "following the year".

38. Amend Senate File No. 183 by adding immediately following section 28 the following:

"That section four thousand six hundred seventeen (4617) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 29. It shall be lawful for the city council of any city or town, including cities acting under special charters, or for the board of supervisors of any county to employ any person, corporation or firm for a reasonable salary or per diem to assist the proper officers in the discovery of property not listed or assessed for taxation as required by law."

39. Amend the title to Senate File No. 183 by inserting the words and figures "four thousand six hundred seventeen (4617)" following the second comma in line 6 thereof.

ED. M. SMITH, *Chairman.*

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 306, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa, 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 submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 304, a bill for an act to legalize the corporate acts and proceedings of the St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank, 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. 297, a bill for an act to legalize the corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said bank, 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.

S. F. NO. 77 WITHDRAWN

By unanimous consent Senator Rees withdrew Senate File

No. 77 from further consideration, the companion bill having passed.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Brookhart called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee on Senate File No. 75, recommends that the differences now existing between the House and the Senate on said bill be adjusted as follows:

1. The House recedes from its amendment to section 3 of the bill and in lieu thereof the following is adopted:

Amend section 3 by striking therefrom all of line 7, 8 and 9, and inserting in lieu thereof the following: "where the holder of the property resides. If the property is situated in a different county than that county where the holder of the property resides, then said instrument, or a true copy thereof, shall also be filed or recorded with the recorder of the county where the property is situated. But if the holder be a non-resident of the state, then such instrument shall be filed or recorded with the recorder of the county where the property is situated."

2. The House recedes from its amendment to section 7 of the bill, and adopts the Senate amendment to said section.

3. The Senate adopts all other House amendments.

4. Section 13 of the bill is further amended by striking from line 4 thereof the words "or action".

5. Amend said bill by adding after section 15 the following:

"Sec. 15-a1. Duplicate filed recorder's office.

When a negotiable warehouse certificate is issued, the sealer shall also issue and deliver to the owner a duplicate certificate marked "no value". When the owner negotiates the original certificate, he shall at the same time deliver to the assignee the duplicate or the county recorder's receipt for the same. Such assignee may file the duplicate in the office of the county recorder of the county in which the grain is located, which duplicate shall remain in the custody of the recorder, except as hereinafter provided.

Sec. 15-a2. Indexing by recorder.

When a duplicate is filed in the office of the recorder, he shall index the same in the chattel mortgage index or other suitable index book showing date of the certificate, the number thereof, to whom issued, kind, quantity, and location of the grain. He shall collect twenty-five cents (25c) for each certificate indexed.

Sec. 15-a3. Record of assignment.

When the owner or holder of a certificate makes written assignment thereof, the recorder shall on request of the assignee enter a copy of such assignment upon the duplicate in his office, and enter upon his index book,

the date of the assignment, the names of the assignor and the assignee. In case of re-assignment of the certificate to the person to whom issued, the recorder shall copy such assignment on the duplicate and deliver the same to the original owner and enter upon the index book "re-assigned to the original owner".

Sec. 15-a4. Notice imparted.

The filing and indexing of such certificate shall impart the same notice as the filing and indexing of a chattel mortgage."

J. L. BROOKHART
BYRON W. NEWBERRY
ED. H. CAMPBELL
BEN C. ABBEN, JR.

Conferees on part of Senate.

EARL W. VINCENT
JOHN BRADLEY
R. O. GARBER

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 11.

Baird	Goodwin	Mead	Price
Browne	Holdoegel	Nelson	Smith
Ethell	Kimberly	Newberry	

Nays, 19.

Abben	Cessna	Reed	Snook
Adams	Fulton	Rees	Stoddard
Buser	Hartman	Shane	White
Caldwell	Haskell	Shinn	Wichman
Campbell	Mantz	Slosson	

Absent or not voting, 20.

Banta	Darting	Johnston	Schmedika
Bergman	Dutcher	McIntosh	Scott
Bowman	Gilchrist	Olson	Shaff
Brookhart	Hale	Perkins	Thurston
Brookins	Horchem	Romkey	Tuck

The conference committee report having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

SECOND CONFERENCE COMMITTEE APPOINTED ON S. F. 75

The President appointed as a second conference committee on Senate File No. 75, on the part of the Senate, Senators Ethell, Shane, Rees and Reed.

THIRD READING OF BILLS

On motion of Senator Shane, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendments and moved their adoption:

Amend as follows:

1. Strike all of section 1 and insert in lieu thereof the following: "The provisions of this chapter shall apply to the transportation of passengers and property, and to the receiving, delivering, storing and handling of property wholly within this state, and shall apply to all railroad corporations, express companies, car companies, sleeping car companies, freight or freight line companies, and to any common carrier engaged in this state in the transportation of passengers or property by railroad therein, and to shipments of property made from any point within the state to any point within the state, whether the transportation of the same shall be wholly within this state or partly within this state and partly within an adjoining state."

2. Insert the words "or carrier" after the word "railroad," in line 9 of section 5.

3. Strike the words "and means" in line 6 of section 6.

The amendments were 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, 32.

Abben	Campbell	Kimberly	Shane
Adams	Cessna	Mantz	Shinn
Baird	Ethell	Mead	Slosson
Brookhart	Fulton	Neison	Smith
Brookins	Goodwin	Newberry	Snook
Browne	Hartman	Price	Stoddard
Buser	Haskell	Reed	White
Caldwell	Hoidoegel	Schmedika	Wichman

Nays, none.

Absent or not voting, 18.

Canta	Gilchrist	Olson	Scott
Bergman	Hale	Perkins	Shaff
Bowman	Horchem	Rees	Thurston
Darting	Johnston	Romkey	Tuck
Dutcher	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 Abben, the rules were suspended and House File No. 300, a bill for an act to legalize certain acknowledgments and acts of 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 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	Buser	Kimberly	Schmedika
Adams	Caldwell	Mantz	Shane
Baird	Campbell	Mead	Slosson
Banta.	Cessna	Nelson	Snook
Bowman	Ethell	Newberry	Stoddard
Brookhart	Goodwin	Reed	White
Brookins	Hartman	Rees	Wichman
Browne	Holdoegel		

Nays, none.

Absent or not voting, 20.

Bergman	Hale	Olson	Shaff
Darting	Haskell	Perkins	Shinn
Dutcher	Horchem	Price	Smith
Fulton	Johnston	Romkey	Thurston
Gilchrist	McIntosh	Scott	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, the rules were suspended and 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, 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:

1. Amend by striking from line two (2) of section four (4) the following words "goods, money, bank notes or other things", and substitute in lieu thereof the following: "money, bank notes and a description of any other property".

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, 29.

Abben	Caldwell	Mantz	Shane
Adams	Campbell	Mead	Shinn
Baird	Ethell	Nelson	Slosson
Banta	Fulton	Newberry	Snook
Bowman	Hartman	Reed	Stoddard
Brookins	Holdoegel	Rees	White
Browne	Kimberly	Schmedika	Wichman
Buser			

Nays, none.

Absent or not voting, 21.

Bergman	Goodwin	McIntosh	Scott
Brookhart	Hale	Olson	Shaff
Cessna	Haskell	Perkins	Smith
Darting	Horchem	Price	Thurston
Dutcher	Johnston	Romkey	Tuck
Gilchrist			

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, the rules were suspended and House File No. 297, a bill for an act to legalize the corporate acts and proceedings of the Farmers Savings Bank of Beaconsfield, Iowa, and to authorize the renewal of the period of corporate existence of said bank, 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, 28.

Adams	Caldwell	Kimberly	Shane
Baird	Campbell	Mantz	Shinn
Banta	Cessna	Mead	Slosson
Bowman	Ethell	Nelson	Smith
Brookhart	Fulton	Newberry	Snook
Brookins	Goodwin	Reed	Stoddard
Buser	Hartman	Schmedika	Wichman

Nays, none.

Absent or not voting, 22.

Abben	Hale	Olson	Scott
Bergman	Haskell	Perkins	Shaff
Browne	Holdoegel	Price	Thurston
Darting	Horchem	Rees	Tuck
Dutcher	Johnston	Romkey	White
Gilchrist	McIntosh		

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

Senator Stoddard was called to the chair at 11:30 a. m.

On motion of Senator Brookhart, the rules were suspended and Senate File No. 304, a bill for an act to legalize the corporate acts and proceedings of the St. Anthony Savings Bank of St. Anthony, Iowa, and to authorize the renewal of the period of corporate existence of said bank, 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, 29.

Adams	Cessna	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Brookhart	Goodwin	Newberry	Smith
Brookins	Hartman	Reed	Snook
Buser	Holdoegel	Rees	Stoddard
Caldwell	Kimberly	Schmedika	Wichman
Campbell			

Nays, none.

Absent or not voting, 21.

Abben	Gilchrist	McIntosh	Scott
Bergman	Hale	Olson	Shaff
Bowman	Haskell	Perkins	Thurston
Browne	Horchem	Price	Tuck
Darting	Johnston	Romkey	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 Bowman, the rules were suspended and Senate File No. 306, a bill for an act to legalize certain acts and resolutions of the board of supervisors of Black Hawk 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 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, 29.

Abben	Caldwell	Mantz	Shinn
Adams	Campbell	Mead	Slosson
Baird	Cessna	Nelson	Smith
Banta	Ethell	Newberry	Snook
Bowman	Hartman	Reed	Stoddard
Brookhart	Holdoegel	Schmedika	White
Brookins	Kimberly	Shane	Wichman
Buser			

Nays, none.

Absent or not voting, 21.

Bergman	Goodwin	McIntosh	Romkey
Browne	Hale	Olson	Scott
Darting	Haskell	Perkins	Shaff
Dutcher	Horchem	Price	Thurston
Fulton	Johnston	Rees	Tuck
Gilchrist			

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. 260, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), 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, 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 chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to public health, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard was called to the chair at 11:20 a. m.

The bill was read for information.

Further action was deferred.

S. F. 196 WITHDRAWN

By unanimous consent Senator Adams withdrew Senate File No. 196 from further consideration, the companion bill having passed.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 183 as follows:

Following section 6 insert the following:

"Section 6-a1. Deduction on mortgaged real estate.

Any person being owner of real estate liable for taxation in the state of Iowa, and being indebted in any sum secured by mortgage upon the real estate, may have the amount of such mortgage indebtedness existing and unpaid upon the first day of January of any year, deducted from the valuation of the mortgaged premises for that year, and the amount of such valuation remaining after such deduction shall have been made, shall form the basis for assessment and taxation for said real estate for said year:

Provided, that no deduction shall be allowed greater than one-fourth of the assessed valuation of said real estate."

A. J. SHINN.

SENATE CONCURRENT RESOLUTION NO. 14

Be It Resolved by the Senate, the House Concurring: That this extraordinary session of the General Assembly of Iowa recess April 4, 1924, until July 1, 1924.

H. J. MANTZ

GEORGE S. BANTA.

Laid over under the rules.

The Journal of March 21st was corrected and approved.

On motion of Senator Abben, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 24, 1924.

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

Prayer was offered by Rev. Dr. John W. Million, President of Des Moines University.

On motion of Senator Holdoegel, rule 33 was suspended for the day.

The roll call revealed the presence of the following Senators:

Abben	Darting	Kimberly	Shane
Adams	Ethell	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Perkins	Snook
Bowman	Goodwin	Reed	Stoddard
Brookins	Hartman	Rees	Thurston
Browne	Haskell	Romkey	White
Buser	Holdoegel	Schmedika	Wichmar
Campbell	Johnston	Scott	

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hale for the day, on request of Senator Haskell; Senator Tuck for the day, on request of Senator Reed; Senator Adams for the day, on request of Senator Thurston.

INTRODUCTION OF BILL

Senate File No. 307, by Senator Gilchrist, a bill for an act to legalize the transfer of money from the general fund to the schoolhouse fund of the consolidated independent school district of Laurens, Pocahontas county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 88A, a bill for an act relating to education.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 179, a bill for an act relating to municipal corporations and bonds.

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 legalizing an election at Ionia, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 299, a bill for an act legalizing the transfer of certain funds by the county treasurer of Appanoose county, Iowa.

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 relating to an appropriation for the purpose of making insurance tax refunds and to provide for the return of the unexpended balance to the general revenue fund.

Also: That the House has adopted the conference committee report and the amendments proposed therein to the following bill:

Substitute for House File No. 54, a bill for an act relating to propagation and protection of fish, game, wild birds, and animals.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on Senate File No. 125, a bill for an act relating to the destruction of weeds on private lands and public highways. Representatives King, Venard, Children and Johnson.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 88a, 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-eight (2488), inclusive, and two thousand four hundred ninety-two (2492) to two thousand four hundred ninety-nine (2499), inclusive, of the compiled code, and sections two thousand two hundred ninety-five (2295), two thousand three hundred four (2304), two thousand three hundred six (2306) and two thousand four hundred eighty-two-a one (2482-a1) of the supplement to said code, relating to education.

Read first and second times and referred to committee on public schools.

THIRD READING OF BILLS

On motion of Senator Thurston, 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, 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:

1. Amend section 3 by striking out of line two the comma following the word "schoolhouse" and also strike the following words "Dance hall, lodge hall or assembly hall".

2. Amend by striking out all of section 10.

Senator Thurston offered the following amendments and moved their adoption:

Strike out subsection 3 of section 4 and insert in lieu thereof the following:

"3. Additional fire escapes to those otherwise provided by law shall be provided wherever it is necessary to pass within twenty feet of any stairway or elevator shaft from any portion of the building more than twenty feet from such stairway or shaft to reach the fire escape required by the provisions of law and where there are peculiar, unusual or extreme hazards additional fire escapes may be required by those authorized by law to regulate and fix the number and requirements of fire escapes."

Amend section 6 by inserting after the word "building" in line 10 the following: "but the commissioner may waive this provision when on examination he finds that such ladder would be an element of danger".

Also amend section 6 by adding at the end of line 33 the following: "Red lights shall not be used for lighting purposes in such buildings at locations where they may be mistaken for an exit light."

Also amend section 6 by adding after the word "halls" in line 30 the following: "and other buildings occupied or used at night that in the judgment of the commissioner this provision should apply."

In section ten (10) strike out the word "inspector" in line one (1) and insert in lieu thereof the word "commissioner".

The first three amendments were adopted.

Senator Thurston offered the following amendment to the fourth amendment and moved its adoption:

Amend by striking the word "that" from the next to the last line and inserting the word "where" in lieu thereof.

The amendment to the amendment was adopted.

The fourth amendment was adopted.

Senator Thurston withdrew the last amendment.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 14 by striking from line 4 the word "each" and inserting the word "such" in lieu thereof.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 3 by striking lines 10 to 13 inclusive and substituting the following: "P equals the average maximum number of persons on the story with the highest number above the first story".

The amendment was 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, 33.

Abben	Fulton	Kimberly	Shane
Baird	Gilchrist	Mead	Shinn
Banta	Goodwin	Newberry	Slosson
Brookhart	Hartman	Perkins	Smith
Brookins	Haskell	Price	Snook
Campbell	Holdoegel	Reed	Stoddard
Darting	Horchem	Schmedika	Thurston
Dutcher	Johnston	Scott	Wichman
Ethell			

Nays, none.

Absent or not voting, 17.

Adams	Caldwell	Mantz	Romkey
Bergman	Cessna	Nelson	Shaff
Bowman	Hale	Olson	Tuck
Browne	McIntosh	Rees	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 Thurston, substitute for House 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, as amended by sections eight hundred twenty-three-a one (823-a1), eight hun-

dred thirty-two (832), and eight hundred forty-three (843) of the supplement to said code, relating to employers' liability and 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 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	Goodwin	Mead	Shane
Baird	Hartman	Nelson	Shinn
Banta	Haskell	Newberry	Slosson
Bowman	Holdoegel	Perkins	Snook
Browne	Horchem	Price	Stoddard
Campbell	Johnston	Schmedika	Thurston
Ethell	Kimberly	Scott	Wichman
Gilchrist	Mantz		

Nays, none.

Absent or not voting, 20.

Adams	Caldwell	Hale	Romkey
Bergman	Cessna	McIntosh	Shaff
Brookhart	Darting	Olson	Smith
Brookins	Dutcher	Reed	Tuck
Buser	Fulton	Rees	White

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.

By unanimous consent Senator Thurston withdrew Senate File No. 42 from further consideration, the companion bill having passed.

On motion of Senator Price, House File No. 260, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), and sections thirteen hundred thirty-five (1335) to thirteen hundred thirty-eight (1338), inclusive, thirteen hundred forty-six (1346) to thirteen hundred fifty-five (1335), inclusive, 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 chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6) of the supplement to the compiled code of Iowa, relating to public health, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend line 3 of section 2 by striking out the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".
2. Amend line 4 section 2 by inserting after the word "senate" the words "in executive session".
3. Amend line 1 of section 4 by striking the word and figure "six (6)" and inserting in lieu thereof the word and figure "four (4)".
4. Amend section 4 by adding thereto the following: "the commissioner shall receive four thousand dollars (\$4,000) a year for his services, and give bond in an amount approved by the executive council for the faithful performance of his duties."
5. Amend section 14 by striking all of lines 21, 22, 23, and 24.
6. Amend section 14-A-1 by striking the word and figure "six (6)" as they occur in line 7 of said section and insert in lieu thereof the word and figure "four (4)".
7. Strike the word "shall" as it occurs in line 2 of section 14-A-1 and insert in lieu thereof the word "may".
8. Amend section 14-A-1 by striking therefrom the following: "one manufacturer or wholesale dealer of plumbing materials, one master plumber, one journeyman plumber and one city plumbing inspector," and insert in lieu thereof the following: "the housing commissioner and one journeyman plumber".
9. Insert after the word "treasurer" as it occurs in line 5 of section 14-A-4 the words "of the state".
10. Change the period after the word "plumbing" in the last line of section 14-A-4 and insert a comma (,) and add the following words: "plumbers license and application blanks".
11. Amend section 27 by striking lines 4 to 17 inclusive and substituting in lieu thereof as subsection 3 the following: "Five health officers to be appointed by the Governor and who shall serve for a period of two years."
12. Strike the word and figure "nine (9)" in line 6 section 30 and insert in lieu thereof the following: "a majority of the".
13. Strike all of section 35 after the word "from" in line 2 and insert in lieu thereof the following: "funds not otherwise appropriated in the general fund of the state".

14. Amend section 40 by striking out all of the House amendment after the word "physician" and substituting in lieu thereof the words "or practitioner".

15. Amend section 242-A-2 by adding thereto the following: "who shall receive thirty-six hundred dollars (\$3600) per year for his services and give bond in an amount approved by the executive council for the faithful performance of his duty".

The first three amendments were adopted.

By unanimous consent amendment number 4 was withdrawn, and the following substitute was offered by Senator Shane:

Amend section 242-A-1 by adding thereto the following: "The commissioner so appointed shall receive four thousand dollars (\$4,000.00) a year for his services, which shall be paid out of any funds in the state treasury not otherwise appropriated."

The amendment was lost.

Committee amendments numbers 6 and 7 were adopted.

Further action was deferred.

HOUSE AMENDMENTS CONSIDERED

Senator Mantz called up for consideration Senate File No. 91, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 6 by adding after the word "annually" in line one (1) thereof the following words "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

Amend section six (6) by adding after the period (.) in line six (6) the following:

"The appropriation of five thousand dollars (\$5,000.00) provided for the epidemiological laboratory in section twenty-three forty-six-a one (2346-a1), supplement to the compiled code, to the state university is hereby made available for the use of the laboratory and the work provided for in section four (4)."

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Abben	Fulton	Kimberly	Romkey
Baird	Gilchrist	McIntosh	Schmedika
Bowman	Goodwin	Mantz	Scott
Brookhart	Hartman	Nelson	Shane
Brookins	Haskell	Newberry	Shinn
Campbell	Holdoegel	Perkins	Snook
Dutcher	Horchem	Price	Stoddard
Ethell	Johnston	Reed	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Caldwell	Olson	Smith
Banta	Cessna	Rees	Thurston
Bergman	Darting	Shaff	Tuck
Browne	Hale	Slosson	White
Buser	Mead		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

CONFERENCE REPORT ON HOUSE FILE NO. 54 CONSIDERED

On motion of Senator Mead, the following report was considered:

MR. PRESIDENT: Your conference committee on Substitute for House File No. 54 begs leave to recommend the following as a settlement for the differences now existing between the House and Senate:

(1) That the House concur in Senate amendments to sections 5, 7 and 14.

(2) That the Senate recede from its amendments to section 24 and that section 24 of the bill be stricken and the following substituted in lieu thereof:

"Sec. 24. Size limits.

No person shall at any time kill, destroy, have in possession or under control, for any purpose whatever, any pike, pickerel or blue or channel catfish less than twelve (12) inches in length, any bass (except silver or rock bass) less than ten inches (10) in length, or any trout or crappie less than eight (8) inches in length, or any perch less than seven (7) inches in length, or any sunfish less than six (6) inches in length, except as otherwise provided in this chapter when using licensed nets or seines. Any such fish taken shall be immediately returned to the water with as little injury to the fish as possible."

(3) That the House concur in Senate amendments to section 25.

(4) Also that the House concur in the Senate amendment inserting section 32-a1.

(5) Also that the House concur in the Senate amendments to sections 35, 38, 38-a1 and 40.

(6) That the Senate recede from its amendment to section 55 and that section 55 be amended by striking from line 4 the words "November fourteenth" and substituting the words "October thirty-first."

(7) That the House concur in the second Senate amendment to section 55.

(8) That the Senate recede from its amendment to section 56.

(9) That the House concur in Senate amendment to section 74 and also the Senate amendment inserting section 74-a1.

(10) That the bill be further amended by striking lines 10, 11, 12 and 13 of section 17 and inserting in lieu thereof the following:

"1. For resident of the state for fishing with hook and line in stocked meandered lakes and hunting, one dollar (\$1.00).

2. For nonresident or resident alien, for fishing with hook and line and trot-line in any state waters, three dollars (\$3.00)."

(11) That the bill be further amended by striking out the words "and trot-line" from lines 3 and 4 of section 19 and inserting in lieu thereof the words "in stocked meandered lakes".

O. L. MEAD
JNO. R. PRICE
BYRON W. NEWBERRY
H. C. ADAMS

Senate Conferees.

FRANCIS JOHNSON
L. T. QUIRK
C. A. KNUTSON
THEO. C. BLUME

House Conferees.

On motion of Senator Price House File No. 54, with the conference committee report was rereferred to the conference committee.

AMENDMENTS FILED TO HOUSE FILE NO. 260

MR. PRESIDENT: I move to amend House File No. 260 as follows:

Amend subsection 5 of section 14 of House File No. 260 by striking out the period (.) after the word "state" and inserting in lieu thereof a comma (,) and adding the following: "and, upon request of the local health officer or upon a petition of five (5) or more citizens, residents in the community involved, shall make inspection of the sanitary, physical, and structural condition of any school or public building in the state, and shall recommend to the local board of health the necessary measures for the maintenance of such buildings in a sanitary and safe condition."

BYRON W. NEWBERRY.

MR. PRESIDENT: I move to amend House File No. 260 by striking out subsections 5 and 5-a1 of section 1 as amended and substituting in lieu thereof the following:

"5. 'Physician' shall mean a person licensed to practice medicine and surgery, osteopathy and surgery, osteopathy, or chiropractic, under the laws of this state".

Also amend by striking out the words "practitioner", "practitioners", and the words "or practitioners" wherever the same appear in House File No. 260.

JNO. R. PRICE.

The Journal of March 22d was corrected and approved.

Senator Shane moved that the Senate adjourn until 9 a. m. Tuesday.

Senator Brookhart moved to amend by making the time 4:30 p. m. today.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 4:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF COMMITTEE

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 296, a bill for an act to amend, revise and codify section one (1) of chapter 261 of the acts of the regular session of the Fortieth General Assembly, relating to municipal corporations, 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 to section one the following: "No levy or collection of taxes for either of said funds shall be made so as to create or maintain a balance therein in excess of ten thousand dollars (\$10,000.00) at the end of any fiscal year."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

On motion of Senator Schmedika the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 25, 1924.

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

Prayer was offered by Rev. W. J. Fowler, pastor of the Methodist Episcopal church, of Brooklyn, Iowa.

Senator Brookins moved that rule 33 be suspended for the day. The motion was lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Rees for today and tomorrow on request of Senator Abben; Senator Tuck for the day, on request of Senator Reed; Senator Olson for the forenoon, on request of Senator Mantz.

REPORT OF COMMITTEE

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 177, a bill for an act relating to municipal corporations—taxation, 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:

1. Strike section one (1) and substitute the following: "Section 1. Road dragging fund.

Any city having a population of less than eight thousand (8,000), and any town, may levy annually a tax of not more than one (1) mill which shall be used only for dragging streets and roads."

2. Strike section two (2) and substitute the following: "Sec. 2. City bridge fund.

Cities may levy annually a tax, which shall be used only for bridge purposes, as follows:

1. Any city with a population of more than thirty-five thousand (35,000) and with a meandered stream dividing its corporate limits, not exceeding four (4) mills.

2. Other cities of the first class, not exceeding three (3) mills.

3. Cities of the second class with a population of more than five

thousand (5,000) and traversed by a stream two hundred (200) or more feet in width from shore line to shore line, not exceeding five (5) mills."

3. Amend section three (3) by striking from line thirteen (13) after the word "mills" the words "on the dollar".

4. Strike from section three (3) all after the word "town" in line one (1) up to and including the word "cases" in line five (5) and insert in lieu thereof the word "which".

5. Strike section five (5) lines one to six and substitute the following:

"Sec. 5. Taxes for particular purposes.

Any city or town shall have power to levy annually the following special taxes:

"1. Grading fund. Not exceeding three (3) mills which shall be used only for the purpose of opening, widening, extending and grading any street, highway, avenue, alley, public ground, or market place."

6. Strike section five (5) lines seven to eleven and substitute the following:

"2. Water fund. Not exceeding five (5) mills which shall be used only to pay the amount due or to become due, for water supplied under any contract. In cities of the first class, if the maximum tax is insufficient to pay such amount, the deficiency shall be paid out of the general fund."

7. Strike section five (5) lines twelve to twenty inclusive and substitute the following:

"3. Improvement fund. Not exceeding five (5) mills, which shall be used only to pay for deficiencies in assessments and for plats and schedules as provided by law, and for the construction, reconstruction and repair of any street improvement at the intersection of streets, highways, avenues and alleys, and for one-half ($\frac{1}{2}$) the cost of such improvement at the intersection of streets, highways, avenues and alleys not crossing, and for spaces opposite property owned by the city or town and by the United States, and for the purchase price of property purchased by the city at tax sale and subsequent taxes assessed against such property."

8. Strike section five (5) lines twenty-one to twenty-four inclusive and substitute the following:

"4. Drainage tax. Such number of mills as will pay any special assessment with interest or any installment thereof with interest, levied against any street, alley, highway, public way or park by the board of supervisors for drainage purposes."

9. Strike section five (5) lines twenty-five to thirty-five inclusive and substitute the following:

"5. Sewer fund. If the city or town comprises one (1) sewer district, not exceeding five (5) mills, which shall be used only to pay for deficiencies in assessments as provided by law, and for the construction, reconstruction and repair of any sewer at the intersection of streets, highways, avenues and alleys, and for one-half ($\frac{1}{2}$) the cost of such sewer at the intersections of streets, highways, avenues and alleys not

crossing, and for spaces opposite property owned by the city or town and by the United States, and for the whole or any part of the construction, reconstruction, or repair of any sewer within the limits of said city or town, and for the maintenance and operation of any sewage disposal plant serving said sewer district."

10. Strike section five (5) lines thirty-six to forty-four inclusive and substitute the following:

"6. District sewer fund. Within a sewer district, not exceeding five (5) mills which shall be used only to pay all or any part of the cost of construction, reconstruction or repair of any sewer located and laid in that particular district and to maintain and operate any sewage disposal plant serving such district. The funds created by this and the preceding subsection may be used to secure control of streams and surface waters flowing into sewers, sewer outlets and disposal plants".

11. Strike section five (5) lines forty-five to forty-nine inclusive and substitute the following:

"7. Sewer outlet and purifying plant fund. Not exceeding five (5) mills, which shall be used only to construct sewer outlets and sewage purifying plants. The levy made under this subsection shall not be considered a part of the levy for sewer funds under the two preceding subsections".

12. Strike section five (5) lines fifty to fifty-three inclusive and substitute the following:

"8. Fire fund. Not exceeding one and one-half (1½) mills, which shall be used only to acquire property for the use of the fire department and to equip the same. No part of the general fund shall be used for equipping the fire department."

13. Strike section five (5) lines fifty-four to sixty-one inclusive and substitute the following:

"9. Fire department maintenance fund. Any city with a population of more than nine thousand (9,000), not exceeding seven (7) mills, any city with a population of less than nine thousand (9,000) and any city under the commission form of government with a population of more than ninety thousand (90,000), not exceeding three (3) mills, and any town, not exceeding two (2) mills, which levies shall be used only to maintain a fire department, except that cities with a population under three thousand (3,000) and towns may also use the fund to purchase fire equipment."

14. Strike section five (5) lines sixty-two to sixty-eight inclusive and substitute the following:

"10. Gas light, electric light, heat or power funds. Any city with a population of more than five thousand (5,000), not exceeding five (5) mills, and any city with a population of less than five thousand (5,000) and any town, not exceeding seven (7) mills, which shall be used only to pay the amount due or to become due under any contract for gas light, electric light, heat or power including expenses of inspection."

15. Strike section five (5) lines sixty-nine to seventy-eight inclusive and substitute the following:

"11. Bond fund. Such number of mills as will pay the interest accru-

ing before the next annual levy on funding or refunding bonds outstanding, and such proportion of the principal that at the end of five (5) years the sum raised shall equal at least twenty per cent (20%) of the amount of the bonds issued; at the end of ten (10) years at least forty per cent (40%) of said amount; at the end of fifteen (15) years at least sixty-five per cent (65%) of said amount, and at or before the date of the maturity of said bonds a sum equal to the whole amount of the unpaid interest and principal. Said funds shall be used only to meet such obligations."

16. Strike section five (5) lines seventy-nine to eighty-four inclusive and substitute the following:

"12. Water or gas works or electric plant bond fund. Such number of mills as will pay for water works, gas works, electric light and power plants in the periods and proportions set forth in the preceding subsection, which shall be used only to pay the principal of bonds issued for the construction or purchase of such plants."

17. Strike section five (5) lines eighty-five to eighty-seven inclusive and substitute the following:

"13. Cemetery purchase fund. Not exceeding one (1) mill, which shall be used only to pay for land acquired for cemetery purposes, and the interest accruing on the cost thereof."

18. Strike section five (5) lines eighty-eight to ninety-six inclusive and substitute the following:

"14. Cemetery fund. Any city, not to exceed one (1) mill and any town, not to exceed three (3) mills, which shall be used only for the care, preservation, and adornment of any cemetery owned or controlled by the city or town, or owned and controlled by any private or incorporated cemetery association, township or other municipality, even though situated in an adjoining county, if actually utilized for burial purposes by the people of the city or town. Said tax may be so expended for the support and maintenance of any such cemetery after it is no longer used for the purpose of interring the dead."

19. Strike section five (5) lines ninety-seven to one hundred one inclusive and substitute the following:

"15. Comfort station fund. When authorized to maintain comfort stations, not exceeding one-half ($\frac{1}{2}$) mill, which shall be used only to defray the expense of establishing and maintaining comfort stations, or such expenses may be paid from the general fund."

20. Strike section five (5) lines one hundred two to one hundred seven inclusive and substitute the following:

"16. Garbage disposal and street cleaning fund. Within any sanitary district, not exceeding two (2) mills, which shall be used only to pay the cost of the collection and disposal of garbage and such other material as may become dangerous to the public health and for the oiling and sprinkling, flushing and cleaning of streets therein."

21. Strike section five (5) lines one hundred eight to one hundred thirteen inclusive and substitute the following:

"17. Waterworks fund. If the authorized water rates or rentals are insufficient to meet the expense of running, operating and repairing the waterworks owned or operated by the city or town and the interest on any bonds issued to pay for the construction, reconstruction, repair or extension of such works, not exceeding five (5) mills, which shall be used only to pay the deficiency."

22. Strike section five (5) lines one hundred fourteen to one hundred nineteen inclusive and substitute the following:

"18. Gas or electric fund. If the authorized rates or rentals are insufficient to meet the expense of running, operating and repairing gas or electric light or power plants owned by the city or town and the interest on any bonds issued to pay for the constructions of such works or plants, not exceeding five (5) mills which shall be used only to pay the deficiency."

23. Strike section five (5) lines one hundred twenty to one hundred twenty-six inclusive and substitute the following:

"19. Library fund. When a free public library has been established, not exceeding five (5) mills, which shall be used only for its maintenance. The rate of levy for this and the fund created by the following subsection shall be determined and certified to the council by the board of library trustees before the first day of August in each year. The council shall make such levies accordingly."

24. Strike section five (5) lines one hundred twenty-seven to one hundred thirty-seven inclusive and substitute the following:

"20. Library building fund. When the establishment of a public library has been authorized, not exceeding three (3) mills, which shall be used only to purchase real estate and to erect thereon a building or buildings for a public library or to pay the interest on any indebtedness incurred for that purpose and to create a sinking fund for the extinguishment of such indebtedness. When a library building has been fully completed and paid for, no further levy shall be made for that purpose. Any balance remaining in the building fund may be transferred to the maintenance fund."

25. Strike section five (5) lines one hundred thirty-eight to one hundred forty-three inclusive and substitute the following:

"21. Library contract fund. When a public library has not been established, not exceeding one (1) mill, which shall be used only to secure for the inhabitant of the city or town the free use of a public library. When a majority of the resident taxpayers petition the council in writing to secure such privilege the council shall offer to contract therefor with the designated library."

26. Strike section five (5) lines one hundred forty-four to one hundred fifty inclusive and substitute the following:

"22. Community center establishment fund. When a community center district has been established, within such district, not exceeding three (3) mills for not more than forty (40) years, which shall be used only to purchase real estate for use as a community center and to construct thereon buildings with proper equipment."

27. Strike section five (5) lines one hundred fifty-one to one hundred fifty-four inclusive and substitute the following:

"23. Community center improvement and maintenance fund. Within such community center district, not exceeding five (5) mills, which shall be used only for the development, improvement, maintenance and operation of the community center."

28. Strike section five (5) lines one hundred fifty-five to one hundred fifty-seven inclusive and substitute the following:

"24. Juvenile playground and swimming pool establishment fund. When any juvenile playground or swimming pool has been established, such number of mills as will liquidate at maturity, bonds issued for its acquirement."

29. Strike section five (5) lines one hundred fifty-eight to one hundred sixty inclusive and substitute the following:

"25. Playground or swimming pool maintenance fund. Not exceeding two (2) mills, which shall be used for the maintenance, operation and improvement of such playground or swimming pool."

30. Strike section five (5) lines one hundred sixty-one to one hundred seventy-four inclusive and substitute the following:

"26. Hospital fund. When a municipal hospital has been established, not exceeding three (3) mills for not more than fifteen (15) years in cities having a population of over twenty-two thousand (22,000), and not exceeding five (5) mills for the same period in cities having a population of over five thousand (5,000) and less than twenty-two thousand (22,000) which in each case shall be used only to purchase real estate for hospital purposes and to construct and maintain a hospital. After bonds have been issued payable from this fund the municipality shall each year for ten (10) years before the maturity thereof, set aside out of the taxes levied, a sum equal to one-tenth ($\frac{1}{10}$) the principal of the bonds which shall be applied five (5) years from the date of issuance in payment of the principal when the amount on hand shall be sufficient to pay one (1) or more of said bonds."

31. Strike section five (5) lines one hundred seventy-five to one hundred seventy-seven inclusive and substitute the following:

"27. Hospital maintenance fund. Not to exceed five (5) mills, which shall be used only to improve, operate and maintain such hospital."

32. Strike section five (5) lines one hundred seventy-eight to one hundred eighty-two inclusive and substitute the following:

"28. City hall fund. Any city with a population of more than four thousand (4,000), not exceeding two (2) mills for not more than twenty (20) years, and any city with a population less than four thousand (4,000) and any town, not exceeding five (5) mills for the same period, which in each case shall be used only to build a city hall and to purchase a site therefor."

33. Strike section seven and substitute the following:

"Sec. 7. Main sewer fund.

Any city of the first class shall have power to levy annually not ex-

ceeding five (5) mills which shall be used only to pay for the construction, reconstruction or repair of any main sewer within the city, but the aggregate tax levied by such city in any one year for a sewer fund, district sewer fund and main sewer fund shall not exceed eight (8) mills."

34. Strike section eight and substitute the following:

"Sec. 8. Park tax.

Cities having a population of eighty-five thousand (85,000) or more shall have power to levy annually, in addition to all other taxes for park purposes, not exceeding one-half ($\frac{1}{2}$) mill which shall be used only to purchase real estate for park, art, or memorial purposes."

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. 301, a bill for an act legalizing the action of the board of directors of the independent school district of Toledo, Tama county, Iowa.

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 legalizing the corporate acts and proceedings of the St. Anthony Savings Bank, St. Anthony, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 306, a bill for an act legalizing certain acts and resolutions of the board of supervisors of Black Hawk county, Iowa.

Also, That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 19, a bill for an act relating to memorial halls and monuments for soldiers, sailors and marines.

Also: That the House has concurred in Senate amendments to House File No. 266, a bill for an act relating to jurors.

Also: That the House has concurred in Senate amendments to House File No. 196, a bill for an act relating to regulation of carriers and definition of terms.

Also: That the House has concurred in Senate amendments to House File No. 261-A, a bill for an act relating to drugs, poisons, narcotics and abortifacients.

Also: That the House has concurred in Senate amendments to House File No. 57, a bill for an act relating to lost property.

Also: That the House has concurred in Senate amendments to House File No. 77, a bill for an act relating to conveyances.

Also: That the House has concurred in Senate amendments to House File No. 100, a bill for an act relating to education.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 14 amending joint rule No. 1.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator McIntosh, House 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, was taken up and considered, the vote by which it passed the Senate and the vote by which it passed to its third reading having been reconsidered.

The vote by which the following amendment was adopted was reconsidered:

Amend by inserting after the word "appointive" in line 1 of section 1 the following: "officer, except the insurance commissioner,".

Senator Browne invoked rule 8.

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

Ayes, 24.

Banta	Haskell	Newberry	Shane
Caldwell	Holdoegel	Perkins	Slosson
Darting	Horchem	Price	Smith
Fulton	Kimberly	Reed	Stoddard
Gilchrist	Mantz	Scott	White
Hale	Mead	Shaff	Wichman

Nays, 18.

Abbēn	Browne	Johnston	Schmedika
Baird	Buser	McIntosh	Shinn
Bowman	Campbell	Nelson	Snook
Brookhart	Ethell	Romkey	Thurston
Brookins	Hartman		

Absent or not voting, 8.

Adams	Cessna	Goodwin	Rees
Bergman	Dutcher	Olson	Tuck

The amendment was adopted.

The bill was read for information.

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

Senator Browne invoked rule 8.

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

Ayes, 31.

Abben	Fulton	Mantz	Shane
Baird	Gilchrist	Mead	Slosson
Banta	Hale	Newberry	Smith
Bowman	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	White
Darting	Horchem	Scott	Wichman
Ethell	Kimberly	Shaff	

Nays, 11.

Brookhart	Campbell	Nelson	Shinn
Browne	Johnston	Romkey	Snook
Buser	McIntosh	Schmedika	

Absent or not voting, 8.

Adams	Cessna	Goodwin	Rees
Bergman	Dutcher	Olson	Tuck

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

HOUSE AMENDMENTS CONSIDERED

Senator Scott called up for consideration Senate File No. 205, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out all that follows the word "appointment" in section two (2).

Also by inserting after the word "annually," and before the word "from" in line seven (7) of section seven (7) the following: "for the biennium ending June thirtieth, nineteen hundred twenty-five (1925)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 29.

Abben	Gilchrist	Mead	Shane
Baird	Hale	Newberry	Slosson
Banta	Hartman	Perkins	Smith
Bowman	Haskell	Price	Stoddard
Brookins	Holdoegel	Reed	White
Caldwell	Horchem	Scott	Wichman
Darting	Kimberly	Shaff	
Fulton	Mantz		

Nays, 5.

Browne	Romkey	Schmedika	Shinn
Johnston			

Absent or not voting, 16.

Adams	Campbell	Goodwin	Rees
Bergman	Cessna	McIntosh	Snook
Brookhart	Dutcher	Nelson	Thurston
Buser	Ethell	Olson	Tuck

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Mantz moved that rule 33 be suspended until 12 o'clock.

Senator Campbell invoked rule 8.

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

Ayes, 26.

Banta	Darting	Mantz	Shinn
Bowman	Ethell	Mead	Slosson
Brookhart	Gilchrist	Price	Smith
Brookins	Hale	Reed	Stoddard
Caldwell	Haskell	Shaff	White
Campbell	Horchem	Shane	Wichman
Cessna	Kimberly		

Nays, 16.

Abben	Fulton	Nelson	Schmedika
Baird	Hartman	Newberry	Scott
Browne	Johnston	Perkins	Snook
Buser	McIntosh	Romkey	Thurston

Absent or not voting, 8.

Adams	Dutcher	Holdoegel	Rees
Bergman	Goodwin	Olson	Tuck

The motion was lost.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 54
CONSIDERED

On motion of Senator Mead, the following report was considered:

MR. PRESIDENT: Your conference committee on Substitute for House File No. 54 beg leave to recommend the following as a settlement for the differences now existing between the House and Senate:

(1) That the House concur in Senate amendments to sections 5, 7 and 14.

(2) That the Senate recede from its amendments to section 24 and that section 24 of the bill be stricken and the following substituted in lieu thereof:

"Sec. 24. Size limits.

No person shall at any time kill, destroy, have in possession or under control, for any purpose whatever, any pike, pickerel or blue or channel catfish less than twelve (12) inches in length, any bass (except rock or silver bass which shall not be less than seven (7) inches in length) less than ten inches (10) in length, or any trout or crappie less than eight (8) inches in length, or any perch less than seven (7) inches in length, or any sunfish less than six (6) inches in length, except as otherwise provided in this chapter when using licensed nets or seines. Any such fish taken shall be immediately returned to the water with as little injury to the fish as possible."

(3) That the House concur in Senate amendments to section 25.

(4) Also that the House concur in the Senate amendment inserting section 32-a1.

(5) Also that the House concur in the Senate amendments to sections 35, 38, 38-a1 and 40.

(6) That the Senate recede from its amendment to section 55 and that section 55 be amended by striking from line 4 the words "November fourteenth" and substituting the words "October thirty-first."

(7) That the House concur in the second Senate amendment to section 55.

(8) That the Senate recede from its amendment to section 56.

(9) That the House concur in Senate amendment to section 74 and also the Senate amendment inserting section 74-a1.

(10) That the bill be further amended by striking lines 10, 11, 12 and 13 of section 17 and inserting in lieu thereof the following:

"1. For resident of the state for fishing with hook and line in stocked meandered lakes and hunting, one dollar (\$1.00).

2. For nonresident or resident alien, for fishing with hook and line and trot-line in any state waters, three dollars (\$3.00)."

(11) That the bill be further amended by striking out the words "and trot-line" from lines 3 and 4 of section 19 and inserting in lieu thereof the words "in stock meandered lakes".

O. L. MEAD

JNO. R. PRICE

BYRON W. NEWBERRY

H. C. ADAMS

Senate Conferees.

FRANCIS JOHNSON

L. T. QUIRK

C. A. KNUTSON

THEO. C. BLUME

House Conferees.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 31.

Abben	Darting	Kimberly	Scott
Baird	Ethell	McIntosh	Shaff
Banta	Fulton	Mantz	Slosson
Brookhart	Hale	Mead	Smith
Brookins	Hartman	Newberry	Stoddard
Browne	Haskell	Perkins	White
Caldwell	Holdoegel	Price	Wichman
Campbell	Horchem	Reed	

Nays, 4.

Buser	Johnston	Nelson	Snook
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Absent or not voting, 15.

Adams	Dutcher	Rees	Shinn
Bergman	Gilchrist	Romkey	Thurston
Bowman	Goodwin	Schmedika	Tuck
Cessna	Olson	Shane	

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Smith moved that Senate File No. 7 be made a special order for tomorrow at 10:30 a. m., which motion prevailed.

CALL OF THE SENATE FILED

MR. PRESIDENT: We, the undersigned members of the Senate request a call of the Senate when the special budget bill No. 7 is called for consideration.

J. O. SHAFF	J. E. WICHMAN
P. C. HOLDOEGEL	J. M. SLOSSON
ED. M. SMITH	CARL W. REED
W. G. HASKELL	CHARLES M. DUTCHER
B. W. NEWBERRY	B. M. STODDARD
GEORGE S. BANTA	GEO. P. PERKINS
R. P. SCOTT	W. S. BAIRD

By unanimous consent on request of Senator Mantz Senators Bergman and Rees were excused from the call of the Senate.

By unanimous consent, on request of Senator Hale, Senator Tuck was excused from the call of the Senate.

The Journal of March 24th was corrected and approved.

Senator Shaff moved that the Senate adjourn until 4:00 p. m. today, which motion prevailed.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

REPORT OF COMMITTEE

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 307, a bill for an act to legalize the transfer of money from the general fund to the schoolhouse fund of the consolidated independent school district of Laurens, Pocahontas 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.

CONCURRENT RESOLUTION NO. 15

Senator Buser offered the following resolution:

Whereas, The fundamental industry of this country is agriculture; and
Whereas, The purity of seeds used in agriculture is an important factor in that industry; and

Whereas, State laws cannot effectively meet the problem of purity in seeds used in agriculture because of interstate shipments; therefore,

Be It Resolved by the Senate, the House concurring: That the General Assembly of Iowa respectfully urges upon Congress the enactment of an efficient national pure seed law which will supplement existing state legislation upon the same subject.

Be It Further Resolved: That a copy of this resolution be mailed to each United States Senator and each member of Congress from Iowa.

COMMITTEE ON AGRICULTURE.

By J. D. BUSER, *Chairman.*

By unanimous consent the resolution was taken up and considered.

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

Ayes, 35.

Abben	Cessna	McIntosh	Shaff
Adams	Darting	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Neisson	Slosson
Brookhart	Hartman	Newberry	Snook
Browne	Haskell	Perkins	Stoddard
Buser	Holdoegel	Reef	Thurston
Caldwell	Horchem	Romkey	Wichman
Campbell	Kimberly	Scott	

Nays, none.

Absent or not voting, 15.

Bergman	Gilchrist	Olson	Smith
Bowman	Goodwin	Price	Tuck
Brookins	Hale	Rees	White
Dutcher	Johnston	Schmedika	

The motion prevailed and the resolution was adopted.

SENATE FILE NO. 57 WITHDRAWN

On motion of Senator Reed the rules were suspended, and the vote by which Senate File No. 57 passed the Senate, and also the vote by which the bill passed to its third reading, were reconsidered.

By unanimous consent, on request of Senator Reed, the bill was withdrawn, the companion bill having passed.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 260, a bill for an act to amend, revise, and codify chapters two (2), three (3), four (4), and ten (10) of title six (6), 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, 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 chapters one-A (1-A), four-A (4-A), nine-A (9-A), and eleven (11) of title six (6), of the supplement to the compiled code of Iowa, relating to public health.

The following committee amendment was considered:

8. Amend section 14-A-1 by striking therefrom the following: "one manufacturer or wholesale dealer of plumbing materials, one master plumber, one journeyman plumber and one city plumbing inspector," and insert in lieu thereof the following: "the housing commissioner and one journeyman plumber".

Senator Buser offered the following amendment to the committee amendment and moved its adoption:

Amend by striking from lines 2 and 3 the words "one master plumber."

Senator Banta offered the following as a substitute for the committee amendment and the amendment pending thereto:

Strike out the last two sentences of Sec. 14-A1 and insert in lieu thereof the following:

"Such committee shall consist of the engineer who is head of the division of sanitary engineering, the commissioner of health, the housing commissioner, one master plumber and one journeyman plumber. The engineer member shall be chairman of the committee."

The committee amendment, and the amendment thereto offered by Senator Buser, were withdrawn.

The amendment offered by Senator Banta was adopted.

The following committee amendments were adopted:

9. Insert after the word "treasurer" as it occurs in line 5 of section 14-A-4 the words "of the state".

10. Change the period after the word "plumbing" in the last line of section 14-A-4 and insert a comma (,) and add the following words: "plumbers license and application blanks".

The following amendment was considered:

11. Amend section 27 by striking lines 4 to 17, inclusive, and substituting in lieu thereof as subsection 3 the following: "Five health officers to be appointed by the Governor and who shall serve for a period of two years."

Senator Shane offered the following amendment to the committee amendment:

Add the following:

"Sec. 27-a1. Appointment of members of board of health.

The governor shall appoint, prior to the second Tuesday in January in nineteen hundred twenty-five (1925) and every two (2) years thereafter, the five (5) health officers provided for in the preceding section, who shall serve for a period of two (2) years or until their successors are appointed and qualify."

The amendment was adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend committee amendment No. 11 by striking the period after the word "years" and adding the following: "and not more than one member shall be appointed from any one congressional district."

The amendment was adopted and the committee amendment, as amended, was adopted.

The following committee amendments were considered:

12. Strike the word and figure "nine (9)" in line 6 section 30 and insert in lieu thereof the following: "a majority of the".

13. Strike all of section 35 after the word "from" in line 2 and insert in lieu thereof the following: "funds not otherwise appropriated in the general fund of the state".

The amendments were adopted.

Committee amendment No. 14 was withdrawn.

The amendment previously offered by Senator Stoddard was withdrawn.

The following committee amendment was considered:

15. Amend section 242-A-2 by adding thereto the following: "who shall receive thirty-six hundred dollars (\$3600) per year for his services and give bond in an amount approved by the executive council for the faithful performance of his duty".

Senator Shane offered the following amendment as a substitute for committee amendment No. 15:

Amend section 242-A-2 by adding thereto the following:

"The engineer so appointed shall receive thirty-six hundred dollars (\$3600.00) per year for his services, which shall be paid out of any funds in the state treasury not otherwise appropriated."

Senator Buser offered the following amendment to the pending amendment offered as a substitute:

Amend by striking out the words and figures "thirty-six hundred dollars (\$3600.00)" and inserting in lieu thereof the words and figures "twenty-five hundred dollars (\$2500.00)".

Senator Ethell moved the previous question on the last amendment, which motion prevailed.

Senator Buser withdrew the amendment filed by him.

Senator Holdoegel invoked rule 8.

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

Ayes, 23.

Abben	Cessna	Kimberly	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Hale	Mead	Shane
Banta	Haskell	Newberry	Stoddard
Bowman	Holdoegel	Perkins	Wichman
Brookings	Horchem	Reed	

Nays, 14.

Brookhart	Darting	Nelson	Shinn
Browne	Ethell	Price	Snook
Buser	Fulton	Romkey	Thurston
Campbell	McIntosh		

Absent or not voting, 13.

Bergman	Hartman	Rees	Smith
Caldwell	Johnston	Schmedika	Tuck
Gilchrist	Olson	Slosson	White
Goodwin			

The amendment was adopted.

Senator Newberry offered the following amendment and moved its adoption:

Amend subsection 5 of section 14 of House File No. 260 by striking out the period (.) after the word "state" and inserting in lieu thereof a comma (,) and adding the following: "and, upon request of the local health officer or upon a petition of five (5) or more citizens, residents in the community involved, shall make inspection of the sanitary, physical, and structural condition of any school or public building in the state, and shall recommend to the local board of health the necessary measures for the maintenance of such buildings in a sanitary and safe condition."

By unanimous consent, on request of Senator Newberry, the words "and grounds" were inserted after the word "building" in line 6 of the printed amendment.

On motion of Senator Mantz the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 26, 1924.

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

Prayer was offered by Rev. J. H. Garrison, A. M. E. church, Keokuk, Iowa.

On motion of Senator Shinn, rule 33 was suspended for the day.

REPORTS OF COMMITTEES

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File No. 186, 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, begs leave to report it has had the same under consideration and recommends the passage of the following substitute:

Substitute for Senate File No. 186, by the committee on conservation, 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.

A. T. BROOKINS, *Chairman.*

Ordered passed on file.

Senator Holdoegel submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 121, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) 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 and to toll bridges and ferries, 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:

1. Amend Section 1 by striking out lines 1 to 13 inclusive and inserting in lieu thereof the following:

"The board of supervisors shall, annually, at the September session of the board, levy the following taxes:

A county road tax which shall be not more than two and one-half ($2\frac{1}{2}$) mills on all taxable property within cities and towns, and not more than three mills on all taxable property outside cities and towns. In all cases the levy on property within cities and towns shall be one-half ($\frac{1}{2}$) mill less than the levy on property outside cities and towns. The proceeds of said levy shall be kept as a county road fund and shall be used, except as otherwise provided, solely for the purchase of road tools, machinery and equipment, for the drainage of roads, for filling over culverts and bridge approaches, for the elimination of dangers at railroad crossings on both county and township roads, and for work on the county road system."

2. Amend Section 1 by adding immediately after the section the following:

"Sec. 1-a1. Road levy in municipalities.

Any city or town, including cities acting under special charter, may, in addition to all other levies now authorized by law, levy a road tax of not to exceed one-half ($\frac{1}{2}$) mill and expend the same on the roads and streets of such city or town."

3. Amend sub-section 3 of Section 1 by striking out of lines 26 and 27 the words, "in the payment of" and inserting in lieu thereof the following: "to pay for"; Also by striking the words "of all" in line 28 and inserting in lieu thereof the word "for".

4. Amend by striking out Section 2 and by inserting in lieu thereof the following:

"Sec. 2. County road system.

The county road system:

1. Shall not embrace any part of a primary road.
2. Shall not embrace any highway within cities and towns except as herein provided.
3. May embrace highways which are located along the corporate limits of cities and towns and which are partly within and partly without such limits.
4. May embrace a street or highway which is within the limits of a town when such highway is a direct continuation of the county road system outside said town, provided the board of supervisors and the council can agree in writing as to the manner in which said street or highway is being improved, and provided such contract is approved by the state highway commission.

Nothing in this paragraph shall take from such town the general municipal control and police regulation which it now has over such street or the right to further improve such street by paving the same.

5. Shall, subject to the foregoing, embrace the highways which are now designated as county roads by the plans and records now on file in the county auditor's office of each county and in the office of the state highway commission and as the same may hereafter exist by legal modifications or additions."

5. Amend Section 4 by striking out all of line 3 following the word "may"; also by striking out all of lines 4, 5, 6 and 7 and all of line 8 preceding the word "select"; also following the word "select" in line 8 insert the word "such"; also following the word "roads" in line 8 insert the words, "as their finances may warrant"; also insert the words "or improve" following the word "shorten" in line 12 of section 4.

6. Amend section 7 by striking out the word "general" in line 4; also by inserting after the period following the word "fund" in line 4 the following: "provided, however, that whenever any county road or bridge construction or work other than repairs and maintenance work is undertaken, the Board shall employ an engineer".

7. Amend section 11 by striking all of that portion of said section following the period after the word "same" in line 8.

8. Amend section 12 by inserting the words "state highway" before the word "commission" in line 2.

9. Amend section 13 by striking out of lines 6 and 7 the words "after the contract or plan has been approved by" and inserting in lieu thereof the following: "subject to the approval of".

10. Amend section 17 by striking out of lines 2 and 3 the words, "in such sum as the board of supervisors may deem necessary" and inserting in lieu thereof the words "in a sum not less than seventy-five per cent (75%) of the contract price".

11. Amend section 18 by inserting after the word "no" in line 1 the words "provision in a".

12. Amend section 23 by adding thereto as section 23-a1 the following:

"Section 23-a1. Procedure.

The procedure for the condemnation of land in the establishment of highways shall be followed in the condemnation of land in order to obtain gravel beds and a road thereto."

13. Amend section 24 by inserting after the word "parties" in line 4 the words "or municipal corporations"; also by inserting the words "street or" after the word "any" in line 5; also by inserting the words "streets or" after the word "such" in line 7.

14. Amend section 27 by adding after the period following the word "county" in line 12 the following: "Should either county fail or refuse to comply with said order, the said Commission may by suitable court action compel a compliance therewith."

15. Amend section 28 by striking out the last sentence of said section.

16. Amend section 30 by striking out the word "trustees" in line 8 and substituting the word "supervisors".

17. Amend section 34 by adding after the word "appropriate" in line 2 the words "out of the bridge fund".

18. Amend section 35 by adding after the word "appropriate" in line 2 the words "out of the bridge fund".

19. Amend section 40 by inserting after the word "fill" in line 3 the word "over".

20. Amend section 41 by inserting after the word "shall" in line 1 the following: "when necessary".

21. Amend section 45 by inserting after the word "county" in line 3 the words "except in counties having less than three newspapers, said notices shall be published in all of the newspapers".

22. Amend section 48 by adding after the word "made" in line 5 the words "in the use of said bridge"; also by inserting after the word "railways" in line 5 the following: "or between other utilities".

23. Amend by adding to the bill as sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66 and 67, the following, drawn by J. H. Trewin:

"Sec. 51. In addition to other methods provided by law for the improvement of roads, any county may issue bonds for the purpose of raising funds to pay the cost of draining, grading, bridging, paving and /or graveling, and completing the construction of the primary and county roads and may levy taxes for the payment of such portions of said bonds and the interest thereon as are not paid by the primary road fund or the county road, drainage and bridge and culvert funds, when authorized by a vote of the people, by proceeding as hereinafter provided.

Sec. 52. The board of supervisors may by resolution or upon petition of at least one hundred voters of the county, shall propose a program of highway improvement, specifying the portions of primary and/or county roads proposed to be improved, the general nature of the improvements, the time within which it is proposed to complete said improvements, and the estimated cost of each of the roads included in said program.

Sec. 53. Said proposed program of improvement as to primary roads shall be forwarded to the state highway commission for review and approval. The commission shall forthwith examine said program and if the same meets with its approval, shall promptly return same to the county board with its approval noted thereon. If the said proposed program should not meet with the commission's approval, then the same shall be promptly returned to the county board with a full and complete statement of the modifications required. Said program of improvements on the primary roads as approved by the state highway commission shall become the 'proposed program'. Said proposed program as to county roads need not be submitted to the commission.

Sec. 54. In examining said primary road program, the commission shall take into consideration and be governed by the requirements of the federal aid road law, which provides:

'Section 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 of 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.'

Sec. 55. The board of supervisors shall fix a time for hearing upon said proposed program of improvement and the county auditor shall cause to be published in two newspapers of general circulation in the county once each week for two (2) weeks, a notice of such hearing and a description of the roads proposed to be improved, the general nature of the proposed improvements, and an estimate of the cost of each road proposed to be improved. At such hearing any citizen may appear and object and be heard. After the hearing the board may dismiss the proceedings or shall adopt a program for road improvements substantially as proposed.

Sec. 56. The board may, or upon petition of a number of qualified electors of the county equal to ten per cent (10%) of the total number of votes cast for governor in said county at the last preceding general election, must submit a program which will not conflict with the Federal Aid Law, to the voters of the county at a general election or at a special election called for that purpose, the questions of issuing bonds from year to year to be designated as primary road bonds or county road bonds, as the case may be, and of raising funds with which to pay said bonds and the interest thereon as the same may become due.

Sec. 57. The form of the ballot shall be substantially as follows:

'1. Shall the board of supervisors be authorized to issue from year to year, serial bonds to be known as primary road bonds, in the aggregate amount not exceeding _____ Dollars, to provide funds in the following amounts and for the following purposes:

(a) _____ Dollars (\$——) for draining, grading, bridging, hard surfacing and completing the construction of primary roads described as follows: (Here set forth the location of the primary roads to be graded, drained, bridged, and hard surfaced, the length and estimated cost of each portion thereof.)

(b) _____ Dollars (\$——) for draining, grading, bridging and completing construction without surfacing primary roads described as follows: (Here set forth the location of the primary roads to be drained, graded and construction work completed without surfacing, the length and estimated cost of each portion thereof.)

(c) _____ Dollars (\$——) for surfacing with gravel primary roads described as follows: (Here set forth the location of the primary roads to be surfaced with gravel, and the length and estimated cost of each portion thereof.)

2. And shall the county's allotment of the primary road fund, except such portion as is required for the maintenance of the primary road system, miscellaneous expenditures, and the payment of outstanding indebtedness (if any) against the primary road fund, be appropriated and used for the payment of said primary road bonds and interest thereon.

3. Shall the board of supervisors be authorized to issue from year to

year, serial bonds to be known as county bonds, in the aggregate amount not exceeding _____ Dollars, to provide funds for the following purposes:

(a) _____ Dollars (\$——) for draining, grading, bridging, and completing construction without surfacing, the county roads described as follows: (Here set forth the location of the county roads to be drained, graded and construction completed without surfacing the length and estimated cost of each portion thereof.)

(b) _____ Dollars (\$——) for surfacing with gravel county roads described as follows: (Here set forth the location of the county roads to be surfaced with gravel, the length and estimated cost of each portion thereof.)

4. And shall all the county road, drainage, and bridge funds coming into the county treasury from taxes and all other sources, except such as are required for the maintenance of such roads, the construction of bridges and miscellaneous expenditures, be appropriated and used for the payment of said county road bonds and interest thereon.

5. And shall the board of supervisors of the county be authorized to levy and collect taxes on all the taxable property of the county from year to year, in amounts sufficient to pay any part of the principal and the interest on said bonds of both classes, as the same mature, which the funds so appropriated are insufficient to pay.

YES () NO ()

Sec. 58. The propositions for the improvement of primary roads and of county roads may be submitted by the board as a single proposition or separately.

Sec. 59. All bonds issued hereunder for grading, draining, bridging, or paving, shall mature in not more than fifteen years from date of issue. All bonds issued hereunder for graveling shall mature in not more than seven years from date of issue. Each bond shall show on its face the date of its maturity and shall be payable on said date. The interest rate shall not exceed five per cent (5%) per annum payable semi-annually. No bond shall be sold for less than par plus accrued interest.

Sec. 60. If at said election, the said proposition as to primary roads or as to the primary and county roads carries, the state highway commission shall on or before September first each year during the life of said primary road bonds, set aside from said county's allotment of the primary road fund:

1. A sufficient amount to maintain the primary road system of said county during the ensuing year.

2. A sufficient amount to pay the maturing principal and interest of primary road bonds and / or certificates (if any) heretofore issued under other provisions of law.

3. A sufficient amount to meet any unavoidable miscellaneous necessary expenditures on the primary road system not properly chargeable to maintenance.

The amount remaining in said county's allotment of the primary road fund after said funds have been set aside for each year during the life of said bonds, is, insofar as necessary, hereby appropriated, dedicated, and pledged to the payment of the principal and interest of primary road bonds issued hereunder, and shall be used for no other purpose.

Sec. 61. If at said election the said proposition as to county roads or as to both county and primary roads, carries, the board of supervisors shall make a budget of the county road, the county road drainage and the county bridge and culvert funds separately and shall set aside funds for each of said purposes sufficient for the maintenance and drainage of the county roads and the building of necessary county bridges and culverts.

Sec. 62. The board of supervisors shall levy and collect from year to year a sufficient amount of taxes which, together with said appropriated funds, shall be sufficient to pay the bonds herein authorized to be issued, and the interest thereon as the same mature, for primary or county roads or both, as the case may be, and none of said funds so to be appropriated or taxes to be levied and collected shall be used for any other purpose than the payment of said bonds and interest until the same are fully paid.

Sec. 63. No amount of additional taxes herein authorized for the payment of primary or county road bonds and / or interest thereon, shall be levied unless and until all the funds and maximum tax levies herein pledged respectively for such purposes have been exhausted.

Sec. 64. The aggregate cost of improving each kind of road described in the questions submitted, shall not be more than ten per cent (10%) in excess of the estimated cost thereof.

Sec. 65. All the provisions of law with reference to voting primary road bonds and the issuance and sale thereof shall apply to bonds issued hereunder, and all provisions of the primary and county road laws, respectively, shall apply to highway improvements made hereunder, all except as herein otherwise provided.

Sec. 66. The funds herein authorized to be set aside for maintaining the primary and county roads, respectively, shall be sufficient, insofar as existing sources of revenue will permit, to maintain said roads continuously in a good state of repair. Consideration shall be given to the maintenance of completed roads, to the end that investment therein shall be protected and preserved. The funds so set aside for maintenance shall be used only for such purpose, and any taxpayer of the county may enforce the provisions of this section by appropriate action at law or in equity in any court of competent jurisdiction.

Sec. 67. This act being deemed of immediate importance, shall be in full force and effect after its publication in the Des Moines Daily News and Plain Talk, newspapers published in the city of Des Moines, Iowa.

Also, to amend the title by changing the period at the end thereof to a comma, and adding the following: 'and relating to the improvement of primary and county road systems and the issuance of bonds therefor, and anticipating primary road funds for primary road bonds, and county road

funds for county road bonds, and relating to taxation for the payment of both kinds of said bonds and the interest thereon, and providing a method additional to that now provided by law for improvement and maintenance of primary and county roads.'"

P. C. HOLDEN, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS

Senate File No. 308, by committee on departmental affairs, a bill for an act to amend section thirteen (13) of chapter ninety-seven (97) of the acts of the Fortieth General Assembly (S. C. C. 3081-a12), relating to the forfeiture of certificate of motor carriers and providing penalties for the violation of the statutes, rules and regulations promulgated thereunder.

Read first and second times and ordered placed on the calendar.

Substitute for Senate File No. 186, by committee on conservation, 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 times and ordered placed on the calendar.

Senator Brookins moved that 500 copies of Substitute for Senate File No. 186 be printed.

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. 25, a bill for an act relating to method of conducting elections.

Also: That the House has concurred in Senate amendments to House File No. 200, a bill for an act relating to interurban railways.

Also: That the House has refused to concur in Senate amendments to House File No. 236, a bill for an act relating to estates of decedents.

Also: That the House insists on its amendments to Senate File No. 27, a bill for an act relating to absent voters, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Aiken, Carter, Noble and Scott of Fremont.

A. C. GUSTAFSON, *Chief Clerk.*

MOTION TO RECONSIDER TAKEN UP

On motion of Senator Holdoegel the motion to reconsider the vote by which the conference committee report on Senate File No. 119 failed to be adopted was taken up and considered.

On the question "Shall the vote by which the conference committee report on Senate File No. 119 failed to be adopted be reconsidered?" the vote was:

Ayes, 28.

Abben	Dutcher	Horchem	Scott
Adams	Fulton	Kimberly	Shaff
Banta	Gilchrist	Mantz	Shane
Bowman	Goodwin	Mead	Slosson
Brookhart	Hale	Newberry	Smith
Brookins	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Reed	Tuck

Nays, 11.

Browne	Johnston	Romkey	Snook
Buser	Nelson	Schmedika	Thurston
Hartman	Price	Shinn	

Absent or not voting, 11.

Baird	Cessna	McIntosh	White
Bergman	Darting	Olson	Wichman
Campbell	Ethell	Rees	

The motion prevailed.

CONFERENCE REPORT ON SENATE FILE NO. 119 CONSIDERED

The conference committee report on Senate File No. 119, found on page 962, of the Journal of March 20th, was taken up and considered.

Senator Shaff moved the previous question, which motion prevailed.

Senator Holdoegel invoked rule 8.

On the question "Shall the conference report be adopted and concurred in?" the vote was:

Ayes, 39.

Abben	Browne	Goodwin	McIntosh
Adams	Caldwell	Hale	Mantz
Baird	Cessna	Hartman	Mead
Banta	Darting	Haskell	Nelson
Bewman	Dutcher	Holdoegel	Newberry
Brookhart	Fulton	Horchem	Olson
Brookins	Gilchrist	Kimberly	Perkins

Reed
Romkey
Scott

Shaff
Shane
Slosson

Smith
Stoddard
Tuck

White
Wichman

Nays, 9.

Buser
Campbell
Ethell

Johnston
Price

Schmedilla
Shinn

Snook
Thurston

Absent or not voting, 2.

Bergman

Rees

The conference committee report 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 conference report on Senate File No. 119 was adopted be reconsidered and that the motion be laid on the table.

Senator Price raised the point of order that the vote had once been reconsidered and could not be again reconsidered.

The President held the point well taken.

SENATE FILE NO. 281 RECONSIDERED

Senator Caldwell called up his motion filed to reconsider the vote by which Senate File No. 281 failed to pass the Senate.

The motion to reconsider prevailed.

On motion of Senator Buser the vote by which the bill passed to its third reading was reconsidered.

Senator Hale moved the previous question, which motion prevailed.

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

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

Ayes, 32.

Abben
Adams
Baird
Banta
Bowman

Brookins
Caldwell
Campbell
Cessna
Darting

Dutcher
Fulton
Gilchrist
Goodwin
Hale

Hartman
Haskell
Holdoegel
Horchem
Mantz

Mead	Price	Shaff	Stoddard
Olson	Reed	Shane	White
Perkins	Scott	Smith	Wichman

Nays, 14.

Brookhart	Johnston	Schmedika	Snook
Browne	McIntosh	Shinn	Thurston
Buser	Nelson	Slosson	Tuck
Ethell	Romkey		

Absent or not voting, 4.

Bergman	Kimberly	Newberry	Rees
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Wichman called up for consideration Senate File No. 25, amended by the House, and moved that the Senate concur in the following amendment:

Amend section 99-a1 by striking from line three (3) the words "except in" and all of lines four (4), five (5), and six (6).

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Abben	Darting	McIntosh	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Bowman	Gilchrist	Newberry	Smith
Brookings	Goodwin	Olson	Snook
Browne	Hale	Perkins	Stoddard
Buser	Hartman	Price	Tuck
Caldwell	Haskell	Reed	White
Campbell	Horchem	Scott	Wichman
Cessna	Kimberly		

Nays, none.

Absent or not voting, 8.

Bergman	Holdoegel	Rees	Schmedika
Brookhart	Johnston	Romkey	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

The Senate resumed consideration of House File No. 260, and the following pending amendment by Senator Newberry:

Amend subsection 5 of section 14 of House File No. 260 by striking out the period (.) after the word "state" and inserting in lieu thereof a comma (,) and adding the following: "and, upon request of the local health officer or upon a petition of five (5) or more citizens, residents in the community involved, shall make inspection of the sanitary, physical, and structural condition of any school or public building and grounds in the state, and shall recommend to the local board of health the necessary measures for the maintenance of such buildings in a sanitary and safe condition."

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

Ayes, 28.

Abben	Cessna	Haskell	Perkins
Adams	Darting	Holdoegel	Scott
Baird	Dutcher	Horchem	Shaff
Banta	Fulton	Kimberly	Shane
Bowman	Gilchrist	Mantz	Smith
Brookhart	Goodwin	Mead	Stoddard
Caldwell	Hale	Newberry	Wichman

Nays, 17.

Brookins	Hartman	Price	Shinn
Browne	Johnston	Reed	Slosson
Buser	McIntosh	Romkey	Thurston
Campbell	Nelson	Schmedika	Tuck
Ethell			

Absent or not voting, 5.

Bergman	Rees	Snook	White
Olson			

The amendment was adopted.

By unanimous consent, on request of Senator Shane, the words "and who shall serve for a period of two years" were struck out of the original committee amendment heretofore adopted. Likewise the words "and not more than one member shall be appointed from any one congressional district." were added to section 27-a1 instead of at the end of the original committee amendment number 11.

The following amendment filed by Senator Cessna was considered:

Amend subsection six (6) of section fourteen (14) by inserting in line eighteen (18) after the word "state" the following: ", of the public water supplies, sewer systems, sewage treatment plants, and garbage and refuse disposal plants,".

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

Ayes, 31.

Adams	Ethell	Nelson	Smith
Baird	Gilchrist	Price	Snook
Brookhart	Hartman	Reed	Stoddard
Brookins	Haskell	Remkey	Thurston
Buser	Holdoegel	Scott	Tuck
Campbell	Johnston	Shane	White
Cessna	Kimberly	Shane	Wichman
Darting	McIntosh	Shinn	

Nays, 8.

Abben	Dutcher	Horchem	Newberry
Banta	Fulton	Mantz	Perkins

Absent or not voting, 11.

Bergman	Caldwell	Mead	Shaff
Bowman	Goodwin	Olson	Slosson
Browne	Hale	Rees	

The amendment was adopted.

Senator Newberry offered the following amendment and moved its adoption:

Amend subsection 6 of section 14 by inserting after the word "upon" in line 18 of said section the following: "the request of the officer of the local board of health or".

The amendment was lost.

The following committee amendment was considered:

5. Amend section 14 by striking all of lines 21, 22, 23, and 24.

The amendment was adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend section 2, line 5, by striking out the word "person" and inserting in lieu thereof the words "physician or practitioner".

The amendment was adopted.

By unanimous consent Senator Brookins withdrew his amendment proposing to strike out sections 16-a7, 16-a8 and 16-a9.

Senator Brookins offered the following amendment and moved its adoption:

Strike out lines 11, 12, 13, and 14 of section 16-a1.

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

Ayes, 7.

Brookins Caldwell	Johnston Mead	Price Reed	Wichman
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Nays, 35.

Abben	Dutcher	Kimberly	Shane
Adams	Fulton	Mantz	Shinn
Baird	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Snook
Browne	Hale	Olson	Stoddard
Buser	Hartman	Perkins	Thurston
Campbell	Haskell	Romkey	Tuck
Cessna	Holdoegel	Schmedika	White
Darting	Horchem	Scott	

Absent or not voting, 8.

Bergman	Brookhart	McIntosh	Shaff
Bowman	Ethell	Rees	Smith

The amendment was lost.

The following amendments filed by Senator Price were considered:

Amend by striking out subsections 5 and 5-a1 of section 1 as amended and substituting in lieu thereof the following:

"5. 'Physician' shall mean a person licensed to practice medicine and surgery, osteopathy and surgery, osteopathy, or chiropractic, under the laws of this state."

Also amend by striking out the words "practitioner", "practitioners", and the words "or practitioners" wherever the same appear in the bill.

Senator Buser invoked rule 8.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 23.

Baird	Fulton	McIntosh	Shane
Bowman	Hartman	Nelson	Shinn
Brookhart	Haskell	Perkins	Stoddard
Brookins	Horchem	Price	Tuck
Caldwell	Johnston	Romkey	White
Cessna	Kimberly	Schmedika	

Nays, 21.

Abben	Dutcher	Holdoegel	Reel
Adams	Ethell	Mantz	Smith
Banta	Gilchrist	Mead	Snook
Browne	Goodwin	Newberry	Thurston
Buser	Hale	Olson	Wichman
Campbell			

Absent or not voting, 6.

Bergman	Rees	Shaff	Slosson
Darting	Scott		

The amendment was adopted.

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

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

Ayes, 35.

Abben	Cessna	McIntosh	Shane
Adams	Ethell	Nelson	Shtnn
Baird	Fulton	Newberry	Smith
Banta	Gilchrist	Olson	Snook
Brookhart	Goodwin	Perkins	Stoddard
Brookins	Hale	Price	Tuck
Buser	Hartman	Reed	White
Caldwell	Holdoegel	Romkey	Wichman
Campbell	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 15.

Bergman	Dutcher	Mantz	Shaff
Bowman	Haskell	Mead	Slosson
Browne	Horchem	Rees	Thurston
Darting	Johnston	Scott	

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 Senate File No. 260 passed the Senate be reconsidered and that the motion to reconsider be laid upon the table, which motion prevailed.

Senator Price moved that the Senate adjourn until 3:00 p. m.

Senator Smith moved to amend by making the time 1:30 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 1:30 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

There being a call of the Senate, the roll was called.

The roll call revealed the presence of the following Senators:

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

Senator Brookhart appeared and the call was declared complete, Senators Bergman and Rees having been excused from the call.

HOUSE AMENDMENTS CONSIDERED

Senator Smith called up for consideration Senate File No. 7, amended by the House as follows:

Strike out the title and insert in lieu thereof the following:

"A BILL FOR

An act to amend, revise and codify sections ninety-four (94), two hundred seventy-two (272), two hundred seventy-three (273), three hundred thirty-eight, (338), eight hundred seventy-two (872), twenty-three hundred seventeen (2317), twenty-three hundred fifty-one (2351), twenty-four hundred twenty-one (2421), twenty-six hundred eighteen (2618), twenty-nine hundred forty-eight (2948), sixty-four hundred seventy-three (6473), sixty-four hundred seventy-six (6476), ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa and sections thirty-nine-a six (39-a6), one hundred seventy-five-a sixteen (175-a16), two hundred forty-one-a thirty-two (241-a32), three hundred thirty-six (336), three hundred thirty-six-a one (336-a1), eleven hundred eighty-six (1186), twenty-three hundred forty-six-a one (2346-a1), twenty-three hundred seventy-four-a six (2374-a6), twenty-three hundred ninety-six-a one (2396-a1), twenty-four hundred thirty (2430), twenty-four hundred thirty-two-a one (2432-a1), twenty-four hundred forty-a one (2440-a1), twenty-five hundred one-a one (2501-a1), twenty-seven hundred seventy-five (2775), twenty-eight hundred sixty-four-a seven (2864-a7), thirty hundred eighty-one-a thirteen (3081-a13), fifty hundred forty-four-a one (5044-a1), and fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to said code, and sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly, relating to a budget or financial statement for the state, to the duties of various officers in relation thereto, and to various existing appropriations."

Amend by striking out all after the enacting clause and substituting therefor the following:

"That section ninety-four (94) of the compiled code of Iowa is amended, revised, and codified to read as follows:

CHAPTER ———

State Budget

Section 1. Director of the budget.

There is hereby created the office of director of the budget, which office shall be located at the seat of government.

Sec. 2. Appointment.

The governor shall, within sixty (60) days after the convening of the general assembly in nineteen hundred twenty-seven (1927) and every four (4) years thereafter, appoint, with the approval of two-thirds ($\frac{2}{3}$) of the members of the senate, a director of the budget. The senate shall not approve an appointment on the same legislative day on which it is submitted for approval.

Sec. 3. Qualification and bond.

Said director shall qualify as other public officers and shall give a bond in the sum of ten thousand dollars (\$10,000), which bond shall be approved by the state budget board and be filed in the office of the secretary of state.

Sec. 4. Tenure.

The director of the budget shall serve for a period of four (4) years from July first of the year of appointment.

Sec. 5. Vacancies.

All vacancies in the office of director of the budget that may occur while the general assembly is not in session shall be filled by appointment of the governor, which appointment shall expire at the end of thirty (30) days from the date on which the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its approval an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled as regular appointments before the end of said session and for the unexpired portion of the regular term.

Sec. 6. Temporary appointment.

On the taking effect of this act, the governor shall nominate and with the approval of two-thirds ($\frac{2}{3}$) of the senate, appoint a director of the budget, who shall serve until July first nineteen hundred twenty-seven (1927). A vacancy in the appointment provided for by this section shall be filled by the governor.

Sec. 7. Budget Board.

There is hereby created a board, to be known as the state budget

board, which shall consist of the governor, secretary of state, treasurer of state, auditor of state, and secretary of agriculture.

Sec. 8. Organization.

The governor shall be chairman and the secretary of agriculture shall be secretary of said board.

Sec. 9. Temporary salaries.

The state budget board shall on the taking effect of this act, fix the salary of the director of the budget and of all assistants for the period ending June thirtieth, nineteen hundred twenty-five (1925).

Sec. 10. Employees.

The budget director, with the approval of the budget board, shall employ such assistants as may be necessary to carry into effect the provisions of this chapter. Such assistants shall be under the direction of the director of the budget and shall be subject to dismissal by him.

Sec. 11. Expenses.

The members of the state budget board, the director of the budget, and all assistants shall be allowed their actual and necessary traveling expenses while in the performance of their duties.

Sec. 12. Reports to director.

On or before the first day of August, 1924, and on or before the first day of August biennially thereafter, every department of the state, except the legislative department, shall furnish the director of the budget with:

1. An estimate of all receipts of such department for the ensuing biennium and a comparison of such receipts with all the receipts of such department for the last two preceding bienniums.

2. An estimate of the needs of such department for the ensuing biennium, together with a comparison of all the expenditures of such department for the last two preceding bienniums.

3. Any other information that the director of the budget may require.

Each department shall set out in detail the reasons for the askings contained in such reports.

Sec. 13. Blanks.

Blanks for such reports shall be furnished by the director of the budget not later than the first day of June of such year.

Sec. 14. Duties of the director.

It shall be the duty of the director of the budget to prepare and present to the state budget board, on or before the first day of October of each even numbered year, a state budget report, which report shall show in detail the following:

1. Estimates of the expenditures and appropriations necessary, in his judgment, for the support of each department, classified by function, character, and object, for the ensuing biennium; a comparison of such estimates with the askings of such departments and with the expenditures of a like character for the last two preceding bienniums; and a

statement setting forth in detail the reasons for any recommended increases or decreases in the askings of the various departments.

2. Estimates of all receipts of the state, classified by departments, for the ensuing biennium, under laws existing at the time the budget report is transmitted; and a comparison of such estimated receipts with receipts of a like character for the last two preceding bienniums.

3. The expenditures and receipts of the state for the last completed fiscal year and estimates of the expenditures and receipts of the state for the fiscal year in progress.

4. A detailed statement of all appropriations in force under the then existing law, including balances of appropriations available for expenditure at the end of the last completed fiscal year.

5. Balanced statements of (a) condition of the treasury at the end of the last completed fiscal year; (b) the estimated condition of the treasury at the end of the fiscal year in progress; (c) the estimated condition of the treasury at the end of the next ensuing biennium, if his recommendations are adopted; (d) a statement of the taxable value of all the property of the state; (e) estimated amount, in dollars, necessary to be raised by a state levy; (f) the levy in mills necessary to produce such an amount; (g) such other data or information as the state budget board may direct.

The director of the budget shall also perform such other duties as the state budget board may require.

Sec. 15. Examinations and investigations.

The director of the budget shall have authority to make, or cause to be made, such examinations and investigations into the operation of any department as in his discretion, or that of the state budget board, may be necessary.

Sec. 16. Hearings.

After the filing of said state budget report, the state budget board shall hold public hearings at which the heads of departments, the heads of all institutions under the state board of education and state board of control, and all taxpayers or associations of taxpayers desiring to be heard, may be heard on the matters contained in said report.

Sec. 17. Appropriation bill.

The state budget board shall, not later than the thirty-first day of December, nineteen hundred twenty-four (1924), and not later than the thirty-first day of December, biennially thereafter, prepare a state appropriation bill for presentation to the ensuing general assembly.

Sec. 18. Explanation accompanying bill.

Accompanying such bill shall be a report of the state budget board, setting out in detail the reasons for changes made by it in any of the recommendations submitted by the director of the budget.

Sec. 19. Data accompanying bill.

The governor shall accompany said bill with the following data:

1. A record of the vote on each recommendation that was not unanimous.

2. Any recommendations of the minority of the board.

3. A statement of the taxable value of all the property of the state.

4 The amount, in dollars, necessary to be raised by a tax levy if the bill be enacted.

5. The estimated levy in mills necessary should the proposed appropriations be made.

6. All information, comparisons, and documents placed before the state budget board by the director of the budget, together with the reasons for decreases or increases in the recommendations of the said director of the budget.

Sec. 20. Governor to transmit bill.

The governor shall, at the time of delivering his biennial message, transmit to the senate and house of the general assembly, the state appropriation bill prepared by the state budget board.

Sec. 21. Status of bill.

Said appropriation bill, when so transmitted, shall be introduced in both houses by the chairmen of the committees on appropriations, shall be read a first and second time, and be referred to the committee on appropriations in the respective houses.

Sec. 22. Assistance of departments.

The budget board may call upon any department of the State Government to render any special assistance in connection with the preparation of the budget report, budget bill, and auditing accounts, which such department may be able to render.

Sec. 23. Departments must submit askings.

No estimate or request for an appropriation and no request for an increase in an item of any such estimate on request, and no recommendation as to how the revenue needs of the state should be met, shall be submitted to the senate or house or any committee thereof by any officer or employee of any department, except the governor, unless at the request of either house of the general assembly or of any standing committee in either house.

That sections two hundred seventy-two (272) and two hundred seventy-three (273) of the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 24. Director ex-officio state accountant.

The director of the budget shall, under the direction of the state budget board, act as the state director of accountancy and shall be responsible for the auditing of the books and accounts of all the departments of the state.

Sec. 25. Annual settlements.

The state budget board shall annually, and oftener if necessary, make or cause to be made, a full settlement between the state and all state

officers and department and all persons receiving or expending state funds, and shall annually make or cause to be made complete audit of the books and accounts of every department of the state. To this end the state budget board shall employ such accountants to assist the director of the budget as may be necessary.

Sec. 26. Report of audits.

The director of the budget shall, in writing, report all audits and examinations so made to the state budget board and in detail set out the following:

1. The actual condition found to exist on any examination.
2. Whether, in his opinion, the money expended has been expended for the purpose for which it was appropriated.
3. Whether, in his opinion, the department so audited and examined is efficiently conducted and if the maximum results for the money expended are obtained.
4. Whether, in his opinion, the work of the department so audited and examined conflicts with, or is a duplication of, the work done by any other department.
5. All illegal or unbusinesslike practices.
6. Any recommendations for greater simplicity, accuracy, efficiency, and lessened cost in the operation of the business of the state.
7. Comparisons of prices paid by the various departments for all commodities and services of a like character and reasons for difference in such prices, if any.
8. Any other information which, in his judgment, may be of value to the state budget board.

All such reports shall be filed and kept in the office of the director of the budget.

Sec. 27. Method of accounting.

The director of the budget, with the approval of the state budget board, shall have authority to direct the method, manner, and form in which the records and accounts of all state departments shall be kept when not otherwise specifically prescribed by law. It shall be the specific duty of the heads of all departments of the state to install and maintain in said departments the system of accounts and records prescribed therefor by said director, and failure to perform such duty shall be ground for suspension from office.

Nothing in this section shall be construed to interfere with the system of management and care of the institutions under the charge of the board of control, or of the state board of education.

Sec. 28. Definition.

The term "department" shall be construed to mean any authority charged by law with official responsibility for the expenditure of public money of the state and any agency receiving money from the general revenues of the state.

Sec. 29. Transfer of appropriations.

No transfer of appropriations or any part of any appropriation shall be made without authority of the General Assembly.

Sec. 30. Temporary appropriation.

There is hereby appropriated out of the funds in the state treasury not otherwise appropriated, a sum sufficient to carry into effect the provisions of this chapter. This appropriation shall expire on June thirtieth, nineteen hundred twenty-five (1925).

That section thirty-nine-a six (39-a6) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 31. Compensation and expenses.

For meetings of the committee other than those held during the time the legislature is in session, each member of the committee shall receive his actual traveling expenses and a per diem of ten dollars per day for each day in attendance.

Sec. 32. Temporary appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), from any moneys in the state treasury not otherwise appropriated, such sum as may be necessary to pay the expense and per diem provided for in the last preceding section.

That section one hundred seventy-five-a sixteen (175-a16) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 33. Assistants—appropriation.

The reporter of the supreme court may, by and with the consent of the supreme court, employ the necessary assistants and clerical help at such compensation as may be fixed by the supreme court, in addition to those otherwise provided by law, and there is hereby annually appropriated out of any money in the state treasury not otherwise appropriated the sum of five thousand dollars to be used for the purpose of carrying out the provisions of this section.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section two hundred forty-one-a thirty-two (241-a32) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 34. Appropriation.

There is hereby annually appropriated, until July first, nineteen hundred twenty-five (1925), out of any unappropriated funds in the state treasury a sum sufficient to pay all obligations incurred under this and the two following chapters of this title.

That section three hundred thirty-six (336) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 35. Guard support fund.

There is appropriated, until July first nineteen hundred twenty-five (1925), out of any moneys in the treasury not otherwise appropriated, the sum of two hundred sixty-five thousand dollars (\$265,000.00) per annum, or so much thereof as may be necessary, for the support of the guard under the provisions of this chapter not applying to active service, which shall be drawn by a warrant, drawn by the auditor of state on the state treasurer, upon the certificate of the adjutant general approved by the governor and checked by the state board of audit, showing for what purpose each draft is to be or has been used, and no indebtedness shall be created in excess of such annual appropriation.

That section three hundred thirty-six-a one (336-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 36. Camp Dodge maintenance fund.

There is hereby annually appropriated, until July first nineteen hundred twenty-five (1925), out of any funds in the state treasury not otherwise appropriated the sum of ten thousand dollars (\$10,000), 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.

That section three hundred thirty-eight (338) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 37. Appropriation for Grand Army of the Republic.

There is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury not otherwise appropriated, the sum of seven hundred fifty dollars annually, or so much thereof as may be necessary, for the use of the headquarters, department of Iowa, Grand Army of the Republic, for the payment of incidental office expenses, including postage, printing, telegraph, and telephone charges, and other expenses incident to the maintenance of said headquarters.

That section eight hundred seventy-two (872) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 38. Expenses.

The expenses incurred under the preceding sections of this chapter shall be audited by the state board of audit and shall be paid out of any money in the state treasury not otherwise appropriated upon warrants drawn by the auditor of state. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section eleven hundred eighty-six (1186) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 39. Annual appropriation.

For the purpose of carrying into effect the provisions of this chapter, there shall be appropriated out of the fish and game protection fund any portion thereof which is in the judgment of the executive council, unnec-

essary for the support and maintenance of the fish and game department, and in addition thereto there shall be appropriated annually out of any moneys in the state treasury not otherwise appropriated, the sum of seveny-five thousand dollars (\$75,000.00). This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-three hundred seventeen (2317) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 40. Appropriation.

For the purpose of carrying out the provision of this chapter, there is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of any moneys in the state treasury, not otherwise appropriated, the sum of one hundred fifty thousand dollars (\$150,000.00) annually hereafter.

That section twenty-three hundred forty-six-a one (2346-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 41. Permanent annual appropriations.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the state university of Iowa, the sum of seven hundred thousand dollars (\$700,000.00) annually hereafter for the following purposes:

Education support.....	\$454,700.00
College of applied science, liberal arts, law, pharmacy and medicine	68,350.00
College of dentistry.....	23,725.00
College of education.....	20,000.00
Graduate college.....	9,000.00
College of fine arts.....	3,000.00
University extension.....	17,000.00
Summer school.....	16,000.00
Equipment and supplies.....	12,500.00
Repair and contingent.....	35,000.00
Department of buildings and grounds.....	12,000.00
Administration	6,225.00
Library	17,500.00
Epidemiology laboratory.....	5,000.00

The permanent 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 first, of each year, with the exception of the summer school fund, sixteen thousand dollars, which shall be available on July first of each year. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-three hundred fifty-one (2351) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 42. Appropriation.

There is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of the money in the state treasury not otherwise appro-

priated the sum of twenty-five thousand dollars (\$25,000.00) annually hereafter for the maintenance of such a station and the furtherance of the objects, to be expended on the order and under the direction of said board of education.

That section twenty-three hundred seventy-four-a six (2374-a6) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 43. Appropriation.

There is hereby appropriated, out of the money in the state treasury not otherwise appropriated, 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 chapter; and the sum of twenty-one thousand two hundred thirteen dollars and sixty cents (\$21,213.60) annually hereafter, until July first, nineteen hundred twenty-five (1925) for the promotion of the welfare and hygiene of maternity and infancy, provided the provisions of said act of congress named in this chapter shall remain in force until said date.

That section twenty-three hundred ninety-six-a one (2396-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 44. Permanent annual appropriations.

There is hereby appropriated to the Iowa state college of agriculture and mechanic arts, out of any money in the state treasury not otherwise appropriated, the sum of nine hundred forty thousand dollars (\$940,000) annually hereafter for the following purposes:

Permanent collegiate support fund.....	\$505,000.00
Summer session.....	20,000.00
Two year and four year courses in home economics for home-makers and teachers.....	20,000.00
Subcollegiate courses in agriculture, home economics, and engineering	54,000.00
Contingent fund, repairs, and minor improvements.....	46,000.00
Library, books and periodicals.....	5,000.00
Maintenance and improvement of public grounds.....	10,000.00
	<hr/>
	660,000.00

and for,

Winter short courses in agriculture, home economics and en-

gineering and trade school work.....	9,500.00
Veterinary practitioners' courses.....	2,500.00
Engineering experiment station.....	15,000.00
Good roads experimentation.....	10,000.00
Agricultural experiment station	115,500.00
Agricultural and home economics extension.....	90,000.00
Engineering extension and trade schools.....	25,000.00
Veterinary investigations.....	12,500.00

280,000.00

The appropriations in this section shall be paid on the order of the Iowa state board of education, in monthly installments beginning July first, of each year, with the exception of the summer sessions fund of twenty thousand dollars (\$20,000), which shall be available on July first of each year and the winter short course fund of nine thousand five hundred dollars (\$9,500), which shall be available on January first each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-four hundred twenty-one (2421) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 45. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the general funds of the state treasury not otherwise appropriated the sum of fifteen hundred dollars (\$1,500) annually to carry out the provisions of the three preceding sections.

That section twenty-four hundred thirty (2430) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 46. Annual appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of any moneys not otherwise appropriated the sum of six thousand five hundred dollars (\$6,500) annually, or so much thereof as may be necessary, for carrying out the provisions of section twenty-four hundred twenty-five (2425) of this supplement, and sections twenty-four hundred twenty-six (2426) to twenty-four hundred twenty-nine (2429), inclusive, of the compiled code.

That section twenty-four hundred thirty-two-a one (2432-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 47. Permanent annual appropriations.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa state teachers college, the sum of two hundred eighty-five thousand dollars (\$285,000) annually hereafter for the following purposes:

Teachers' fund.....	\$139,500.00
Summer term fund.....	40,000.00
Contingent and repair.....	70,000.00
Library.....	5,000.00
Librarian's salary fund.....	8,500.00
Hospital fund.....	2,250.00
Extension service fund.....	19,750.00

The permanent 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 first, of each year, with the exception of the summer term fund, forty thousand dollars, (\$40,000), which shall be available on July first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-four hundred forty-a one (2440-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 48. Permanent annual appropriations.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the college for the blind, the sum of forty-one thousand six hundred dollars (\$41,600) annually hereafter for the following purposes:

Support fund	\$40,000.00
Repair and contingent fund.....	1,500.00
Oculist fund	100.00

The permanent 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 first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-five hundred one-a one (2501-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 49. Appropriations for institutes.

To defray the expenses of county teachers' institutes, there is hereby appropriated out of any moneys in the state treasury not otherwise set apart a sum not to exceed fifty dollars (\$50.00) annually for each institute held in each county, which sum the superintendent shall receive from the state treasurer, upon the warrant of the state auditor, to be issued to him upon his certificate; which amount, when drawn, shall be forthwith remitted to the proper county superintendent. If any balance remains of this sum after paying the expenses of the institute, it shall be covered into the county treasury of the proper county and credited to the institute fund.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-six hundred eighteen (2618) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 50. Appropriation.

For the purpose of carrying out the provisions of this chapter there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one hundred thousand dollars (\$100,000) annually.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-seven hundred seventy-five (2775) of the supplement to the compiled code of Iowa is amended, revised and codified to read as follows:

Sec. 51. Compensation and expenses.

No member of the commission shall ever receive any compensation for services as a member, but the traveling expenses of members in attending meetings of the commission, or in visiting or establishing libraries and other incidental and necessary expenses connected with the work of the commission, shall be paid, including the necessary expense in the maintenance and extension of the traveling library system.

Sec. 52. Appropriation.

There is hereby annually appropriated from any funds in the state treasury not otherwise appropriated, the sum of twelve thousand dollars (\$12,000) to carry into effect the provisions of the last preceding section, and any balance not expended in any one year may be added by the commission to the expenditure for any ensuing year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925), at which time any unexpended balance shall be credited to the general fund of the state.

That section twenty-eight hundred sixty-four-a seven (2864-a7) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 53. Appropriation.

There is hereby appropriated from any unappropriated funds now or hereafter in the state treasury an amount sufficient to pay the obligations created by this chapter. Said costs shall be paid only on itemized vouchers which shall carry a certificate from the chief engineer of the state highway commission that said improvement has been completed according to contract.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-nine hundred forty-eight (2948) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 54. Machinery for counties and highway commission.

The state highway commission, with the consent of the board of supervisors of any county, is authorized to purchase for and on behalf of any such county, road material or road machinery, after receiving competitive bids, and to pay for the same out of such county's allotment of the primary fund, and is directed to purchase, rent or lease any machinery or other articles necessary for the use and most economical operation of field engineering work, the testing of materials, the preparation of plans, and for allied purposes, in order to enable the commission to carry out the provisions of this chapter, and to pay for the same out of the state highway commission maintenance fund.

Sec. 55. Donations by federal government.

Should the government of the United States provide for free distribution among the states, of machinery or other equipment, suitable for use in road improvement, the state highway commission is empowered to receive and receipt for such machinery and equipment, and to take such action as will secure to the state the benefit of any such tenders by

the federal authorities. Said commission is further authorized, in the event of such distribution to the states by the federal authorities, to make such apportionment of said machinery or other equipment among the counties of the state as in its judgment will best facilitate work in progress or contemplated by any county or counties, but the title and right of possession of such property so received from the federal government shall at all times rest in the state highway commission for the use and benefit of the state.

Sec. 56. Appropriation.

The executive council is hereby authorized to pay the expense, if any, attending the transportation of such machinery or other equipment to the state of Iowa, out of any funds in the state treasury not otherwise appropriated. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section thirty hundred eighty-one-a thirteen (3081-a13) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 57. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury, not otherwise appropriated, the sum of ten thousand dollars (\$10,000.00) annually, or so much thereof as may be necessary, the same to be expended by the state railroad commission to carry out the provisions of this chapter.

That section fifty hundred forty-four-a one (5044-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 58. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury, not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000) annually, or so much thereof as may be necessary, the same to be expended by the state railroad commission in the preparation and submission of cases involving interstate rates or services affecting Iowa, and in the investigation and determination of all cases within its jurisdiction, and to defray the general expenses of the administration of the duties of the state railroad commission.

That section fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 59. Contingent fund.

For the purpose of carrying the provisions of this chapter into effect, and providing for the payment of necessary expenses not otherwise provided for, there is hereby appropriated, until July first, nineteen hundred twenty-five (1925), as a contingent fund for the use of the secretary of state during each biennial period the sum of twenty-five hundred dollars (\$2500.00). Payments from said fund shall be made on order of such secretary by warrant drawn by the said auditor of state against

such fund upon the state treasurer, an itemized statement of expense so incurred to be filed with the state board of audit.

That section sixty-four hundred seventy-three (6473) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 60. How constituted.

The members of the commission shall be selected with reference to their fitness for the duties required and at least one of them shall be a competent surveyor and civil engineer.

Sec. 61. Compensation.

They shall receive for their services such amount as the executive council may deem reasonable, to be certified by the executive council to the auditor of state, who shall draw his warrant for the amount, and the same shall be paid out of the general fund. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section sixty-four hundred seventy-six (6476) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 62. Expenses of survey, appraisement and advertising—how paid.

The expenses of the survey and the appraisement, the expenses of the secretary of state or the clerk of the state land office in making the trip into the county to select the commissioners to appraise the land, the expenses of advertising and readvertising for sale of the land, and the expenses of reappraising whenever such reappraisement is deemed necessary, shall be certified by the secretary of state to the auditor of state, who shall draw his warrant for the amount, and the same shall be paid out of the general fund. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That sections ninety hundred fifty-six (9056) and ninety hundred fifty seven (9057) of the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 62-a1. Power of special agents.

Special agents appointed by the governor shall have the rights and powers possessed by special agents of the department of justice appointed by the attorney general, and shall give bond in the same amount.

Sec. 62-a2. Salary and expenses.

Special agents appointed by the governor shall be paid their actual and necessary expenses incurred in the discharge of their duties, and such salary as the executive council shall fix. Not more than one special agent may be employed by the governor for a period in excess of thirty (30) days without the consent of the executive council.

Sec. 62-a3. Temporary appropriation.

There is appropriated, until July first, nineteen hundred twenty-five (1925), from any funds in the state treasury not otherwise appropriated, such sum as may be necessary to pay the salaries and expenses of special agents appointed by the governor.

That sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly, said House file being entitled "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 and making an appropriation for the expenses provided", are amended, revised, and codified to read as follows:

Sec. 62-a4. Special counsel.

No compensation shall be allowed to any person for services as an attorney or counselor to any department of the state government, or the head thereof, or to any state board or commission, except in cases specially authorized by law, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department can not for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. Such compensation shall, until July first, nineteen hundred twenty-five (1925), be payable out of any unappropriated funds in the state treasury.

Sec. 62-a5. Expenses.

The attorney general and his assistants shall be repaid their actual and necessary expenses incurred in transacting their official duties at places other than the seat of government.

Sec. 63. Interpretative clause.

The amendment, revision, and codification of sections thirty-one (31) to sixty-two-a5 (62-a5) inclusive, which embrace appropriations, is for the sole purpose of terminating said existing appropriations at the time indicated, and should any such appropriations as indicated in this act be in excess of those now authorized, they shall be reduced to said amount and in no case shall they be increased.

Sec. 64. Publication Clause.

This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines News and the Plain Talk, newspapers published in the City of Des Moines Iowa.

Senator Smith offered the following amendment to the House amendment to Senate File No. 7, and moved its adoption:

Strike out all after the enacting clause down to section thirty (30) and insert in lieu thereof the following:

"That sections ninety-four (94), two hundred seventy-two (272) and two hundred seventy-three (273) of the compiled code of Iowa are amended, revised, and codified to read as follows:

CHAPTER 1

State Budget Board

Section 1. State Budget Board.

There is hereby created a State Budget Board, which shall consist of three (3) members who shall be selected from the state at large solely with regard to their qualifications and fitness to discharge the duties of the office. Not more than two (2) members shall be of the same political party.

Sec. 2. Term of office.

The regular term of each member of the said board shall be for six years and the term of one member shall expire on the first day of July of each odd-numbered year.

Sec. 3. Appointment.

During the regular session of the Forty-first General Assembly, the Governor shall, with the approval of two-thirds ($\frac{2}{3}$) of the members of the senate in executive session, appoint one member of said board to serve for two years from July 1st next following, one for four years, and one for six years, and during each regular session of the legislature thereafter, the Governor shall appoint one member to succeed the member whose term expires on the first day of July thereafter.

Sec. 4. Confirmation.

No nomination shall be considered by the senate until the same has been referred to a committee of five (5), not more than three (3) of whom shall belong to the same political party. Said committee shall be appointed by the president of the senate, without motion, and shall report to the senate in executive session. Such report shall be made at any time when called for by the senate. The consideration of nominations by the senate shall not be had on the same legislative day that nominations are so referred.

Sec. 5. Removals.

The Governor, with the approval of a majority of the senate during a session of the general assembly, may remove any member of the board for malfeasance in office, or for any cause which would render him ineligible for appointment or incapable or unfit to discharge the duties of his office, and his removal, when so made, shall be final.

Sec. 6. Suspension.

When the general assembly is not in session, the Governor may suspend any member so disqualified and shall appoint another to fill the vacancy thus created, subject to the approval of the senate when next in session.

Sec. 7. Vacancies.

All vacancies on said board which may occur when the general assembly is not in session shall be filled by appointment by the Governor, which appointment shall expire at the end of thirty (30) days after the general assembly next convenes. Vacancies occurring during a session of the

general assembly shall be filled before the end of said session in the same manner in which regular appointments are required to be made.

Sec. 8. Temporary appointments.

The governor shall submit to the senate, at the second adjourned extra session of the Fortieth General Assembly, the names of three (3) persons appointed by him as members of said board to hold office until the first day of July, nineteen hundred twenty-five (1925), and the provisions of sections three to seven (7) inclusive shall, so far as applicable, govern said appointments.

Sec. 9. Meetings.

The board shall elect one of its members as chairman and another as secretary and shall be furnished an office at the seat of government and may hold meetings at such times and places in the state as it may determine.

Sec. 10. Duties of chairman and secretary.

The chairman shall preside at all meetings of the board and be the executive officer thereof, and the secretary shall keep a complete record of all proceedings of the board, in which shall be entered the vote of each member on all final decisions, and a file of all reports of departments and all reports made by members of the board or others conducting examinations and all such other matters as the board may direct, which records and files shall at all reasonable times be open to examination by any person interested.

Sec. 11. State accountant and employees.

The board shall appoint a state accountant and such assistants and other employees and agents as may be necessary properly to perform its duties, and shall prescribe their duties.

Sec. 12. General powers of the board.

The board shall have power, and it is hereby made its duty, to carry out and enforce all the provisions of this act, and to conduct hearings on all matters within its jurisdiction and render decisions thereon. It shall adopt rules governing appeals, hearings, and the determination of questions which may come before it, and such other rules as it may deem necessary.

Sec. 13. Additional powers of the board.

The board shall have power to cause any of the hearings provided for in this act, not specially required to be held by the board itself, to be held by any member of the board, the state accountant, or by any special agent appointed by the board for that purpose.

Sec. 14. Power to compel production of evidence.

Any member of the board, the state accountant, or any other person appointed by the board to conduct any examination or hearing, shall have power to subpoena witnesses, administer oaths to them, and compel witnesses to produce books, letters, documents, papers, statistics and all other

articles deemed essential to a full understanding of the matter under investigation.

Sec. 15. Refusal to obey subpoena.

Any witness failing to obey such subpoena shall be guilty of contempt and on report of such failure to the district court of the county in which such refusal occurs, such witness shall be punished for contempt by fine not exceeding one hundred dollars (\$100.00).

Sec. 16. Immunity of witness from prosecution.

No witness shall be exempt from testifying to any matter in any proceeding under the provisions of this act or from producing any books, papers, letters, or other documents or articles on the ground that the same would tend to render him criminally liable or to expose him to public ignominy, but such witness shall not be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury

Sec. 17. Hearings by board.

In case any hearing is held by a member of the board, the state accountant or a special agent, he shall file with the board the petition and other documents and a written report of the facts submitted at such hearing and his recommendations in respect thereto. The board shall promptly determine all matters submitted to it directly, or on reports of persons conducting hearings. The decisions of the board when so indicated shall be final.

Sec. 18. Salaries.

The executive council shall, until July first, nineteen hundred twenty-five (1925), and until otherwise provided by law, fix the salaries of the members of the board and the state accountant, and approve the number of assistants and other employees of the board and their salaries.

Sec. 19. Expenses.

The members of the board, the state accountant and assistants, and other employees of the board shall be allowed their actual and necessary traveling expenses while in the performance of their duties and away from the seat of government.

CHAPTER 2

Sec. 20. Reports to State Budget Board by departments.

On or before the first day of September, nineteen hundred twenty-four (1924), and on or before the first day of September biennially thereafter, every department of the state, except the legislative department, shall furnish the budget board with:

1. A detailed estimate of receipts of such department from all sources except appropriations for the ensuing biennium and a comparison of such receipts with like receipts of such department for the last two preceding bienniums.

2. An estimate of the needs of such department for the ensuing biennium, together with a comparison of all the expenditures of such department for the last two preceding bienniums.

3. Any other information that the budget board may require.

Each department shall set out in detail the reasons for the estimated needs contained in such reports.

Sec. 21. Blanks.

Blanks for such reports shall be furnished by the budget board not later than the first day of August, nineteen hundred twenty-four (1924), and not later than the first day of July of each even-numbered year thereafter.

Sec. 22. Examinations and investigations.

The budget board shall have authority to make, or cause to be made, such examinations and investigations into the operation of any department as in its discretion may be necessary.

Sec. 23. Assistance of departments.

Every department of the state government, when requested by the board, shall render assistance to it in connection with the preparation of the budget report, budget bill and auditing accounts.

Sec. 24. Hearings on reports of departments.

After the filing of said reports, the state budget board shall hold public hearings at which the heads of departments, the heads of all institutions under the state board of education and state board of control, and all taxpayers, or associations of taxpayers desiring to be heard, may be heard in relation to the matters referred to in said reports. A schedule of the time and place of hearings and due public notice thereof shall be given by the board.

Sec. 25. Duties of the board—budget report.

The board shall prepare and file in its office, on or before the first day of November of each even-numbered year, a state budget report, which shall show in detail the following:

1. Classified estimates in detail of the expenditures necessary, in its judgment, for the support of each department and each institution and department thereof for the ensuing biennium.

2. A schedule showing a comparison of such estimates with the expenditures of like character for the last two preceding bienniums.

3. A statement setting forth in detail its reasons for any recommended increases or decreases in the estimated requirements of the various departments, institutions and departments thereof.

4. Estimates of all receipts of the state other than from direct taxation and the sources thereof for the ensuing biennium.

5. A comparison of such estimates with receipts of a like character for the last two preceding bienniums.

6. The expenditures and receipts of the state for the last completed fiscal year and estimates of the expenditures and receipts of the state for the current fiscal year.

7. A detailed statement of all appropriations made during the two preceding bienniums, also of unexpended balances of appropriations at the end of the last fiscal year and such balances at the date of the budget report.

8. Estimates in detail of the appropriations necessary to meet the requirements of the several departments and institutions for the next biennium.

9. Statements showing

(a) The condition of the treasury at the end of the last fiscal year.

(b) The estimated condition of the treasury at the end of the current fiscal year.

(c) The estimated condition of the treasury at the end of the next biennium, if its recommendations are adopted.

(d) An estimate of the taxable value of all the property within the state.

(e) The estimated aggregate amount necessary to be raised by a state levy.

(f) The millage necessary to produce such amount.

(g) Such other data or information as the board may deem advisable.

Sec. 26. Appropriation bill.

The board shall not later than the first day of December, nineteen hundred twenty-four (1924), and on the same day biennially thereafter, prepare a state appropriation bill and transmit the same to the Governor, together with the state budget report, the minority report, if any, and such other explanatory matter as in its judgment will be of value to him in making his recommendations to the general assembly and to the general assembly on the consideration of said bill.

Sec. 27. Governor to transmit bill and budget report.

The governor shall at the time of delivering his annual message transmit to the general assembly a copy of such report and minority report, if any, said appropriation bill and explanations and recommendations of the budget board, together with his observations and recommendations thereon, all of which shall be referred by the president of the senate and the speaker of the house to the respective appropriation committees.

Sec. 28. Annual settlements.

The budget board shall annually, and oftener if deemed necessary, make a full settlement between the state and all state officers and departments and all persons receiving or expending state funds, and shall annually make a complete audit of the books and accounts of every department of the state.

Sec. 29. Duties of state accountant.

The state accountant shall, under the direction of the budget board, supervise and be responsible for the auditing of the books and accounts of all departments of the state.

Sec. 30. Report of audits.

The state accountant shall, in writing, make a report of all audits

and examinations so made, to the state budget board and in detail set out the following:

1. The actual condition of each department found to exist on every examination.
2. Whether, in his opinion,
 - (a) All funds have been expended for the purpose for which appropriated.
 - (b) The department so audited and examined is efficiently conducted, and if the maximum results for the money expended are obtained.
 - (c) The work of the department so audited or examined needlessly conflicts with or duplicates the work done by any other department.
3. All illegal or unbusinesslike practices.
4. Any recommendations for greater simplicity, accuracy, efficiency, or economy in the operation of the business of the several departments and institutions.
5. Comparisons of prices paid and terms obtained by the various departments for goods and services of like character and reasons for differences therein, if any.
6. Any other information which, in his judgment, may be of value to the state budget board.

Sec. 31. Method of accounting.

Each department and institution of the state shall keep its records and accounts in such form and by such methods as to be able to exhibit in its reports the matters required by the state budget board, unless otherwise specifically prescribed by law. The failure of the head of any department of the state to comply with this provision shall be ground for his suspension from office.

Sec. 32. Transfer of appropriations.

No appropriation nor any part thereof shall be used for an other purpose than that for which it was made without specific authority of the general assembly.

Sec. 33. Certain powers reserved.

Except as herein otherwise specially provided, nothing in this act shall interfere with the powers of the state board of education or the state board of control over, nor with their policies in respect to, the management of the institutions under their control.

Sec. 34. Definitions.

Unless otherwise required by the context, the word "department" as used in this act shall mean and include all departments of the state and the governing boards of state institutions and all other persons and boards otherwise charged by law with responsibility for the receipt or expenditure of any state funds.

CHAPTER 3.

Sec. 35. Definition of terms.

The words "public improvement" as used in this chapter shall mean

any building or other construction work to be paid for by the use of public funds.

The word "municipality" as used in this chapter shall mean county, city, township, school district, drainage district, and all other public bodies that have power to expend public funds for public improvements.

Sec. 36. Notice of hearing on public contracts.

Before any department shall enter into any contract for any public improvement to cost more than five thousand dollars (\$5,000.00), the body or officer proposing to make such contract shall adopt proposed plans and specifications therefor, fix a time and place for hearing thereon at the institution affected, and give notice thereof by publication in at least one newspaper of general circulation in the state at least ten (10) days before said hearing. Before any municipality shall enter into any contract for any public improvement to cost more than five thousand dollars (\$5,000.00), the body or officer proposing to make such contract shall proceed in the same manner, but the notice shall be published in some newspaper of general circulation therein and the place of hearing shall be in the municipality affected or at a nearby convenient place.

Sec. 37. Objections filed.

At such hearing, any person interested may appear and file objections to the proposed plans, specifications or contract for, or cost of such improvement.

Sec. 38. Decision—Appeal—Objections heard.

The body or officer proposing to enter into such contract shall hear said objections and any evidence for or against the same, and enter of record its decision thereon. Any objector may appeal from such decision to the state budget board by serving notice thereof on the clerk or secretary of such body within ten (10) days after such decision is entered of record.

Sec. 39. Information certified to budget board.

In case an appeal is taken, such body shall forthwith certify and submit to the state budget board for examination and review the following:

1. A copy of the plans and specifications for such improvement.
2. A copy of the proposed contract.
3. An estimate of the cost of such improvement.
4. A report of the kind and amount of security proposed to be given for the faithful performance of the contract and the cost of such security.
5. A copy of the objections, if any, which have been urged by any taxpayer against the proposed plans, specifications, or contract, or the cost of such improvement.
6. A separate estimate of the architect's or engineer's fees and costs of supervision.

Sec. 40. Additional information by municipality.

Each municipality shall also furnish the board:

1. A statement of the taxable value of the property within the municipality proposing to make such improvement.

2. A statement of the several rates of levy of taxes in such municipality for each fund.

3. A detailed statement of the bonded and other indebtedness of such municipality.

Sec. 41. Budget board to examine and recommend.

The state budget board shall with the aid of such competent assistants as it may select, make an examination into the matter submitted, especially with reference to the reasonableness of the proposed cost of such improvement and whether the same can be made at the estimated cost. It may, in its discretion, make recommendations to the department or municipality with respect to modifications of such plans and specifications or contract, and shall render every aid in its power to secure to the department or municipality the construction of said improvement at a reasonable cost.

Sec. 42. Notice of hearing on appeal.

The board shall set a date for a hearing of the appeal, and shall give the body and the first five (5) appellants ten (10) days' notice by mail of the time and place of such hearing.

Sec. 43. Hearing and decision.

At such hearing, the appellants and any other interested person may appear and be heard. The board shall examine the entire record, and if the board shall find that for the best interests of the state or the municipality, as the case may be, it is advisable that such improvement be made, that the contract is reasonable as to price, terms and conditions, and that the proposed improvements can be made within the estimates therefor, the board shall approve such contract; otherwise the board shall recommend such modifications of the plans, specifications, or contract, as in its judgment shall be for the public benefit, and if such modifications are so made, the board shall approve such contract. The board shall certify its decision to the body proposing to enter into such contract.

Sec. 44. Contracts entered into without approval of board void.

If an appeal is taken, all contracts by departments for public improvements to cost more than five thousand dollars (\$5,000.00), and all contracts by municipalities for public improvements to cost more than five thousand dollars (\$5,000.00), entered into without first securing the approval of the budget board shall be void.

CHAPTER 4

Sec. 45. Definition of terms.

This chapter shall be known as the "local budget law".

As used in this chapter and unless otherwise required by the context:

1. The word "municipality" shall mean the county, city, town, township, school district, road district, drainage district, and all other public bodies or corporations that have power to levy a tax or certify a tax or sum of money to be collected by taxation.

2. The words "levying board" shall mean board of supervisors of the county and any other public body or corporation that has power to levy a tax.

3. The words "certifying board" shall mean any public body which has the power or duty to certify any tax to be levied or sum of money to be collected by taxation.

4. The words "fiscal year" shall mean the year ending on the thirtieth day of June, and any other period of twelve (12) months constituting a fiscal period, and ending at any other time.

5. The word "tax" shall mean any general or special tax or any special assessment levied against persons, property, or business, at certain intervals of time and for public purposes as prescribed by law.

6. The words "current year" shall mean the present fiscal year.

Sec. 46. Requirements of local budget.

No municipality shall certify or levy in any year any tax or assessment on property subject to taxation unless and until the following estimates have been made, filed, and considered, as hereinbefore provided.

1. The amount of income thereof for the several funds from sources other than taxation.

2. The amount proposed to be raised by taxation.

3. The amount proposed to be expended in each and every fund and for each and every purpose during the fiscal year next ensuing.

Sec. 47. Time of filing estimates.

All such estimates and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.

Sec. 48. Estimates itemized.

The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the state budget board.

Sec. 49. Estimate for emergencies.

Each municipality may include in the estimate herein required an estimate for emergency or other expenditure which amount cannot reasonably be foreseen at the time the estimates are made, and such emergency fund shall be used for no other purpose.

Sec. 50. Estimated amount to be raised by taxation.

The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing fiscal year. The esti-

mate shall show the number of dollars of taxation for each thousand dollars of the assessed value of all property that is assessed.

Sec. 51. Filing estimates—notice of hearing.

Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the five preceding sections at least twenty (20) days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for hearing thereon, and shall publish a notice of the time when and the place where such hearing shall be held at least ten (10) days before the hearing. For the county and any municipality embraced within the county seat, such publication shall be in an official newspaper published at the county seat. For a municipality outside the county seat in which a newspaper is published, such publication shall be in said newspaper.

Sec. 52. Meeting for review of local budget.

The certifying board or the levying board, as the case may be, shall meet at the time and place designated in said notice, at which meeting any person who would be subject to such tax levy, shall be heard in favor of or against the same or any part thereof.

Sec. 53. Record by certifying board.

After the hearing has been concluded, the certifying board shall enter of record its decision, also the amount of the separate appropriations for each fund in the manner and form prescribed by the budget board, and shall certify the same to the levying board, which board shall enter upon the current assessment and tax roll the amount of taxes which it finds shall be levied for the current year in each municipality for which it makes the tax levy in case no appeal is taken. Any board which has the power to levy a tax without first being certified to it, shall follow the same procedure for hearings as is hereinbefore required of certifying boards.

Sec. 54. Tax limited.

No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections forty-nine (49) and fifty-six (56).

Sec. 55. Further tax limitation.

No tax shall be levied by any municipality in excess of the estimates published and five per cent (5%) additional, except such taxes as are approved by a vote of the people, but in no case shall any tax levy be in excess of any limitation imposed thereon now or hereafter by the constitution and laws of the state.

Sec. 56. Expenses—how paid.

The cost of publishing the notices and estimates required by this chapter, and the actual and necessary expenses of preparing the budget, shall be paid out of the general funds of each municipality respectively.

Sec. 57. Budgets to be certified.

The local budgets of the various municipalities shall be certified by the chairman of the certifying board or the levying board, as the case may be, in duplicate to the county auditor not later than the fifteenth (15th) day of August each year thereof on blanks prepared by the budget board, and according to rules and instructions which shall be furnished all certifying and levying boards in printed form by said budget board. One copy of said budget shall be retained on file in his office by the county auditor, and the other shall be certified by him to the budget board.

Sec. 58. Summary of budget.

Before forwarding copies of local budgets to the budget board, the county auditor shall prepare a summary of each budget, showing the condition of the various funds for the fiscal year, including the budgets adopted as herein provided. Said summary shall be printed as a part of the annual financial report of the county auditor, and one copy shall be certified by him to the budget board.

Sec. 59. Appeal.

Fifty (50) or more taxpayers in any municipality having a population of sixty thousand (60,000) or more, twenty-five (25) taxpayers in any municipality having a population of less than sixty thousand (60,000) and more than fifteen thousand (15,000), ten (10) taxpayers in any municipality having a population of less than fifteen thousand (15,000) and over one thousand (1,000), and five (5) or more taxpayers in all other municipalities affected by any such levy or any item thereof, may file a petition with the county auditor of the county in which such municipality is located, within ten (10) days after the hearing, setting forth their objections to said levy or any item thereof. Upon the filing of any such petition, the county auditor shall immediately certify a copy of said petition with such other information as may be necessary to present the questions involved, to the budget board, which shall have the power to affirm or decrease said total tax levy or any item thereof of any such municipality after a hearing, as hereinafter provided.

Sec. 60. Hearing notice.

The budget board shall forthwith fix a time and place in the municipality or nearby convenient place for hearing evidence and arguments on said petition, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five (5) taxpayers whose names appear upon such petition, at least ten (10) days before the date fixed for such hearing. After the hearing upon such petition, the budget board shall thereupon certify its decision with respect thereto to the clerk or secretary of the levying board, and such decision of the budget board thereon shall be final.

Sec. 61. Levying board to spread tax rates.

At the time required by law the levying board shall spread the tax rates necessary to produce the amount required for the various funds of

the municipality as certified by the certifying board and as approved by the budget board, if an appeal is taken, for the next succeeding year, as shown in the approved budget in the manner provided by law. One copy of said rates shall be certified to the budget board.

Sec. 62. Tax rates to stand.

The several tax rates and levies of the municipalities thus determined and certified in the manner provided in the preceding sections, except such as are authorized by a vote of the people, shall stand as the tax rates and levies of said municipality for the year next succeeding for the purpose set out in the budget.

Sec. 63. Transfer of funds.

Subject to the provisions of any law relating to municipalities, when the necessity for maintaining any fund of the municipality has ceased to exist, and a balance remains in said fund, the certifying board or levying board, as the case may be, shall so declare by resolution, and upon such declaration, such balance shall forthwith be transferred to the general or contingent fund of the municipality, unless other provisions have been made in creating such fund in which such balance remains.

Sec. 64. Return of funds transferred.

Subject to the provisions of law relating to municipalities, and upon the approval of the budget board, it shall be lawful to transfer money from one fund of a municipality to another fund thereof, and the certifying board or levying board, as the case may be, shall provide that money so transferred must be returned to the fund from which it was transferred as soon as may be, provided, that it shall not be necessary to return to the emergency fund or to any other fund no longer required, any moneys transferred therefrom to any other fund.

Sec. 65. Notice of meeting for issuance of bonds.

Before any municipality shall institute proceedings for the issuance of bonds or other evidence of indebtedness, excepting such bonds or other evidences of indebtedness as have been authorized by a vote of the people of such municipality, and except such bonds or obligations as it may be by law compelled to issue, a notice of such action, including a statement of the amount and purpose of said bonds or other evidence of indebtedness shall be published at least once in a newspaper of general circulation within such municipality at least ten (10) days before the meeting at which it is proposed to issue such bonds.

Sec. 66. Objections may be filed.

At any time before the date fixed for the issuance of such bonds or other evidence of indebtedness, five (5) or more taxpayers may file a petition in the office of the clerk or secretary of the municipality setting forth their objections thereto.

Sec. 67. Notice of hearing on objections.

Upon the filing of any such petition, the clerk or secretary of such municipality shall immediately certify a copy thereof, together with such other data as may be necessary in order to present the questions involved, to the budget board, and upon receipt of such certificate, petition and in-

formation, the budget board shall fix a time and place for the hearing of such matter, which shall be not less than ten (10) or more than thirty (30) days thereafter, and said hearing shall be held in the municipality in which it is proposed to issue such bonds or other evidence of indebtedness, or in some other nearby convenient place fixed by the budget board. Notice of such hearing shall be given by registered mail to the executive officer of the municipality and to the five (5) persons whose names first appear on the petition at least ten (10) days before the date of such hearing.

Sec. 68. Appeal—decision.

The budget board shall determine the matter and its decision shall be final. The same shall be certified to the executive officer of the municipality affected. In case there is no appeal, the board of the municipality affected may issue such bonds or other evidence of indebtedness, if legally authorized so to do, in accordance with the proposition published, but in no greater amount. In case of an appeal, the municipality may issue such bonds or other evidence of indebtedness in accordance with the decision of the budget board.

Sec. 69. Bonds issued or taxes levied contrary to this act void.

Any bonds or other evidence of indebtedness issued contrary to the provisions of this act, and any tax levied or attempted to be levied for the payment of any such bonds or interest thereon, shall be null and void.

Sec. 70. Budget board to supervise certifying and levying boards and prescribe rules.

The budget board shall exercise general supervision over the certifying boards and levying boards of all municipalities and shall prescribe for them all necessary rules, instructions, forms, and schedules. The best methods of accounting and statistical statements shall be used in compiling and tabulating all data required by this act.

Sec. 71. Penalty for failure to perform duties.

Failure on the part of any public official to perform any of the duties prescribed in this act shall constitute a misdemeanor, and shall be sufficient ground for removal from office.

Sec. 72. Annual report to governor.

The budget board shall make an annual report to the governor setting forth the essential facts and statistical data regarding its administration of this act.

Senator Buser raised the point of order that the amendments by Senator Smith covered an entirely different subject and were not germane, and were not in fact amendments but an entire new bill, also that the House amendment was not germane.

The President held the point not well taken.

Senator Smith offered the following amendment to his amendment and moved its adoption:

Amend by striking from line 2 of section 27 the word "annual" and substituting in lieu thereof the word "biennial".

The amendment was adopted.

Senator Smith offered the following amendment to the amendment and moved its adoption:

Amend the amendment to the House amendment as follows:

Strike out sections 35 to 44 inclusive and insert in lieu thereof the following:

"Sec. 35. Definition of terms.

The words "public improvement" as used in this chapter shall mean any building or other construction work to be paid for by the use of funds of any municipality.

The word "municipality" as used in this chapter shall mean county, except in the exercise of its power to make contracts for primary road improvements, city, including those acting under special charter, town, township, school district and drainage district.

Sec. 36. Notice of hearing on public contracts.

Before any municipality shall enter into any contract for any public improvement to cost five thousand dollars (\$5,000.00) or more, the governing body proposing to make such contract shall adopt proposed plans and specifications and proposed form of contract therefor, fix a time and place for the hearing thereon at such municipality affected thereby or other nearby convenient place, and give notice thereof by publication in at least one newspaper of general circulation in such municipality at least ten (10) days before said hearing.

Sec. 37. Objections filed—hearing—decision.

At such hearing, any person interested may appear and file objections to the proposed plans, specifications or contract for, or cost of such improvement. The governing body of the municipality proposing to enter into such contract shall hear said objections and any evidence for or against the same, and enter of record its decision thereon.

Sec. 38. Appeal—limitation.

Any ten objectors may appeal from such decision to the state budget board by serving notice thereof on the clerk or secretary of such municipality within ten (10) days after such decision is entered of record, provided that

1. For all school districts except independent school districts in cities and towns and consolidated school districts, and for towns and townships, the amount involved is five thousand dollars (\$5,000.00) or more.

2. For counties, drainage districts, cities of the second class and for consolidated school districts and for independent school districts in whole or in part in cities of the second class, ten thousand dollars (\$10,000.00) or more.

3. For cities of the first class, including cities under special charter, and for school districts in whole or in part in cities of the first class

and in cities under special charter, twenty-five thousand dollars (\$25,000.00) or more.

Sec. 39. Information certified to budget board.

In case an appeal is taken, such body shall forthwith certify and submit to the state budget board for examination and review the following:

1. A copy of the plans and specifications for such improvement.
2. A copy of the proposed contract.
3. An estimate of the cost of such improvement.
4. A report of the kind and amount of security proposed to be given for the faithful performance of the contract and the cost of such security.
5. A copy of the objections, if any, which have been urged by any taxpayer against the proposed plans, specifications or contract, or the cost of such improvement.
6. A separate estimate of the architect's or engineer's fees and cost of supervision.
7. A statement of the taxable value of the property within the municipality proposing to make such improvement.
8. A statement of the several rates of levy of taxes in such municipality for each fund.
9. A detailed statement of the bonded and other indebtedness of such municipality.

Sec. 40. Notice of hearing on appeal.

The budget board shall forthwith fix a time and place in the municipality or nearby convenient place for hearing said appeal, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five (5) persons whose names appear upon the notice of appeal, at least ten (10) days before the date fixed for such hearing.

Sec. 41. Hearing and decision.

At such hearing, the appellants and any other interested person may appear and be heard. The board shall examine, with the aid of competent assistants, the entire record, and if the board shall find that the plans and specifications and form of contract are suitable for the improvement proposed and that it is for the best interests of the municipality and that such improvements can be made within the estimates therefor, the board shall approve the same. Otherwise the board shall recommend such modifications of the plans, specifications, or contract, as in its judgment shall be for the public benefit, and if such modifications are so made, the board shall approve the same. The board shall certify its decision to the body proposing to enter into such contract, whereupon the municipality shall advertise for bids and let the contract subject to the approval of the budget board, which shall at once render its final decision thereon and transmit the same to the municipality.

Sec. 42. Contracts entered into without approval of board void.

If an appeal is taken, no contract for public improvements shall be

valid unless the same is finally approved by the budget board. In no case shall any municipality expend for any public improvement any sum in excess of five per cent (5%) more than the contract price without the approval of the budget board.

Sec. 43. Witness fees—costs.

Witness fees and mileage for witnesses on hearing appeals shall be the same as in the district court; but objectors or appellants shall not be allowed witness fees or mileage. Costs of hearings and appeals shall be paid by the municipality.

Sec. 44. Report on completion.

Upon the completion of the improvement the executive officer or governing board of the municipality shall file with the budget board a verified report showing:

1. The location and character of the improvement.
2. The total contract price for the completed improvement.
3. The total actual cost of the completed improvement.
4. By whom if any one, the construction was supervised.
5. By whom final inspection was made.
6. Whether or not the improvement complies with its contract, plans and specifications.
7. Any failure of the contractor to comply with the plans and specifications.

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

Ayes, 32.

Abben	Dutcher	Horchem	Reed
Adams	Fulton	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookins	Hartman	Olson	Stoddard
Caldwell	Haskell	Perkins	White
Darting	Holdoegel	Price	Wichman

Nays, 16.

Brookhart	Cessna	Nelson	Shinn
Browne	Ethell	Romkey	Snook
Buser	Johnston	Schmedika	Thurston
Campbell	McIntosh	Shane	Tuck

Absent or not voting, 2.

Bergman **Rees**

The amendment to the amendment was adopted.

Senator Smith offered the following amendment to the amendment and moved its adoption:

Amend by striking from the last line of section 54 the words and figures

"fifty-six (56)" and substituting therefor the words and figures "fifty-five (55)".

The amendment was adopted.

Senator Buser raised the point of order that since the amendment had been amended by striking out chapter 3, it was not germane to the subject.

The President held the point not well taken.

Senator Holdoegel offered the following amendments to the amendment and moved their adoption:

1. Amend by striking from lines 3 and 4 of section 46 the word "hereinbefore" and inserting in lieu thereof the word "hereinafter".

2. Amend section 51 by striking from line 10 of said section the word "said" and inserting in lieu thereof the article "a", and by striking out the period after the word "newspaper" at the end of said section and adding thereto the following: "of general circulation in said municipality".

The amendments to the amendment were adopted.

Senator Mantz offered the following amendment to Senator Smith's amendment and moved its adoption:

Amend section 41 of the amendment to the amendment to Senate File No. 7 by adding thereto the following:

"In drainage improvements the only matter to be considered on appeal will be the reasonableness of the contract for the construction of the said drainage improvement."

The amendment to the amendment was adopted.

Senator Shaff moved the previous question.

Senator Shinn moved that the Senate adjourn until 9:00 a. m. Thursday.

Senator Brookhart moved to amend the motion by making the hour 9:30 a. m.

The amendment was adopted.

The motion was lost.

On the question "Shall the previous question be now ordered?" the vote was:

Ayes, 25.

Abben
Adams

Baird
Banta

Brookins
Darting

Dutcher
Goodwin

Hale	Kimberly	Scott	Thurston
Hartman	Mantz	Shaff	White
Haskell	Mead	Slosson	
Holdoegel	Newberry	Smith	
Horchem	Perkins	Stoddard	

Nays, 20.

Brookhart	Cessna	McIntosh	Shane
Browne	Ethell	Nelson	Shinn
Buser	Fulton	Olson	Snook
Caldwell	Gilchrist	Romkey	Tuck
Campbell	Johnston	Schmedika	Wichman

Absent or not voting, 5.

Bergman	Price	Reed	Rees
Bowman			

The motion prevailed.

On the question "Shall the amendment offered by Senator Smith be substituted for the House amendment?" the vote was:

Ayes, 31.

Abben	Dutcher	Horchem	Scott
Adams	Fulton	Kimberly	Shaff
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Brookins	Hartman	Olson	White
Caldwell	Haskell	Perkins	Wichman
Darting	Holdoegel	Reed	

Nays, 17.

Brookhart	Ethell	Romkey	Snook
Browne	Johnston	Schmedika	Thurston
Buser	McIntosh	Shane	Tuck
Campbell	Nelson	Shinn	
Cessna	Price		

Absent or not voting, 2.

Bergman	Rees
---------	------

The Senate amendment to the House amendment was adopted.

On the question "Shall the Senate concur in the House amendment as amended?" the vote was:

Ayes, 31.

Abben	Dutcher	Horchem	Scott
Adams	Fulton	Kimberly	Shaff
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Brookins	Hartman	Olson	White
Caldwell	Haskell	Perkins	Wichman
Darting	Holdoegel	Reed	

Nays, 17.

Brookhart	Ethell	Price	Shinn
Browne	Johnston	Romkey	Snook
Buser	McIntosh	Schmedika	Thurston
Campbell	Nelson	Shane	Tuck
Cessna			

Absent or not voting, 2.

Bergman Rees

The House amendment, as amended, having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Smith moved that the vote by which the Senate concurred in the House amendment, as amended by the Senate, be reconsidered, and that motion be laid on the table, which motion prevailed.

AMENDMENT FILED TO SENATE FILE NO. 121

MR. PRESIDENT: I move to amend Senate File No. 121 by adding immediately after section 30 the following:

"Sec. 30-a1. Liability of county.

Counties shall be liable in damages resulting from its failure to exercise reasonable care in the erection or maintenance of bridges and the approaches thereto under its jurisdiction.

I. N. SNOOK.

The Journal of March 25th was corrected and approved.

On motion of Senator McIntosh the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, MARCH 27, 1924.

The Senate met in regular session, President pro tem. John R. Price presiding.

Prayer was offered by Rev. M. F. Foust, pastor of the Union Congregational church, of Des Moines.

On motion of Senator White, 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 Abben.

SENATE FILE NO. 260 WITHDRAWN

By unanimous consent Senator Shane withdrew Senate File No. 260 from further consideration, the companion bill having been passed.

THIRD READING OF BILLS

On motion of Senator Haskell, House File No. 296, a bill for an act to amend, revise, and codify section one (1) of chapter 261 acts of the Fortieth General Assembly, relating to municipal corporations, 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 to section one the following: "No levy or collection of taxes for either of said funds shall be made so as to create or maintain a balance therein in excess of ten thousand dollars (\$10,000.00) at the end of any fiscal year."

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, 35.

Adams	Fulton	Mead	Shane
Bowman	Gilchrist	Nelson	Shinn
Brookhart	Hale	Olson	Slosson
Brookins	Hartman	Perkins	Smith
Buser	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Thurston
Darting	Kimberly	Rees	Tuck
Dutcher	McIntosh	Schmedika	White
Ethell	Mantz	Scott	

Nays, none.

Absent or not voting, 15.

Abben	Browne	Horchem	Shaff
Baird	Campbell	Johnston	Snook
Banta	Cessna	Newberry	Wichman
Bergman	Goodwin	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 Haskell, Senate File No. 177, 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, four thousand fifty-two (4052), and four thousand fifty-three (4053) of the compiled code of Iowa, and sections three thousand four hundred eighty-five (3485), 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (page 1019 of the Senate Journal) were taken up and considered.

The first twenty-seven amendments were adopted.

Senator Dutcher was called to the chair at 10:30 a. m.

The remainder of the amendments were 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, 41.

Abben	Dutcher	Kimberly	Schmedika
Adams	Ethell	McIntosh	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Nelson	Shane
Bowman	Goodwin	Olson	Shinn
Brookhart	Hale	Perkins	Slosson
Brookins	Hartman	Price	Snook
Browne	Haskell	Reed	Stoddard
Buser	Holdoegel	Rees	Thurston
Caldwell	Horchem	Romkey	White
Campbell			

Nays, none.

Absent or not voting, 9.

Bergman	Johnston	Newberry	Tuck
Cessna	Mead	Smith	Wichman
Darting			

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 Nos. 87, 192, 288, 299.

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. 21 and 201.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tem. of the Senate announced that, as President pro tem. of the Senate, he had signed in the presence of the Senate, House Files Nos. 87, 192, 288 and 299, and Senate Files Nos. 21 and 201.

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 twenty-seventh day of March, sent to the Governor for his approval, Senate File No. 21, a bill for an act relating to nominations by primary elections and conventions; Senate File No. 201, a bill for an act relating to corporations.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Bowman filed the following conference committee report and moved its consideration:

MR. PRESIDENT: We, your conference committee to whom was referred Senate File No. 93, beg leave to report we have had same under consideration and recommend that the Senate concur in the House amendments.

M. L. BOWMAN

J. A. McINTOSH

CHAS. S. BROWNE

B. M. STODDARD

Senate Conferees.

W. C. EDSON

JNO. A. STOREY

E. P. HARRISON

C. F. CLARK

House Conferees.

On the question "Shall the Senate adopt and concur in the conference committee report?" the vote was:

Ayes, 36.

Abben
Adams

Baird
Brookhart

Brookins
Browne

Buser
Campbell

Cessna	Hale	Reed	Shinn
Dartling	Holdoegel	Rees	Slosson
Dutcher	Horchem	Romkey	Smith
Ethell	Johnston	Schmedika	Snook
Fulton	McIntosh	Scott	Stoddard
Gilchrist	Nelson	Shaff	Thurston
Goodwin	Price	Shane	White

Nays, 2.

Banta Bowman

Absent or not voting, 12.

Bergman	Haskell	Mead	Perkins
Caldwell	Kimberly	Newberry	Tuck
Hartman	Mantz	Olson	Wichman

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Ethell moved that a committee, composed of Senators Brookhart, Campbell and Ethell be appointed to ascertain the conditions in counties affected by Senate File No. 302.

Senator Buser moved to amend the motion by adding that the committee ascertain the number of counties that deem this amendment necessary and the number that do not think it necessary.

The amendment was adopted.

The motion prevailed.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 236

Senator Reed moved that the Senate insist on its amendments to House File No. 236.

President pro tem. Price resumed the chair at 11:10 a. m.

On the question "Shall the Senate insist?" the vote was:

Ayes, 40.

Abben	Dutcher	Johnston	Schmedika
Baird	Ethell	Kimberly	Scott
Banta	Fulton	McIntosh	Shaff
Bowman	Gilchrist	Mantz	Shane
Brookhart	Goodwin	Mead	Slosson
Brookins	Hale	Nelson	Smith
Buser	Hartman	Olson	Snook
Caldwell	Haskell	Price	Stoddard
Campbell	Holdoegel	Reed	White
Dartling	Horchem	Rees	Wichman

Nays, 1.

Browne

Absent or not voting, 9.

Adams
Bergman
Cessna

Newberry
Perkins

Romkey
Shinn

Thurston
Tuck

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE APPOINTED

President pro tem. Price appointed as a conference committee on House File No. 236, on the part of the Senate, Senators Dutcher, Mantz, Brookhart and Campbell.

SENATE FILE NO. 134 WITHDRAWN

By unanimous consent Senator Ethell withdrew Senate File No. 134 from further consideration, the companion bill having passed.

MESSAGES FROM 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. 114, a bill for an act relating to the state library—historical department.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 290, a bill for an act providing an appropriation to pay the expense of the Iowa Child Welfare Commission appointed by the Governor.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 114, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred forty-five (2745), 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 thou-

sand 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 times and referred to committee on educational institutions.

The Journal of March 26th corrected and approved.

Senator Caldwell moved that when the Senate adjourn it be until 10:00 a. m. Friday, and that it now recess until 4 p. m. today, which motion prevailed.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem. Price 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: House Files Nos. 126, 297, 300, 301.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORTS OF COMMITTEES

Senator Mantz submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 115, 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 of the supplement to said code, relating to education, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. J. MANTZ, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred House File No. 90, 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, 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:

Strike out section 32 of said bill and insert in lieu thereof the following:

"Sec. 32. Payment.

The contract for such instruction shall authorize the payment for such service furnished the school district or for such service furnished the state, the amount to be agreed upon by the state board of education and the board of the school district thus cooperating."

H. J. MANTZ, *Chairman.*

Ordered passed on file.

Senator Scott submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 207, a bill for an act relating to the insurance department; life insurance companies; insurance other than life, and assessment 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:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"That section five thousand four hundred sixty-three (5463) of the compiled code, and sections five thousand four hundred sixty-three-a one (5463-a1), five thousand four hundred sixty-three-a two (5463-a2) and five thousand four hundred sixty-three-a three (5463-a3), of the supplement to the compiled code, relating to the insurance department, are amended, revised, and codified to read as follows:

Section 1. Powers and duties of commissioner of insurance.

The commissioner of insurance shall be the head of the insurance department of Iowa, and shall have general control, supervision and direction over all insurance business transacted in the state of Iowa, and shall enforce all the laws of the state relating to such insurance. He shall supervise all transactions relating to the organization, reorganization, liquidation and dissolution of domestic insurance corporations, and all transactions leading up to the organization of such corporations. He shall also supervise the sale in the state of Iowa of all stock, certificates, or other evidences of interest, either by domestic or foreign insurance companies or organizations proposing to engage in any insurance business.

Sec. 2. No stock sold or members solicited without certificate.

Neither the stock in an insurance company nor the membership in an insurance association in process of organization shall be sold or solicited until such company or association, and the promoters thereof, shall have first complied with all of the statutory provisions regulating the organization of such companies and associations, and also have secured from the commissioner of insurance a certificate indicating full compliance with the provisions of this section.

Sec. 3. Duties of commissioner—certificate.

Before the commissioner of insurance shall issue such certificate of compliance, he shall first be satisfied with the general plan of such organization and the character of the advertising to be used; he shall also fix the time within which such organization shall be completed; he shall also prescribe the method of keeping books and accounts of such corporation and those of fiscal agents.

Sec. 4. Promotion expense.

The maximum promotion expense which may be incurred, shall in no case exceed twelve and one-half ($12\frac{1}{2}\%$) per cent of the par value of said stock, and no portion of such amount shall be used in the payment of salaries for officers and directors before the issuance by the commissioner of insurance of authority to transact an insurance business.

Sec. 5. Regulation by commissioner.

The commissioner of insurance shall have power to regulate all other matters in connection with the organization of such domestic corporations, and the sale of stock or the issuing of certificates by all insurance corporations within the state of Iowa, to the end that fraud may be prevented in the organization of such companies and the sale of their stocks and securities.

Sec. 6. Certain contracts with promoters prohibited.

No company shall enter into any contract with any promoter, officer, director or agent of the company, to pay him any commission or other compensation for his services, expenses or otherwise, in promoting such company, or for the sale of its stock, growing out of or in connection with the insurance which it may write, without the approval of the commissioner of insurance.

Sec. 7. Applicability to corporations organizing.

The five preceding sections shall apply to insurance corporations now organizing or offering their stocks, certificates of membership, or other evidence of interest for sale in the state of Iowa.

Sec. 8. Violations—penalty.

Any person who violates any of the provisions of the six preceding sections, or who violates any order of the commissioner of insurance made by authority thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not to exceed one thousand dollars (\$1000.00), and by imprisonment in the county jail not to exceed six months.

Sec. 9. Personal liability for sale of stock in violation of law.

Any person, association or corporation who sells or aids in selling or causes to be sold any stock, certificate of membership, or evidence of interest in any such corporation or association, in violation of law, shall be personally liable to any person to whom he may have sold any stock or certificate of membership or evidence of interest, in an amount equal to the price paid therefor by such person with legal interest, and suit to recover the same may be brought by such purchasers, jointly or severally, in any court of competent jurisdiction.

Sec. 10. Appeal—procedure.

Any person, corporation or association aggrieved by any order made by the Commissioner of Insurance under the provisions of this Chapter, may appeal to the district court at the seat of government, by the service of a written notice of such appeal on the Commissioner of Insurance and Attorney General. If such appeal is taken the Commissioner of Insurance shall transmit the transcript of the proceedings had before him to such court, and the cause shall be docketed and tried as an equitable action.

That sections five thousand six hundred five (5605) and five thousand four hundred ninety-six (5496) of the supplement to the compiled code, relating to insurance other than life, are amended, revised, and codified to read as follows:

Sec. 11. Capital required.

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, the entire amount of which shall be fully paid up in cash and invested as provided by law. The stock shall be divided into shares of one hundred dollars (\$100.00) each.

No part of the capital referred to shall be loaned to any officer or stockholder of the company.

No increase of the capital stock of any company shall be made unless the amount of such increase is fully paid up in cash. Such company shall be possessed of a surplus in cash or invested in securities authorized by law, equal to twenty-five per cent (25%) of such paid-up and outstanding capital at the time certificate of authority is first applied for and issued.

S. C. C. 5496, entire, modified.

That section five thousand five hundred two (5502) of the compiled code relating to life insurance is amended, revised and codified to read as follows:

Sec. 12. Group insurance.

Group insurance is hereby declared to be that form of either life, health or accident insurance covering not less than fifty employees, with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the em-

ployer; provided, however, that when the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, not less than seventy-five per centum of such employees may be so insured.

The word "employer" as used in this section shall include the advisory, supervising or governing body or bodies of all regularly organized religious denominations. The word "employee" shall include clergymen, priests and ministers of the gospel in good standing in any of such denominations.

That section five thousand six hundred nine (5609) of the compiled code, relating to insurance other than life, is amended, revised and codified to read as follows:

Sec. 13. Maximum premium.

The maximum premium payable by any member of a mutual company shall be expressed in the policy and in the application for the insurance. Such maximum may be a cash premium and an additional contingent premium not less than the cash premium, or may be solely a cash premium, which premium may be made payable in installments or regular assessments. No policy shall be issued for a cash premium without an additional contingent premium unless the company has a surplus which is not less in amount than the capital stock required, at the time of the organization of such mutual insurance company, of domestic stock insurance companies writing the same kind of insurance, but said surplus shall not be less than one hundred thousand dollars (\$100,000.00).

C. C. 5609—entire, modified.

That sections five thousand six hundred seventeen (5617) and five thousand six hundred eighteen (5618) of the compiled code, relating to insurance other than life, are amended, revised and codified to read as follows:

Sec. 14. Subscriptions of stock—applications.

After compliance by the incorporators with sections five thousand five hundred ninety-eight (5598) and five thousand five hundred ninety-nine (5599) of the compiled code, the secretary of state shall certify the articles of incorporation to the commissioner of insurance. When the commissioner of insurance is satisfied that all provisions of law in relation to the promotion and organization of said corporation, including sections four to eight hereof have been complied with, the insurance commissioner shall issue a certificate to that effect, and thereupon such corporation may open books for subscriptions to the stock of stock companies or if a mutual company take applications and receive premiums for insurance at such times and places as it may find convenient, and may keep such books open until the full amount required is subscribed or taken, or the time granted therefor has expired or until an order is issued by the commissioner of insurance to desist for failure to comply with the provisions of law in reference thereto.

Sec. 15. Directors.

The affairs of a company organized as provided by this chapter shall be managed by a number of directors to be stated in the articles of not

less than five (5) nor more than twenty-one (21), all of whom, in case of a stock company, shall be stockholders, or, in case of a mutual company, be policyholders, or before the company shall effect insurance, be subscribers for stock or for insurance as the case may be. When the paid-up capital for a stock company, or the subscriptions for insurance for a mutual company, shall have been obtained, the incorporators or directors in charge of the business shall give at least ten (10) days' written notice by mail to stockholders or subscribers, as the case may be, of a meeting of the stockholders or subscribers, for the election of directors, and such meeting shall be held within thirty (30) days after the paid-up capital or subscriptions have been secured. The directors then elected shall continue in office until their successors have been elected and qualified.

C. C. 5618, entire.

Note: "Paid-up capital" and "stockholders" added to make Sec. 3 correspond with Sec. 1.

That paragraph eight (8) of section five thousand six hundred twenty-seven (5627) of the supplement to the compiled code, relating to insurance other than life, is amended, revised, and codified to read as follows:

Sec. 16. Kinds of insurance.

8. Insure or guarantee and indemnify merchants, traders, and those engaged in business and giving credit from loss and damage by reason of giving and extending credit to their customers and those dealing with them, which business shall be known as credit insurance. Such insurance may cover losses, less a deduction of an agreed percentage, not to exceed ten per cent (10%), representing anticipated profits, and a further deduction not to exceed thirty-three and one-third per cent ($33\frac{1}{3}\%$), on losses on credits extended to risks who have inferior ratings, and less an agreed deduction for normal loss.

That Chapter four (4), of Title XVIII, of the compiled code, relating to assessment life insurance, is hereby amended by inserting after section five thousand five hundred nine (5509) the following:

Sec. 17. Assessment insurance—right of member to vote.

Every member of any association organized under the provisions of this chapter shall be entitled to vote, either in person or by proxy, at every regular and special meeting of such association. No such association shall limit the right of any member to so vote, unless the proposal to limit shall have first been submitted to the entire membership for vote and shall have been approved by a majority of those voting.

Sec. 18. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Register and Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa."

Also amend the title by striking all of said title and inserting in lieu thereof the following:

"An act to amend, revise, and codify section five thousand four hundred sixty-three (5463) of the compiled code of Iowa, and sections five thousand

four hundred sixty-three-a one (5463-a1), five thousand four hundred sixty-three-a two (5463-a2), and five thousand four hundred sixty-three-a three (5463-a3), of the supplement to the compiled code, relating to the insurance department; section five thousand four hundred ninety-six (5496) of the supplement to the compiled code, relating to life insurance companies; section five thousand five hundred two (5502) of the compiled code, relating to group life insurance; sections five thousand six hundred five (5605) of the supplement to the compiled code, five thousand six hundred nine (5609), five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code, relating to insurance other than life; and subsection eight (8) of section five thousand six hundred twenty-seven (5627) of the supplement to the compiled code, relating to insurance other than life; and amending chapter 4, title XVIII of the compiled code, relating to assessment life insurance, by inserting after section five thousand five hundred nine (5509) certain provisions in relation to the right of members of such associations to vote.

R. P. SCOTT, *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 refused to concur in Senate amendments to House amendments to Senate File No. 7, a bill relating to the duties of the governor.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Shane moved that Senate File No. 183 be made a special order for Tuesday, April 1st at 10:30 a. m.

The motion prevailed.

On motion of Senator Caldwell the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1924.

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.

On motion of Senator Campbell, rule 33 was suspended for the forenoon.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator White, indefinitely, on account of the death of his brother, on request of Senator Haskell; Senator Newberry for the day, on request of Senator Perkins.

REPORTS OF COMMITTEES

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 88-A, a bill for an act to amend, revise, and codify sections 2296 to 2303, inclusive, 2305, 2307, 2308, 2481 to 2488, inclusive, and 2492 to 2499, inclusive, of the compiled code, and sections 2295, 2304, 2306 and 2482-a1, of the supplement to said code, relating to education, 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 Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 287, a bill for an act to appropriate sufficient funds to pay the drainage assessment and accrued interest against the state in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessment and interest a lien against said lands in case the state is found not to be the owner thereof, 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.

PROOFS OF PUBLICATION FILED ON HOUSE FILES

NOS. 293, 306, 307 AND 311

I hereby certify, that as secretary of the Senate, I have received the proof of publication of House File No. 293, a proposed bill for an act to legalize the transfer of funds by the city council of the city of Forest City, Iowa.

LEON W. AINSWORTH, *Secretary of the Senate.*

I hereby certify, that as secretary of the Senate, I have received the proof of publication of House File No. 306, a proposed bill for an act to legalize certain acts of the Waterville independent consolidated school District of Allamakee county, Iowa.

LEON W. AINSWORTH, *Secretary of the Senate.*

I hereby certify, that as secretary of the Senate, I have received the proof of publication of House File No. 307, a proposed bill for an act to legalize the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company, and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty years, beginning August 1, 1918.

LEON W. AINSWORTH, *Secretary of the Senate.*

I hereby certify, that as secretary of the Senate, I have received the proof of publication of House File No. 311, a proposed bill for an act to legalize the proceedings of the board of supervisors, Winnebago county, Iowa.

LEON W. AINSWORTH, *Secretary of 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 adopted the conference committee report and the amendments proposed therein to the following bill:

Senate File No. 119, a bill for an act relating to state highway commission.

Also: That the House has refused to concur in Senate amendments to the following bill:

House File No. 34, a bill for an act relating to removal from office.

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 File No. 306.

F. C. GILCHRIST, *Chairman Senate Committee.*

GEO. F. SLEMMONS, *Acting Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tem. of the Senate, announced that as President pro tem. of the Senate, he had signed in the presence of the Senate, Senate File No. 306 and House Files Nos. 126, 297, 300 and 301.

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 twenty-eighth day of March, sent to the Governor for his approval, Senate File No. 306.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

Senator Reed moved that the House be requested to return House File No. 254, which motion prevailed.

SENATE FILE NO. 115 INDEFINITELY POSTPONED

Senator Mantz called up the committee report on Senate File No. 115, recommending indefinite postponement, and moved its adoption.

The report was adopted and the bill indefinitely postponed.

Senator Buser moved that there be 600 copies of Senate File No. 121 printed, with the amendments proposed by the committee on highways.

The motion prevailed.

On motion of Senator Holdoegel, Senate File No. 121 was made a special order for Tuesday morning, April 1st, to follow the other special order set for that day.

THIRD READING OF BILLS

On motion of Senator Brookins, Senate File No. 186, 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, with report of committee recommending the adoption of the committee substitute was taken up, considered, and the report of the committee adopted.

Senator Cessna took the chair at 10:30 a. m.

Senator Fulton offered the following amendment to the substitute and moved its adoption:

Amend by striking from line 3 of section 8 the words "it forms a part of" and inserting in lieu thereof the words "be controlled by".

The amendment was adopted.

Senator Fulton offered the following amendment to the substitute and moved its adoption:

Amend section 13 by striking the word "to" after the word "sworn" in line 1 and by inserting the word "to" in line 2 before the word "view".

The amendment was adopted.

The substitute was adopted.

President pro tem. Price resumed the chair at 11:45 a. m.

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.

Abben	Cessna	Holdoegel	Rees
Adams	Dutcher	Horchem	Scott
Baird	Ethell	Kimberly	Shane
Banta	Fulton	McIntosh	Shinn
Bowman	Gilchrist	Mantz	Slosson
Brookins	Goodwin	Mead	Smith
Caldwell	Haskell	Price	Snook

Nays, 12.

Brookhart	Campbell	Nelson	Thurston
Browne	Hale	Romkey	Tuck
Buser	Johnston	Schmedika	Wichman

Absent or not voting, 10.

Bergman	Newberry	Reed	Stoddard
Darting	Olson	Shaff	White
Hartman	Perkins		

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 was lost.

CALL OF THE SENATE FILED

MR. PRESIDENT: We, the undersigned request a call of the Senate on further consideration of Senate File No. 7.

P. C. HOLDOEGEL.	H. J. MANTZ,
CARL W. REED.	GEORGE S. BANTA,
J. K. HALE,	F. C. GILCHRIST,
B. J. HORCHEM,	W. G. HASKELL,
W. S. BAIRD,	J. A. MCINTOSH,
GEO. B. PERKINS,	M. L. BOWMAN,
GEO. S. HARTMAN,	ED. M. SMITH,
R. P. SCOTT,	O. L. MEAD.
CHAS. OLSON,	

SENATE FILE NO. 7 CONSIDERED

Senator Smith called up Senate File No. 7 for consideration.

The roll call revealed the presence of the following Senators:

Abben	Dutcher	McIntosh	Scott
Adams	Fulton	Mantz	Shaff
Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Nelson	Shinn
Bowman	Hale	Olson	Slosson
Brookhart	Hartman	Price	Smith
Brookins	Haskell	Reed	Snook
Browne	Holdoegel	Rees	Thurston
Buser	Horchem	Romkey	Tuck
Caldwell	Johnston	Schmedika	Wichman
Cessna	Kimberly		

On motion of Senator Haskell, Senator White was excused from the call of the Senate.

On motion of Senator Brookins, Senator Newberry was excused from the call of the Senate.

By unanimous consent, on request of Senator Price, Senator Bergman was excused from the call of the Senate.

Senator Holdoegel moved that further action be deferred until next Tuesday.

Senator Buser raised the point of order that the vote on this motion would require a response from all members not excused from the call.

President pro tem. Price held the point well taken.

Senator Gilchrist moved that the motion to defer be now put.

President pro tem. Price held the motion out of order as the call was not complete.

Senator Gilchrist moved that the call be raised on the motion to defer only, which motion prevailed.

The motion to defer prevailed, and further action on Senate File No. 7 was deferred until next Tuesday.

Senator Shinn called up for consideration Senate File No. 19, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend section 2 by striking all of subsections 1 and 2, and inserting in lieu thereof the following:

1. When it is proposed to erect the same at the expense of the county, be signed by ten per cent (10%) of the qualified electors thereof as shown by the poll list in the last preceding state election, or by a majority of the members of the Grand Army of the Republic, the Spanish-American war veterans' association and the American Legion of the county.

2. When it is proposed to erect the same at the expense of a city or town, be signed by ten per cent (10%) of the qualified electors thereof as shown by the poll list in the last preceding regular municipal election.

(2) Amend section 5, line 6, by inserting following the word "Internal" the word "public".

(3) Amend section 9 by striking the same and inserting in lieu thereof the following:

"Sec. 9. Commissioners appointed—vacancies.

When the proposition to erect any such building or monument has been carried by a majority vote, the board of supervisors or the city or town council, as the case may be, shall appoint a commission consisting of five (5) members, in the manner and with the qualifications hereinafter provided, which shall have charge and supervision of the erection of said building or monument, and when erected, the management and control thereof. The term of office of each member shall be three (3) years, and any vacancies occurring in the membership shall be filled in the same manner as the original appointment."

(4) Amend by striking all of section 10 and inserting in lieu thereof the following:

Sec. 10. Qualifications—method of appointing.

Each such commissioner shall be an honorably discharged soldier, sailor, or marine of the United States, selected in the following manner: Within sixty (60) days after the election, each post of the Grand Army of the Republic, Spanish-American war veterans, and the American Legion, in the county, city or town, as the case may be, shall appoint three (3) delegates who shall, within ninety (90) days after such election, meet in convention in the county, city or town, as the case may be,

and by ballot select five (5) commissioners, whose names shall be forthwith furnished to the board of supervisors, or the city or town council, as the case may be, whereupon said board of supervisors, city or town council shall by resolution appoint them as such commissioners.

Sec. 10-a1. Method when one or more posts do not exist.

In case no post of any one of said associations is maintained in the county, city or town, as the case may be, then those which do exist shall proceed in the manner above provided and elect said commissioners.

Sec. 10-a2. Method when any post fails to act.

In case any post which does exist fails to send delegates to said convention, then the delegates which do attend shall proceed as above indicated and elect said commissioners.

Sec. 10-a3. Method when posts do not act.

In case no convention of delegates from said posts meets and elects said commissioners, then the board of supervisors of the county, or the city or town council, as the case may be, shall, at the expiration of ninety (90) days after the election to erect a building or monument, select and appoint five (5) commissioners.

Sec. 10-a4. Selection of successors.

Not less than sixty (60) days before the expiration of the term of office of said commissioners, their successors in office shall be selected in the manner above provided, but if no selection shall have been made in said manner at the expiration of said term of office, then the board of supervisors, or the city or town council, as the case may be, shall appoint such successors.

Sec. 10-a5. Ex officio member of commission.

In case any such memorial hall or building shall be a city or town hall, coliseum or auditorium, the mayor of such city or town may be an ex officio member of the commission heretofore provided for, in which case there shall be selected but four (4) commissioners as otherwise provided, and such four, together with the mayor, shall constitute a commission of five.

(5) Amend section 13, line 2, by inserting following the word "available" the words "so far as practical."

Further amend section 13 by striking all of subsection 3 and inserting in lieu thereof the following:

"3. County, town or city hall, offices for any county or municipal purpose, community house, recreation center, memorial hospital and municipal coliseum or auditorium."

Amend by adding a new section thereto at the end of said bill, which shall be known as section 15. Said section 15 shall be as follows:

"Sec. 15. Terms applicable to funds, monuments and memorials previously initiated.

In any case of funds heretofore raised or in the process of being raised, by tax levy or other provision of law heretofore existing for any

of the purposes provided by this chapter, the board of supervisors or the city or town council, as the case may be, shall cause such funds to be used and applied to all intents and purposes for the acquisition of necessary ground and the purchase, erection, construction or reconstruction and equipment of such monument or memorial building in the same manner and to the same extent as if such funds had been raised for said purpose by a bond issue, as provided in this chapter, and all the provisions of this chapter shall apply to said funds.

All other provisions of this chapter shall apply to any monument or memorial heretofore constructed or hereafter constructed from funds raised under any provision of law heretofore existing.

In all cases covered by this section, the taking effect of this act shall fix the time for the selection and appointment of the commissioners to all intents and purposes the same as an election on the proposition to erect a memorial building or monument, as provided in this chapter."

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Abben	Cessna	McIntosh	Schmedika
Adams	Darting	Mantz	Scott
Baird	Ethell	Mead	Shane
Banta	Gilchrist	Nelson	Shinn
Bowman	Hale	Olson	Smith
Brookhart	Hartman	Perkins	Snook
Browne	Haskell	Price	Thurston
Buser	Johnston	Reed	Wichman
Caldwell	Kimberly	Rees	

Nays, none.

Absent or not voting, 15.

Bergman	Fulton	Newberry	Stoddard
Brookins	Goodwin	Romkey	Tuck
Campbell	Holdoegel	Shaif	White
Dutcher	Horchem	Slosson	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

CALL OF THE SENATE FILED

MR. PRESIDENT: We, the undersigned members of the Senate request a call of the Senate when Senate File No. 183 is called for consideration:

BEN C. ABBEN, JR.	B. J. HORCHEM,
S. C. REES,	CARL W. REED,
B. M. STODDARD,	J. K. HALE,
FRANK SHANE,	J. E. WICHMAN,
GEO. B. PERKINS,	P. C. HOLDOEGEL,
G. S. HARTMAN,	F. C. GILCHRIST.
C. J. FULTON,	ED. M. SMITH,
CHAS. M. DUTCHER,	M. L. BOWMAN,
W. S. BAIRD,	J. A. MCINTOSH.

CONCURRENT RESOLUTION NO. 16 FILED

Senator Cessna filed the following resolution:

CONCURRENT RESOLUTION NO. 16

Providing for the appointment of a joint committee to make further investigation relative to the lands described in chapter three hundred fifteen (315), acts of the Fortieth General Assembly, and other lands and to report their recommendations to the Executive Council.

Whereas, Chapter three hundred fifteen (315) acts of the Fortieth General Assembly authorized the executive council to exchange certain lands in Polk county for certain lands in Henry county; and

Whereas, Said council has not been able to effect a satisfactory exchange of said lands; and

Whereas, An offer has been secured by the executive council to include one hundred twenty (120) acres more of Henry county land in exchange for the land in Polk county; and

Whereas, The executive council is desirous of further information in regard to the relative values of the lands both in Henry and Polk county; and

Whereas, It is the wish of the executive council to have this further investigation made by a legislative committee; now, therefore,

Be It Resolved by the Senate and House of the Fortieth General Assembly in Extra Session:

Section 1. That a committee of two (2) from the Senate and three (3) from the House be forthwith appointed by the presiding officers of said houses, respectively, for the purpose of making said investigation.

Sec. 2. Said committee shall forthwith proceed to investigate said lands and any other lands in connection therewith and negotiate a tentative exchange of said lands and report said tentative exchange in writing to the executive council.

By unanimous consent, on request of Senator Cessna, the rules were suspended and the resolution taken up for consideration.

Senator Shinn raised the point of order that Senator Haskell was debating the matter when he only had the floor for the purpose of asking a question.

President pro tem. Price held the point well taken.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The Senate resumed consideration of Senate Concurrent Resolution No. 16.

Senator Bowman offered the following substitute and moved its adoption:

Be It Resolved by the Senate, the House concurring: That the executive council be notified that it is the judgment of the General Assembly that the Flynn Farm be retained as the property of the state of Iowa.

Senator Price raised the point of order that the Senate cannot by resolution repeal chapter 315 of the acts of the Fortieth General Assembly, which is what the substitute resolution does.

The President held the point not well taken as the resolution was merely declarative, stating the sentiment of the Senate.

Senator Price moved the previous question, which motion prevailed.

Senator Price raised the point of order that the previous question had been ordered and there could be no debate.

The President held the point well taken.

Senator Haskell invoked rule 8.

On the question "Shall the resolution by Senator Bowman be substituted?" the vote was:

Ayes, 22.

Abben	Darting	Holdoegel	Perkins
Adams	Dutcher	Horchem	Reed
Banta	Fulton	Mantz	Rees
Bowman	Goodwin	Mead	Schmedika
Brookins	Hale	Olson	Scott
Caldwell	Haskell		

Nays, 17.

Baird	Gilchrist	Nelson	Slosson
Brookhart	Hartman	Price	Snook
Buser	Johnston	Shane	Tuck
Cessna	Kimberly	Shinn	Wichman
Ethell			

Absent or not voting, 11.

Bergman	McIntosh	Shaff	Thurston
Browne	Newberry	Smith	White
Campbell	Romkey	Stoddard	

The substitution was made.

The substitute resolution was adopted.

SENATE FILE NO. 296 WITHDRAWN

By unanimous consent Senator Perkins withdrew Senate File No. 296 from further consideration, the companion bill having also been withdrawn.

REPORTS OF COMMITTEES

Senator Cessna, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to whom was referred House File No. 8, a bill for an act 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, 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 five (5) by striking from line one (1) the following: "such number of" and insert in lieu thereof the following: "Not less than four (4) nor more than eight (8)".

T. C. CESSNA, *Chairman.*

Ordered passed on file.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 172, a bill for an act relating to municipal corporations—public utilities, 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:

1. Strike the comma and words "and shall have power to sell" following the word "purposes" in line 3 of Sec. 2, and insert in lieu thereof the words "for the purpose of selling".

Also amend by inserting in line 5 of Sec. 2, following the word "and" where it first appears in said line, the words "shall have power".

2. Amend Sec. 3 by striking all of said section, and inserting in lieu thereof the following:

Sec. 3. Election required. No such works or plants shall be authorized, established, erected, purchased, leased or sold, or franchise granted, ex-

tended, renewed or amended, or contract of purchase provided for in Sec. 2 hereof shall be entered into unless a majority of the legal electors voting thereon vote in favor of the same.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Senator Romkey filed the following amendments:

Amend House File No. 283, section 64, by inserting following the word "files" in line 5 the words "or has filed,".

Also, amend section 65-a1 by inserting following the word "destination" in line 3 the words "it may be returned to the shipper or,".

The Journal of March 27th was corrected and approved.

On motion of Senator Abben the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1924.

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 Shane rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senators McIntosh and Romkey for the day, on request of Senator Price; Senators Baird and Browne for the day, on request of Senator Newberry; Senators Stoddard and Dutcher for the day, on request of Senator Abben.

RESIGNATION OF COMMITTEE CLERK

The following resignation was received and accepted:

MR. PRESIDENT: I hereby tender my resignation as committee clerk for Senator Browne, same to take effect April 1st.

KEITH K. SCOTT.

PROOF OF PUBLICATION

I hereby certify, that as secretary of the Senate, I have received the proof of publication of Senate File No. 307, a proposed bill for an act to legalize the proceedings of the Board of Directors of the Consolidated Independent School District of Laurens, Pocahontas county, Iowa.

LEON W. AINSWORTH, *Secretary of the Senate.*

RESOLUTION OF CONDOLENCE

Senator Haskell offered the following resolution and moved its adoption:

Whereas, An All-Wise Providence has removed from earthly activities the brother of our respected Senator Harry White; 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 Harry White.

The resolution was adopted.

REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 182, a bill for an act relating to municipal corporations—special charter cities, 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:

1. Section 3, line 2, immediately after the period (.) add the following:

"Such appointees shall be, so far as applicable, subject to the same regulations and restrictions as policemen in such cities."

2. Strike out all of section 4.

3. Immediately after section 5 insert the following:

"Sec. 5-a1. Expense of treasurer's bond.

If the treasurer shall request it, the city shall pay the reasonable expense of procuring a bond for the treasurer, not to exceed one-half ($\frac{1}{2}$) of one per cent (1%) per annum upon the amount thereof."

4. Section 6, line 1, after the word "adopted" insert the words "and signed,".

Section 6, line 2, after the word "evidenced" insert the words "and be subject to veto by the mayor".

5. Immediately after section 6 insert the following:

"Sec. 6-a. Fines recovered.

Fines and penalties may in all cases be recovered by action before a justice of the peace or other court of competent jurisdiction, and in the name of the proper municipal corporation. In any such action, where pleading is necessary, it shall be sufficient to declare generally for the amount claimed to be due in respect to the violation of the ordinance, referring to its title and the date of its adoption or passage, and showing, as near as may be, the facts of the alleged violation. All fees, fines, forfeitures, costs and expenses collected shall be turned over to the city Treasurer by the officer collecting the same on or before the 10th day of each succeeding month, and the city Treasurer shall forthwith pay to the county treasurer for the benefit of the school fund the portion of fines and forfeitures collected for the violation of state laws.

6. Sections 10, line 1, 11, line 1, 12, line 1, 13, line 1, strike out the words "the establishment and maintenance of" where same appears in said sections.

7. Strike out all of sections 15 and 16.

8. Amend section 21 of Code Bill 182 by adding thereto the following:

"This section shall not be construed as depriving Boards of Super-

visors, County Auditors and County Treasurers of their powers to spread tax levies and collect taxes certified by cities acting under special charter as provided in section forty-four hundred twenty-nine (4429) of the compiled code.

9. Section 26, strike out lines 1 to 4, inclusive, and insert in lieu the following:

"Chapter twenty-three (23) of this title is applicable to special charter cities in so far as the subject matter of said chapter is not specifically provided for in this chapter."

10. Section 33, line 1, strike out the words "construct and maintain" and insert in lieu the words "acquire real estate and easements therein, for constructing and maintaining".

11. Strike out of the five lines immediately preceding section 34 the following: "and section four thousand four hundred three (4403), of the supplement to said code".

12. Section 34, line 2, strike out the period (.) and insert in lieu the following: "in so far as the subject matter of said chapter is not specifically provided for in this chapter."

13. Strike out of the title, where same appears, the following: "sixty-seven (4367), inclusive," and insert in lieu "sixty-one (4361), inclusive, four thousand three hundred sixty-four (4364), four thousand three hundred sixty-five (4365),".

Strike out of the title, where same appears, the following: "four thousand three hundred seventy-one (4371),".

Strike out of the title, where same appears, the following: "four thousand four hundred three (4403),".

W. G. HASKELL, *Chairman*.

Ordered passed on file.

REPORT OF SPECIAL COMMITTEE

MR. PRESIDENT: Your special committee to whom was referred Senate File No. 302, for investigation and report, beg to report they have investigated the matters connected with said bill and beg to report that in response to the following questions sent out by the state auditor to the county auditors of the state, to-wit:

1. Did your board of supervisors make any plans in regard to expenditure of the county fund during the year 1924 at about the beginning of the year?

2. Was a regular budget of anticipated county expense for the year 1924 considered at that time?

3. Do you think the county fund in your county will be sufficient to meet all expenses, including elections, during the year 1924?

4. If you expect a deficiency, approximately how much do you think it will be for the year 1924?

The responses were as follows:

Question No. 1: Yes 23, No 46, Indefinite 23.

In answer to question No. 2: Yes 19, No 55, Indefinite 25.

In answer to question No. 3: Yes 50, No 24, Indefinite 25.

In answer to question No. 4: Deficiencies where there would be a deficiency, ranging from \$1000.00 to \$35,000.00.

J. L. BROOKHAET, *Chairman.*

Senator Ethell moved that a brief synopsis of the information gathered by the special committee be printed in the Journal.

The motion prevailed.

The following is a resume of reports from the different counties in regard to Senate File No. 302:

Counties	1.	2.	3.	4.
Adair	N	N	Y	Ample
Adams	Y	Y	Y	None
Allamakee	*	*	N	\$21,000
Appanoose	N	N	N	\$20,000
Audubon	N	N	N	\$ 3,000
Benton	Y	N	Y	None
Black Hawk	*	N	*	None
Bremer	N	N	N	\$10,000
Buchanan	*	*	*	None
Buena Vista	N	N	Y	None
Butler	N	N	N	*
Calhoun	*	*	Y	None
Carroll	Y	Y	Y	None
Cass	Y	N	*	*
Cedar	*	--	Y	None
Cerro Gordo	--	Y	Y	None
Cheorkee	Y	Y	Y	None
Chickasaw	N	N	N	\$ 3,000
Clarke	Y	Y	N	\$10,350
Clay	*	N	Y	None
Clayton	*	N	Y	None
Clinton	N	N	N	Large
Crawford	Y	Y	Y	None
Dallas	--	--	--	-----
Davis	Y	Y	N	\$6,500
Decatur	N	N	N	\$4,000
Delaware	N	*	N	\$3,000
Des Moines	Y	N	Y	None
Dickinson	Y	Y	Y	None
Dubuque	Y	Y	N	\$ 6,000
Emmet	N	N	N	\$ 7,000
Fayette	Y	Y	N	\$125,000
Floyd	N	*	Y	None
Franklin	N	N	Y	None
Fremont	N	Y	*	None
Greene	N	N	Y	None
Grundy	N	N	Y	None
Guthrie	N	N	Y	None
Hamilton	N	N	Y	*
Hancock	Y	N	Y	None
Hardin	*	*	*	None
Harrison	*	*	Y	None
Henry	N	N	Y	None
Howard	Y	Y	Y	None

Counties	1.	2.	3.	4.
Humboldt	Y	N	Y	None
Ida	Y	Y	*	None
Iowa	Y	Y	Y	None
Jackson	N	N	Y	None
Jasper	N	N	Y	None
Boone	N	N	Y	None
Jefferson	--	--	--	*
Johnson	--	--	--	--
Jones	Y	Y	Y	\$1,000
Keokuk	--	--	--	--
Kossuth	*	N	Y	None
Lee	Y	*	*	None
Linn	*	*	*	None
Louisa	N	N	*	*
Lucas	*	Y	N	\$8,000
Lyon	N	N	Y	None
Madison	N	N	Y	None
Mahaska	N	N	N	\$10,000
Marion	N	N	N	\$ 5,000
Marshall	Y	Y	*	*
Mills	Y	N	Y	None*
Mitchell	N	N	N	\$3,000
Monona	N	N	Y	None
Monroe	--	--	--	--
Montgomery	N	N	Y	None
Muscatine	*	*	*	*
O'Brien	N	N	*	None
Osceola	--	--	--	--
Page	N	N	Y	None
Palo Alto	N	N	Y	None
Plymouth	N	N	Y	None
Pocahontas	Y	Y	Y	None
Polk	--	--	--	--
Pottawattamie	N	N	N	\$35,000
Poweshiek	*	--	Y	None
Ringgold	N	N	Y	None
Sac	*	*	Y	None
Scott	Y	N	Y	None
Shelby	N	N	Y	None
Sioux	*	N	*	*
Story	N	*	N	\$10,000
Tama	N	N	Y	None
Taylor	N	N	Y	None
Union	N	N	N	\$10,000
Van Buren	*	*	*	*
Wapello	Y	--	N	\$20,000
Warren	*	N	Y	None
Washington	Y	Y	*	Small
Wayne	N	N	Y	None
Webster	N	N	Y	None
Winnebago	N	N	N	\$6,000
Winneshiek	N	N	Y	None
Woodbury	--	--	--	--
Worth	N	N	N	\$7,000
Wright	N	N	N	Small

Note: N, No.
 Y, Yes.
 *, Indefinite.

On motion of Senator Ethell action on Senate File No. 302 was deferred until Wednesday, April 2d.

THIRD READING OF BILLS

On motion of Senator Gilchrist, Senate File No. 307, a bill to legalize the transfer of money from the general fund to the schoolhouse fund of the consolidated independent school district of Laurens, Pocahontas county, Iowa, 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.

Senator Gilchrist invoked rule 8.

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

Ayes, 33.

Abben	Ethell	Mantz	Schmedika
Adams	Gilchrist	Mead	Scott
Banta	Hale	Newberry	Shane
Bowman	Hartman	Olson	Shinn
Brookhart	Haskell	Perkins	Slosson
Brookins	Holdoegel	Price	Snook
Browne	Horchem	Reed	Tuck
Buser	Kimberly	Rees	Wichman
Darting			

Nays, none.

Absent or not voting, 17.

Baird	Dutcher	McIntosh	Smith
Bergman	Fulton	Nelson	Stoddard
Caldwell	Goodwin	Romkey	Thurston
Campbell	Johnston	Shaff	White
Cessna			

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.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that he had signed Senate Files Nos. 21, 201 and 306.

MESSAGES FROM 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. 305, a bill for an act relating to the forfeiture of certificate of motor carriers and providing penalties for the violation of the statutes, rules and regulations promulgated thereunder.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 277, a bill for an act relating to motor vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 310, a bill for an act relating to the government of 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. 45, a bill for an act relating to fire escapes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 283, a bill for an act relating to permits to sell intoxicating liquors.

Also: That the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 15 urging the passage of a national pure seed law.

Also: That the House returns herewith as requested House File No. 254, a bill for an act relating to labor and material on public improvements.

Also: That the House has concurred in Senate amendments to House File No. 296, a bill for an act relating to municipal corporations.

Also: That the Speaker of the House has appointed as a second conference committee on the part of the House on Senate File No. 75, a bill for an act relating to chattel mortgages, real estate mortgages creating liens on personal property, and conditional sales of personal property, Representatives Vincent, Saunders, Garber of Adair and Bradley.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 236, a bill for an act relating to estate of decedents, Representatives Doolittle, Clark, Vincent and Lovrien.

Also: That the House has adopted the conference committee report on Senate File No. 93, a bill for an act relating to the state college of agriculture and mechanic arts.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 277, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041), thirty hundred forty-two (3042) and thirty hundred forty-four (3044), eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters.

Read first and second times and referred to committee on motor vehicles.

House File No. 310, a bill for an act to amend, revise, and codify section forty-two hundred ninety-two (4292) of the compiled code relating to the government of cities and towns.

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

House File No. 305, a bill for an act to amend sections thirty hundred eighty-one-a one (3081-a1), thirty hundred eighty-one-a seven (3081-a7) and thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, relating to the rules and regulations of motor carriers and providing penalty for the violation of the statutes, rules and regulations promulgated thereunder.

Read first and second times and referred to committee on motor vehicles.

AMENDMENT FILED

Senator Ethell filed the following amendment:

Amend Senate File No. 302 by striking the period (.) after the figures "(1924)" in line 6 of section 1 and by adding the following: "in counties which do not have sufficient funds for such purposes."

The Journal of March 28th was corrected and approved.

Senator Brookhart moved that the rules be suspended and the committee on appropriations be authorized to introduce an appropriation bill relative to the purchase of the Willits farm.

On motion of Senator Abben the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 31, 1924.

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

Prayer was offered by Rev. J. P. Sims, pastor of the Bethel A. M. E. church, East Des Moines, Iowa.

On motion of Senator Ethell rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cessna for the day, on request of Senator Price; Senator Haskell for the day, on request of Senator Mead; Senator Schmedika for the day, on request of Senator Bowman; Senator McIntosh for the forenoon, on request of Senator Gilchrist; Senator Romkey for the day, on request of Senator Shane; Senator Shaff for the day, on request of Senator Newberry; Senator Nelson for the day, on request of Senator Buser; Senator Baird for the day, on request of Senator Horchem.

HOUSE FILE NO. 254 RECONSIDERED

On motion of Senator Reed the vote by which House File No. 254 passed the Senate was reconsidered.

On motion of Senator Reed the vote by which House File No. 254 passed to its third reading was reconsidered.

On motion of Senator Reed House File No. 254 was rereferred to the 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 that it has examined and finds correctly enrolled Senate Files Nos. 91, 179, 203, 299, 205, 301, 303, 304, and 305.

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. 91, 179, 203, 205, 299, 301, 303, 304 and 305.

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 twenty-ninth day of March, sent to the Governor for his approval, Senate Files Nos. 91, 179, 203, 205, 299, 301, 303, 304, and 305.

F. C. GILCHRIST, *Chairman*.

The report was adopted.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on Senate File No. 27, on the part of the Senate, Senators Kimberly, Banta, Shane and Darting.

THIRD READING OF BILLS

On motion of Senator Brookins, House 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), two hundred seventy-four (274) and seven hundred twenty-five (725) 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, 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 five (5) by striking from line one (1) the following: "such number of" and insert in lieu thereof the following: "Not less than four (4) nor more than eight (8)".

Senator Buser offered the following amendment and moved its adoption:

Amend by adding the following as an extra paragraph to section 11:

"If said examination discloses any irregularity in the collection or disbursement of public funds, or in the abatement of taxes, a copy of said report shall be filed with the county attorney and it shall be his duty to start proceedings to secure the correction of the irregularity."

Senator Holdoegel offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "duty" the following: "to investigate the matter and if in his opinion the law has been violated,".

Senator Banta offered the following amendment to the amendment as a substitute for Senator Holdoegel's amendment to the amendment:

Amend by striking the words "to start proceedings" from the amendment and inserting in lieu thereof the following: "to cooperate with the state auditor and, in proper cases, with the attorney general".

Senator Holdoegel withdrew his amendment.

The amendment to the amendment offered by Senator Banta was adopted.

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, 33.

Banta	Fulton	Mantz	Shane
Bowman	Gilchrist	Mead	Shinn
Brookins	Hale	Olson	Slosson
Browne	Hartman	Perkins	Snook
Buser	Holdoegel	Price	Stoddard
Caldwell	Horchem	Reed	Thurston
Campbell	Johnston	Rees	Tuck
Dutcher	Kimberly	Scott	Wichman
Ethell			

Nays, none.

Absent or not voting, 17.

Abben	Cessna	McIntosh	Schmedika
Adams	Darting	Nelson	Shaff
Baird	Goodwin	Newberry	Smith
Bergman	Haskell	Romkey	White
Brookhart			

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

By unanimous consent Senator Brookins withdrew Senate File No. 8 from further consideration.

On motion of Senator Kimberly, House File No. 172, 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), and three thousand nine hundred seventy-seven (3977) of the compiled code of Iowa, and section four thousand six (4006) of the supplement to said code, relating to municipal corporations, 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:

1. Strike the comma and words "and shall have power to sell" following the word "purposes" in line 3 of Sec. 2, and insert in lieu thereof the words "for the purpose of selling".

Also amend by inserting in line 5 of Sec. 2, following the word "and" where it first appears in said line, the words "shall have power".

2. Amend Sec. 3 by striking all of said section, and inserting in lieu thereof the following:

Sec. 3. Election required. No such works or plants shall be authorized, established, erected, purchased, leased or sold, or franchise granted, extended, renewed or amended, or contract of purchase provided for in Sec. 2 hereof shall be entered into unless a majority of the legal electors voting thereon vote in favor of the same.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out of lines eleven (11) and twelve (12) of section 1 the following words and figures: "with a population of less than ten thousand (10,000)".

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, 34.

Adams	Darting	Mantz	Shane
Banta	Ethell	Mead	Shinn
Bowman	Fulton	Newberry	Slosson
Brookhart	Gilchrist	Olson	Snook
Brookins	Hale	Perkins	Stoddard
Browne	Hartman	Reed	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchem	Scott	Wichman
Campbell	Kimberly		

Nays, none.

Absent or not voting, 16.

Abben	Dutcher	McIntosh	Schmedika
Baird	Goodwin	Nelson	Shaff
Bergman	Haskell	Price	Smith
Cessna	Johnston	Romkey	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 Fulton withdrew Senate File No. 172 from further consideration.

On motion of Senator Scott, Senate File No. 207, a bill for an act to amend, revise, and codify sections five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code of Iowa, and sections five thousand four hundred ninety-six (5496), and five thousand six hundred five (5605) of the supplement to said code, relating to insurance other than life, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (page 1093 of the Senate Journal) were considered:

Senator Gilchrist offered the following amendment to the amendment and moved its adoption:

Amend section 6 by adding after the word "stock" in line 4 the following: "or for the services or expenses of any such person".

The amendment to the amendment was adopted.

Senator Brookhart offered the following amendment to the committee amendment and moved its adoption:

Amend by adding at the end of section 4 the following: "Any amount paid to the company for stock above the par value of the stock, shall constitute a contributed surplus and shall not be used in the payment of divi-

dends and shall not be used in the payment of salaries or operating expenses until the net earnings of the company are exhausted, and then only with the consent of the commissioner of insurance."

Senator Ethell offered the following amendment to Senator Brookhart's amendment and moved its adoption:

Amend by inserting a period (.) after the word dividends and striking out all following.

The amendment offered by Senator Ethell was adopted.

The amendment offered by Senator Brookhart, as amended, was adopted.

Further action was deferred.

HOUSE AMENDMENTS CONSIDERED

Senator Thurston called up for consideration Senate File No. 45, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking the word "inside" following the word and figure "two (2)" in line three (3) of section 3.

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Abben	Ethell	Kimberly	Rees
Adams	Fulton	Mantz	Scott
Banta	Gilchrist	Mead	Shane
Brookhart	Hale	Newberry	Shinn
Brookins	Hartman	Olson	Snook
Browne	Holdoegel	Perkins	Stoddard
Buser	Horchem	Price	Thurston
Campbell	Johnston	Reed	Tuck

Nays, none.

Absent or not voting, 18.

Baird	Darting	Nelson	Slosson
Bergman	Dutcher	Romkey	Smith
Bowman	Goodwin	Schmedika	White
Caldwell	Haskell	Shaff	Wichman
Cessna	McIntosh		

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

CONCURRENT RESOLUTION NO. 17

Senator Holdoegel offered the following resolution:

Whereas, It appears that the state has opportunity to purchase the L. C. Willets farm of approximately 363 acres, located near the state institution at Mt. Pleasant, at a price well within its value; and,

Whereas, It appears that said land is very desirable for the use of said institution; now, therefore,

Be It Resolved by the Senate the House concurring: That a committee of six be appointed, three appointed by the President of the Senate and three by the Speaker of the House, to inspect said land and the general conditions surrounding the same, to take into consideration the purchase of said land to ascertain upon what terms and conditions the land can be purchased and to report to the Senate and the House at the earliest possible date.

By unanimous consent the resolution was taken up for consideration.

Senator Price raised the point of order that the subject matter in this resolution had been decided in the consideration of the resolution by Senator Cessna last week.

The President held the point not well taken, as one resolution related to a trade and the other to a purchase.

On motion of Senator Gilchrist the Senate adjourned until 1:15 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The Senate resumed consideration of concurrent resolution No. 17.

Senator Price offered the following amendment and moved its adoption:

Amend by striking the word "six" from the third paragraph and inserting the word "four" in lieu thereof; and by striking the word "three" from the same paragraph where it appears in line 2 and line 3 and by inserting the word "two" in lieu thereof.

The amendment was adopted.

Senator Price moved the previous question, which motion prevailed.

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

Ayes, 22.

Brookhart
Brookins

Campbell
Darting

Ethell
Hartman

Holdoegel
Kimberly

Mantz	Perkins	Shane	Tuck
Mead	Price	Shinn	Wichman
Newberry	Reed	Slosson	
Olson	Scott	Snook	

Nays, 10.

Banta	Caldwell	Johnston	Stoddard
Bowman	Fulton	Rees	Thurston
Buser	Gilchrist		

Absent or not voting, 18.

Abben	Cessna	Horchem	Schmedika
Adams	Dutcher	McIntosh	Shaff
Baird	Goodwin	Nelson	Smith
Bergman	Hale	Romkey	White
Browne	Haskell		

The resolution was adopted.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 207.

Senator Fulton offered the following amendment as a substitute for section 6, as amended, and moved its adoption:

"No company shall enter into any contract with any promoter, officer, director or agent of the company or any other person to pay his expenses or to pay him any commission or any compensation for his services in promoting or organizing such company or in selling its stock in excess of the amount authorized in section 4 hereof; nor shall it contract with any such person to pay him any part of the premiums arising from the insurance it has written or may write as compensation directly or indirectly for aiding in the promotion or for aiding or effecting any consolidation of such company with any other company, without the approval of the insurance commissioner."

Senator Browne moved that further action be deferred.

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

Ayes, 17.

Adams	Campbell	Price	Slosson
Brookhart	Ethell	Reed	Snook
Browne	Johnston	Rees	Stoddard
Buser	Nelson	Shinn	
Caldwell	Olson		

Nays, 16.

Abben	Fulton	Kimberly	Scott
Banta	Gilchrist	Mantz	Shane
Brookins	Hale	Newberry	Tuck
Darting	Hartman	Perkins	Wichman

Absent or not voting, 17.

Baird	Goodwin	McIntosh	Shaff
Bergman	Haskell	Mead	Smith
Bowman	Holdoegel	Romkey	Thuraton
Cessna	Horchem	Schmedika	White
Dutcher			

The motion prevailed and further action was deferred.

INTRODUCTION OF BILLS

Senate File No. 309, by committee on appropriations (on request of Senator Brookhart), a bill for an act authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase of said lands, at one hundred thousand dollars (\$100,000).

Read first and second times and placed on the calendar.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 90 by adding the following after section 33:

Section 34. When students register or enroll for the first time in any one of the three state institutions for higher education in Iowa, they shall be classified as follows:

Resident Students.

Any student who shall, on or before the first day of the session for which he registers in any one of the three state institutions for higher education in Iowa, have voted or registered as a voter in Iowa, and who shall not have later relinquished his citizenship in Iowa through his having voted or registered as a voter elsewhere than in Iowa; or any student under twenty-one (21) years of age whose parent or parents or legal guardian shall, similarly, have voted or registered as a voter in Iowa, and who shall not have later relinquished his citizenship in Iowa through his having voted or registered as a voter elsewhere than in Iowa; shall be required to pay such resident tuition, laboratory and other fees as may be prescribed by the state board of education.

Non-Resident Students.

Any student who, on or before the first day of the session for which he may register in any one of three state institutions for higher education in Iowa, shall not have voted or registered as a voter in Iowa; or any student under twenty-one (21) years of age whose parent or parents or legal guardian shall, similarly, not have voted or registered as a voter in Iowa, shall be required to pay such non-resident tuition fees as may be prescribed by the state board of education, until he shall have attended one or more of the three state institutions for higher education in Iowa through four successive academic years. But if he shall have attended any one or more of these three state institutions for from one to four academic years, spending the remainder of such four-year period as a registered voter (or as

the son or daughter or legal ward of such a registered voter) of this state, not having, within this period, relinquished his citizenship in Iowa through his or his parent's or legal guardian's having voted or registered as a voter elsewhere than in Iowa, he shall thereafter be considered as a resident student of Iowa.

Any person twenty-one (21) years of age having been born or having acquired citizenship in Iowa, but who has not lived in Iowa continuously at least six (6) months next preceding the first day of the session for which he registers in any one of the three state institutions for higher education in Iowa, may be required to file his affidavit that he has not relinquished his citizenship in Iowa through his having voted or registered as a voter elsewhere than in Iowa, in order to establish his right to register as a student on paying only the resident tuition fee. If such a person is under twenty-one (21) years of age, either of his parents or his legal guardian may be required to file a similar affidavit respecting the place of his or her citizenship as determining whether such minor may, or may not, register as a student on paying only the resident fee.

The state board of education may remit, in whole or in part, tuition to a number of needy and worthy resident and non-resident students.

The state board of education is authorized and empowered to carry out the provisions of this section.

H. J. MANTZ.

MR. PRESIDENT: I move to amend Senate File No. 309 as follows:

Strike out all of section two (2) and insert in lieu thereof the following:

"The executive council is hereby authorized and directed to pay not more than one hundred thousand dollars (\$100,000) for said land, and an amount of money necessary therefor is hereby appropriated from any unappropriated funds in the state treasury."

B. M. STODDARD.

Senator Shane filed the following amendment:

Amend Senate File No. 302 by striking the period following figures (1924) in line 6 of section 1 and adding "in the following named counties: Allamakee, Appanoose, Audubon, Bremer, Chickasaw, Clark, Clinton, Davis, Decatur, Delaware, Dubuque, Emmett, Fayette, Jones, Lucas, Mahaska, Marion, Mitchell, Pottawattamie, Story, Union, Wapello, Washington, Winnebago, Worth, Wright."

The Journal of March 29th was corrected and approved.

Senator Shinn moved that the Senate adjourn until 9:00 a. m. Tuesday.

Senator Caldwell moved to amend by making the hour 10:00 a. m.

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

Ayes, 24.

Abben	Darting	Mead	Shinn
Banta	Fulton	Newberry	Slosson
Brookhart	Gilchrist	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Buser	Holdoegel	Rees	Tuck
Caldwell	Kimberly	Shane	Wichman

Nays, 6.

Campbell	Ethell	Nelson	Scott
Dutcher	Mantz		

Absent or not voting, 20.

Adams	Cessna	Johnston	Schmedika
Baird	Goodwin	McIntosh	Shaff
Bergman	Hale	Price	Smith
Bowman	Haskell	Reed	Thurston
Browne	Horchem	Romkey	White

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 1, 1924.

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

Prayer was offered by Rev. W. R. Oursler, pastor of the Evangelical church, of Merrill, Iowa.

On motion of Senator Campbell rule 33 was suspended for the day.

INTRODUCTION OF BILL

Senate File No. 310, by committee on judiciary No. 1, a bill for an act legalizing the transfer by concurrent resolution by the 38th General Assembly of \$519,287.76 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and an appropriation made therefor.

Read first and second times and placed on the calendar.

REPORT OF COMMITTEE

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 254, a bill for an act to amend, revise and codify 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, 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:

1st. That the Senate reconsider the vote by which its amendment to subdivision two (2) of section one (1) passed the Senate, and that such amendment be not adopted.

2nd. Amend section seven (7) as follows: After the word "material" in line three thereof, add the words "service or transportation"; also change the period after the word "material" in line 6 to a comma and add thereto the words "service or transportation".

CARL W. REED, *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 adopted the conference committee report and the amendments proposed therein to Senate File No. 123, a bill for an act relating to township road system.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 169, a bill for an act relating to municipal corporations.

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: House Files Nos. 57, 200 and 266.

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. 100 and 261-A.

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. 77 and 196.

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. 100, 261-A, 77, 196, 57, 200, 266.

HOUSE AMENDMENTS CONSIDERED

Senator Holdoegel called up for consideration Senate File No. 101, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting in section 9 and immediately after the word "districts" in line 1, the following: "and in all independent town, city and consolidated school districts,".

Amend section 9, line 10, by striking the word "shall" and inserting in lieu thereof the word "may".

Amend section 10, line four (4), by inserting between the words "town" and "district" the words "and consolidated". Also amend said section by adding thereto the following: "In the application of the absent voters' law, the secretary of the board shall perform the duties therein imposed upon the county auditor or clerk of the city or town. A tie vote for any elective school office shall be publicly determined by lot forthwith, under the direction of the board canvassing the returns."

Amend section 10, line four (4), by striking the word "and" and inserting in lieu thereof a comma (,).

Amend section 12 by striking lines fourteen (14) and fifteen (15) preceding the word "shall".

Amend section 19, line two (2), by striking the word "may" and inserting in lieu thereof the word "shall".

Amend section 22 by striking the period at the end of line four (4) and inserting in lieu thereof the following: ", but the board may authorize any subdirector to employ teachers for the school in his subdistrict".

Amend section 24 by striking the comma (,) following the word "year" in line three (3) and inserting in lieu thereof a period (.). Also amend by striking the words "after which" in line three (3) and inserting in lieu thereof the following: "After serving at least seven months".

Amend section 37 by adding at the end of the section as it appears in the printed bill the following: "No such certificate or affidavit shall be required for admission to the high school in any school corporation when he has finished the common school branches in the same corporation."

Senator Holdoegel invoked rule 8.

On the question "Shall the Senate concur?" the vote was:

Ayes, 26.

Abben	Caldwell	Kimberly	Scott
Adams	Dutcher	Mantz	Slosson
Baird	Gilchrist	Mead	Smith
Banta	Hale	Newberry	Stoddard
Bowman	Haskell	Perkins	Tuck
Brookhart	Holdoegel	Reed	Wichman
Brookins	Horchem		

Nays, 15.

Browne	Darting	Nelson	Shinn
Buser	Fulton	Price	Snook
Campbell	Hartman	Schmedika	Thurston
Cessna	Johnston	Shane	

Absent or not voting, 9.

Bergman	McIntosh	Rees	Shaff
Ethell	Olson	Romkey	White
Goodwin			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Holdoegel moved that the vote by which the House amendments were adopted and concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE INSISTS ON AMENDMENTS

Senator Scott moved that the Senate insist on its amendments to House File No. 34.

On the question "Shall the Senate insist?" the vote was:

Ayes, 28.

Abben	Gilchrist	Kimberly	Reed
Banta	Goodwin	Mantz	Scott
Brookins	Hale	Mead	Shaff
Caldwell	Hartman	Newberry	Shane
Darting	Haskell	Olson	Smith
Dutcher	Holdoegel	Perkins	Stoddard
Fulton	Horchem	Price	Wichman

Nays, 12.

Browne	Cessna	Nelson	Shinn
Buser	Ethell	Romkey	Snook
Campbell	McIntosh	Schmedika	Tuck

Absent or not voting, 10.

Adams	Bowman	Rees	Thurston
Baird	Brookhart	Slosson	White
Bergman	Johnston		

The motion prevailed and the Senate insisted.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Hale called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and the House on Senate File No. 123, 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, beg leave to report that they have had the same under consideration and submit the following report:

Substitute the following for Senate amendment to House amendment to section 2:

Amend section two (2) of Senate File No. 123 by striking from line two (2) the word "faithfully" and insert in lieu thereof the words "equitably and judiciously".

J. K. HALE,
J. M. SLOSSON,
CHAS. S. BROWNE,
I. N. SNOOK,

Conferees on part of Senate.

M. L. HENDERSON,
A. O. HAUGE,
E. P. HEALY,
J. A. KING,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 41.

Abben	Ethell	Kimberly	Schmedika
Adams	Fulton	McIntosh	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Shane
Bowman	Hale	Nelson	Slosson
Brookhart	Hartman	Newberry	Smith
Brookins	Haskell	Olson	Snook
Buser	Holdoegel	Perkins	Stoddard
Caldwell	Horchem	Price	Thurston
Campbell	Johnston	Reed	Wichman
Darting			

Nays, none.

Absent or not voting, 9.

Bergman	Dutcher	Romkey	Tuck
Browne	Rees	Shinn	White
Cessna			

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

MOTION TO RECONSIDER CONSIDERED.

Senator Mantz called up the following motion and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote whereby the motion that the Senate insist on its amendments to House File No. 134 failed to pass the Senate; also to reconsider the vote by which the motion to recede failed to pass.

H. J. MANTZ.

The motion to reconsider prevailed.

Senator Mantz moved that the Senate insist on its amendments to House File No. 134.

On the question "Shall the Senate insist?" the vote was:

Ayes, 31.

Abben	Darting	Kimberly	Shaff
Adams	Dutcher	McIntosh	Shane
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Newberry	Smith
Bowman	Hale	Olson	Stoddard
Brookins	Hartman	Perkins	Thurston
Caldwell	Holdoegel	Reed	Wichman
Campbell	Horchem	Scott	

Nays, 4.

Buser	Ethell	Nelson	Shinn
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Absent or not voting, 15.

Bergman	Fulton	Price	Snook
Brookhart	Haskell	Rees	Tuck
Browne	Johnston	Romkey	White
Cessna	Mead	Schmedika	

The motion prevailed and the Senate insisted on its amendments.

HOUSE AMENDMENTS CONSIDERED

Senator Romkey called up for consideration Senate File No. 283, amended as follows by the House:

1. Amend by striking from the second and third lines of the title the following: "and nine hundred eighty (980)".

2. Amend sub-enacting clause by striking from line two (2) the following: "and nine hundred eighty (980)".

3. Amend section one (1) by striking out the last sentence.

4. Amend section two (2), subsection four (4), by inserting immediately following the word "pharmacist" the following: "and is operating and for the last six months has lawfully operated a regular prescription pharmacy or drug store in the town, city or township in which he proposes to engage in the business under the permit applied for and that he owns not less than one-half interest in said pharmacy or drug store".

Amend section two (2) by striking out subsection six (6).

Amend section two (2), subsection eight (8), by striking out the period (.) after the word "amusement" in line nineteen (19) and insert a comma (,) and also the following words: "nor are any of said named businesses located in his said place of business or directly connected therewith."

Amend section two (2), subsection nine (9), by striking out the period (.) after the word "beverage" in line twenty-one (21) and insert a comma (,) and also insert the following: "and that he will not, while holding a permit, employ or retain in his employment any person in his said business who is known to him to be so addicted."

5. Amend section twelve (12) by renumbering the lines to include the Senate amendment and insert after the word "who" in line eight (8) the words "has been or". Also strike from line thirteen (13) as renumbered the word "further".

Amend section twelve (12) by adding after the word "violation," in line eleven (11) as renumbered the following: "has surrendered or hereafter".

6. Amend section twenty (20), line three (3), by inserting immediately after the word "time" the following: ", not exceeding five (5) years,".

7. Amend by striking out section twenty-one (21) and insert the following in lieu thereof:

"On and after January first, nineteen hundred twenty-five (1925), each permit holder under this chapter shall, on the first day of January, April, July and October of each year, pay into the county treasury, as a fee for the granting of such permit, all proceeds of all sales of intoxicating liquors in excess of two hundred per cent (200%) of the wholesale price of such liquors."

8. Amend by adding the following as section twenty-one-a1 (21-a1):

"The pharmacy examiners shall from time to time fix the fair and reasonable wholesale price of intoxicating liquors for all points in this state and furnish such price lists to permit holders. The fixing of said prices shall be for the sole purpose of furnishing a basis for the computation of said fee."

9. Amend section twenty-two (22) by striking out subsection one (1) and insert in lieu thereof the following:

"Only spirituous and vinous liquor, the sale of which has been au-

thorized by federal statutes or regulations and upon which the federal internal revenue tax has been paid, shall be sold."

Amend section twenty-two (22), line seven (7), by inserting after the word "engaged" the words "in this state".

10. Amend by adding after section twenty-two (22) the following sections:

"Sec. 22-a1. Request.

Before selling or delivering any intoxicating liquors, a written request therefor must, after being fully, accurately, and legibly filled out in ink, in the presence of the applicant, and by the person making the sale, be signed by the applicant in his true name, and attested by the holder of the permit.

Sec. 22-a2. Form.

Said written requests shall be in the following form:

(Official Form.....Series.....)

CERTIFIED REQUEST OF PURCHASERS

No....., Iowa,19.....

To..... Reg. Phar. No.....

I hereby make request for the purchase of the following intoxicating liquors:

AMOUNT

KIND

Stub
No.
....., 19.....
Purchaser
Address
Purchase
For Whom.....
Address
Certifier
Address

.....
My true name is..... I am
not a minor, and reside in.....
township (or town of.....) at
No., in the county of
....., state of.....
..... The actual purpose for which
this request is made is to obtain said liquor
for residing at No.
....., township.....
..... (or town of.....),
county of..... State of
....., who is a member of
my immediate family, (or a patient unable,
because of illness, to call for the same) and
the same is desired for medicinal use and is
to fill a prescription issued to.....
by Dr....., who offices at
No....., township or town of
.....,
county, state of....., and the
same was issued to me in strict compliance
with federal statutes and not in evasion there-
of, and neither myself nor the said.....
..... habitually use intoxicating liquors

as a beverage, nor do we intend to use the above named liquor for that purpose.

.....
(Signature of purchaser)

(If the applicant is unknown to the permit holder, the blank below shall also be filled out and signed by a witness.)

I,, hereby certify that I am acquainted with, the applicant for the purchase of the foregoing described liquors and the said..... is not a minor and is not in the habit of using intoxicating liquors as a beverage, and is worthy of credit as to the truthfulness of the statements in the foregoing request and my residence is No..... street, state of.....

.....
(Signature of certifier)

Attested by.....

Registered Pharmacist No.....

Sec. 22-a3. Furnishing of blanks.

The blanks for such requests shall, with proper stubs, in all cases, be printed in book form and shall be furnished to the permit holder at cost by the county auditor of the county in which such permit is in force, and shall contain the facsimile signature of the county auditor; both stub and request shall be numbered consecutively.

Sec. 22-a4. Preservation and inspection.

The permit holder shall preserve the stub in book form and shall keep them at all times, subject to the inspection of the pharmacy examiners, the county attorney, any grand jury, peace officer, or justice of the peace in the county in which the permit is in force.

Sec. 22-a5. Duty to refuse request.

The request shall be refused unless the permit holder has reason to believe the statements to be true, and in no case granted unless the permit holder filling it, personally knows the person applying is not a minor, intoxicated nor in the habit of using intoxicating liquors as a beverage.

Sec. 22-a6. Identification required.

If the applicant is not so personally known, before filling the order or delivering the liquor, the permit holder shall require identification and the statement, in writing, of a reliable and trustworthy person, of good character and habit, known personally to him, that the applicant is not a minor nor in the habit of using intoxicating liquors as a beverage and is worthy of credit as to the truthfulness of the statements in the application. Said statement so made shall be legibly signed by the witness in his own name, stating his address correctly.

Sec. 22-a7. Penalties.

If any person shall make any false or fictitious signature, or sign any name other than his own, to any request for the purchase of intoxicating liquors, as heretofore provided, or as may be hereinafter provided, or to any other paper required to be signed, or make any false statement in any paper or application or request, signed to procure liquors, he shall be punished by a fine of not less than twenty dollars (\$20.00), nor more than one hundred dollars (\$100.00) and costs of prosecution, and shall be committed until said fine and costs are paid, or shall be imprisoned not less than ten (10) nor more than thirty (30) days."

11. Amend section twenty-five (25) by striking out all Senate amendments and insert the following in lieu thereof:

"Sec. 25-a1. Prescriptions prohibited.

No physician shall issue a prescription for vinous or spirituous liquors for other than medical purposes, or in excess of the amount reasonably necessary for such purposes or in excess of the quantity heretofore specified nor shall he issue or deliver such prescription to a person when he has reasonable grounds for believing that such person will use the liquors obtained thereunder for beverage purposes.

Sec. 25-a2. Record of prescriptions.

Every physician shall keep, in his own handwriting and in his office, a permanent, legibly written, record in ink of every prescription for intoxicating liquors issued by him. Said record shall be alphabetically arranged under the name of the patient and shall show:

1. The date of the prescription.
2. The amount and kind of liquors prescribed.
3. The name of the patient and his postoffice address, including street number, if any.
4. The name of the person to whom the prescription was delivered and his postoffice address, including street number, if any.
5. The purpose or ailment for which the liquors are prescribed.
6. The directions for the use of said liquors, including the amount and frequency of the dose.

Sec. 25-a3. Reports filed.

Every physician shall, on or before the twentieth day of January, April, July, and October, each year, file with the county auditor of the county of his residence an exact duplicate of the record provided for in the last preceding section. Each filing shall cover the three (3) calendar months preceding the filing.

Sec. 25-a4. Oath.

Said physician shall securely attach to each duplicate record so filed by him his oath in the following form:

"I,, do say on oath that the hereto attached record is an exact duplicate of the record of prescriptions kept by me in my office for the months of,, and, 19....; that said record has been accurately

prepared and kept by me and shows every prescription for intoxicating liquors issued and delivered by me during said months; that I have in no case issued a prescription for such liquors for other than medical purposes or for a quantity of such liquors in excess of the amount reasonably necessary for said purposes, or for a quantity of such liquors in excess of the quantity permitted by state or federal statutes and regulations; nor have I issued such prescription to a person when I had reason to believe that such person would use the liquors obtained thereunder for beverage purposes."

Sec. 25-a5. Penalty—suspension.

Upon conviction for a violation of any provision of the four preceding sections, the court, as a part of the judgment, shall order the certificate or license of such physician to practice his profession suspended for a period of not less than one (1) year nor more than five (5) years.

Sec. 25-a6. Effect of suspension.

During the period of such suspension such physician shall be wholly barred from the practice of his profession in this state, and the clerk of said court shall forthwith notify the state department of health of such suspension and the period thereof; any physician practicing or attempting to practice his profession during the interim of such a suspension shall be guilty of a misdemeanor.

Sec. 25-a7. Conviction in federal courts.

When a physician or pharmacist, licensed under the laws of this state, is convicted in any federal court of this state of a violation of the federal statutes or regulations relating to intoxicating liquors, or to narcotics, and said judgment has become final, the county attorney of the county where said physician or pharmacist resides shall forthwith file in the office of the clerk of the district court of said county a duly certified copy of said judgment and thereupon said district court, or a judge thereof, shall, on such notice to the defendant in said judgment as the court or judge may prescribe, enter an order suspending for a period of not less than one (1) year nor more than five (5) years the license of such physician or pharmacist to practice his profession in this state. In such proceeding the county attorney shall appear on behalf of the state.

12. Amend section twenty-six (26), line two (2), by striking out the word "may" and substituting therefor the word "shall".

13. Amend by striking from the bill sections thirty-one (31) to thirty-three (33), inclusive.

14. Amend section thirty-four (34), line one (1), by striking therefrom the word "and" and inserting in lieu thereof the word "or".

15. Amend section forty-one (41) by striking from line six (6) the words: "within the last two years."

16. Amend by striking section forty-eight (48) from the bill.

17. Amend section forty-nine (49) by striking out the first five lines and insert in lieu thereof the following:

"A corporation which is located and doing a wholesale drug business within this state may be granted a permit to purchase and sell intoxi-

24. Amend by striking section sixty (60) from the bill and insert the following in lieu thereof:

"Sec. 60. Requests—preparation—delivery.

Requests for intoxicating liquors may be made out and signed by the applicant at his place of business and forwarded to the permit holder of whom request is made, and the permit holder may, by his own conveyance, personally deliver said liquors to the applicant, or cause such delivery to be made by a common carrier.

Sec. 60-a1. Optional delivery.

The applicant may personally present said written request for the purchase of such liquors to the permit holder and the permit holder may deliver said liquors directly to the applicant.

Sec. 60-a2. Reports.

The permit holder, in making the reports required herein, shall specify the manner in which each sale of liquors was delivered, to-wit: Whether a delivery was made by his own conveyance, or by a common carrier, or by direct delivery to the applicant.

Sec. 60-a3. Special requirement.

No sale shall be made on a request unless such request is filled out with pen and ink."

25. Amend by striking section sixty-four (64) from the bill and in lieu thereof insert the following:

"Sec. 64. Transportation.

Common carriers shall transport the liquors purchased or sold by a wholesale drug corporation under the authority of the permit herein provided, whether such shipment be interstate or intrastate:

1. When the consignor files with the agent of the carrier, at the point of origin, an affidavit stating:

(a) That the consignee is a person, firm or corporation who has a legal right to make such purchase;

(b) That the liquors are consigned to the station nearest to the consignee's place of business; and

(c) That the consignor and consignee are in all respects acting lawfully in the transportation of said liquor.

2. When bill of lading is made out and signed as heretofore provided.

3. When carrier is furnished with copy of the permit held by the wholesale drug corporation and said copy is duly certified to be correct by the clerk of the court issuing the permit.

Sec. 64-a1. Affiant.

If the consignor is a corporation, the affidavit provided for in the last preceding section shall be made by the pharmacist having charge of the sales of such liquors or by some managing officer of the corporation."

26. Amend by inserting immediately following section sixty-five (65) the following:

"Sec. 65-a1. Undelivered shipments.

Should a consignee fail to comply with the law and obtain delivery of a shipment of intoxicating liquors within fifteen (15) days after notice to him by mail, such carrier may make application to the district court or to a judge thereof of the county in which the liquors are being held, for an order for the delivery of said liquors by said carrier to the sheriff and for an order for the destruction thereof.

Sec. 65-a2. Effect of delivery.

A delivery of said liquors to the sheriff under an order of the court shall discharge the carrier from all civil liability for said liquors.

Sec. 65-a3. Order.

The court shall summarily hear said application and, upon proof of the truth thereof, shall enter an order for the delivery of said liquors to the sheriff and for the destruction of said liquors."

27. Amend by adding immediately following section seventy (70) the following:

"Sec. 70-a1. Return of requests.

On or before the fifteenth day of January, March, May, July, September and November of each year, each permit holder other than a wholesale druggist shall, in addition to all other requirements of this chapter, make full returns to the county auditor, under oath, of all requests filled by him and his clerks during the two preceding months.

Sec. 70-a2. Oath.

The oath provided for in the last preceding section shall be in the following form:

I,, being duly sworn, on oath state that the requests for liquors herewith returned are all that were received and filled at my pharmacy during the months of....., A. D.....; that I have carefully preserved the same, and that they were filled up, signed and attested at the date shown hereon, as provided by law; that said requests were filled by delivering the quantity and kinds of liquors required, and that no liquors have been sold or dispensed under color of my permit during said months except as shown by the requests herewith returned, and that I have faithfully observed and complied with the conditions of my bond and oath taken by me thereon indorsed, and with all the laws relating to any duties in the premises."

28. Amend section seventy-two (72) by adding after the word "extracts" in line one (1) thereof the words "toilet articles and perfume".

29. Amend by inserting the following immediately following section seventy-eight (78):

"Sec. 78-a1. Proof of right to receive liquors.

The consignee of intoxicating liquors shall, on demand of the carrier transporting such liquors, furnish the carrier, at the place of delivery, with legal proof of the consignee's legal right to receive such liquors at the time of delivery, and until such proof is furnished the carrier shall be under no legal obligation to make delivery nor be liable for failure to deliver.

Sec. 78-a2. Delivery to sheriff.

If such proof be not furnished the carrier within ten (10) days after demand, the carrier may deliver such liquors to the sheriff of the county embracing the place of delivery, and such delivery shall absolve said carrier from all liability pertaining to said liquors.

Sec. 78-a3. Destruction.

The sheriff shall, on receipt of such liquors from the carrier, report the receipt to the district court of his county or to a judge thereof, and the court or judge shall proceed to summarily enter an order for the destruction of said liquors.

Sec. 78-a4. Temporary section.

The code editor is directed, in compiling the new code, to insert the three last preceding sections in that body of statute known as Senate File No. 51 of the acts of the extra session of the Fortieth General Assembly."

Senator Romkey withdrew the following amendments:

Amend House File No. 283, section 64, by inserting following the word "files" in line 5 the words "or has filed,".

Also, amend section 65-a1 by inserting following the word "destination" in line 3 the words "it may be returned to the shipper or,".

Senator Romkey moved that the Senate concur in the House amendments.

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Abben	Cessna	Mcintosh	Scott
Adams	Darting	Mantz	Shane
Baird	Ethell	Mead	Shinn
Banta	Fulton	Nelson	Slosson
Brookhart	Gilchrist	Newberry	Smith
Brookins	Hale	Olson	Snook
Browne	Haskell	Perkins	Stoddard
Buser	Holdoegel	Price	Thurston
Caldwell	Johnston	Romkey	Tuck
Campbell	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 11.

Bergman	Goodwin	Reed	White
Bowman	Hartman	Rees	Wichman
Dutcher	Horchem	Shaff	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Abben called up his motion to reconsider the vote by which the Senate failed to insist on its amendments to House

File No. 65; also the motion to reconsider the vote by which the Senate failed to recede on its amendments to House File No. 65.

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

Ayes, 28.

Abben	Darting	Holdoegel	Reed
Adams	Dutcher	Horchem	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Smith
Brookins	Hale	Olson	Stoddard
Caldwell	Haskell	Perkins	Wichman

Nays, 18.

Brookhart	Hartman	Price	Shinn
Browne	Johnston	Romkey	Snook
Buser	Kimberly	Schmedika	Thurston
Campbell	McIntosh	Shane	Tuck
Cessna	Nelson		

Absent or not voting, 4.

Bergman	Ethell	Rees	White
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The motion prevailed.

Senator Bowman moved that the Senate insist on its amendments to House File No. 65.

Senator Price moved that the Senate recede from its amendments to House File No. 65.

Further action was deferred, time for consideration of the special order having arrived.

The roll was called to ascertain if a full membership were present, a call of the Senate having been filed on Senate File No. 183.

The roll call revealed a full membership present with the exception of Senators Bergman and White, who were previously excused from this call.

THIRD READING OF BILLS

On motion of Senator Smith, Senate File No. 183, 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 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 nineteen (4619), four thousand six hundred twenty (4620), and four thousand six hundred ninety-three (4693) of the compiled code of Iowa, and sections four thousand four hundred eighty-two (4482), four thousand four hundred ninety-three (4493), four thousand four hundred ninety-nine (4499), four thousand four hundred ninety-nine-a one (4499-a1), four thousand five hundred (4500), and four thousand six hundred nine (4609) of the supplement to said code, relating to taxation, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (on page 995 of the Senate Journal) were considered.

The first three committee amendments were adopted.

Senator Fulton offered the following amendment to the fourth committee amendment and moved its adoption:

Amend by striking from line 3 of amendment 4 the words "rented, leased or otherwise".

The amendment to the amendment was adopted.

The fourth committee amendment was adopted.

The fifth, sixth and seventh amendments were adopted.

Senator Price offered the following amendment to the eighth amendment and moved its adoption:

Amend by striking the words and figures "one hundred sixty (160) acres" and inserting the words and figures "three hundred twenty (320) acres" in lieu thereof.

The amendment to the amendment was adopted.

The eighth amendment was adopted.

The ninth, tenth and eleventh amendments were adopted.

Senator Tuck offered the following amendment to the twelfth committee amendment and moved its adoption:

Amend by striking out the words "six months" and inserting the words "nine months" in lieu thereof.

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

Ayes, 31.

Adams	Cessna	Horchem	Schmedika
Banta	Dutcher	Johnston	Shinn
Bowman	Ethell	McIntosh	Slosson
Brookhart	Fulton	Mantz	Snook
Browne	Gilchrist	Nelson	Stoddard
Buser	Hartman	Olson	Thurston
Caldwell	Haskell	Rees	Tuck
Campbell	Holdoegel	Romkey	

Nays, 17.

Abben	Hale	Perkins	Shaff
Baird	Kimberly	Price	Shane
Brookins	Mead	Reed	Smith
Darting	Newberry	Scott	Wichman
Goodwin			

Absent or not voting, 2.

Bergman

White

The amendment to the amendment was adopted.

The twelfth amendment was adopted.

The thirteenth amendment was adopted.

On motion of Senator Gilchrist the Senate adjourned until 1:15 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 183.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, and twentieth amendments were adopted.

Senator Fulton offered the following amendment to the twenty-first amendment and moved its adoption:

Amend by striking from lines 8 and 9 of the amendment the words "whether manufactured or unmanufactured," and by inserting in line 7 after the second word "property" a comma (,) and the words "whether in a finished or unfinished state,".

The amendment to the amendment was adopted.

The twenty-first amendment was adopted.

The twenty-third and twenty-fourth amendments were adopted.

Senator Brookhart offered the following amendment to the twenty-fifth amendment and moved its adoption:

Amend by striking out all of Senate amendment No. 25 and substituting the following in lieu thereof: Amend Sec. 15, Senate File No. 183, by striking out of lines 8 and 9 the words and figures "twenty per cent (20%)" and inserting in lieu thereof the words and figures "eighteen per cent (18%)", and by striking out of line 10 the words and figures twenty per cent (20%)" and inserting in lieu thereof the words and figures "eighteen per cent (18%)".

Senator Campbell offered the following amendment to the amendment offered by Senator Brookhart and moved its adoption:

Amend by striking out the words and figures "eighteen per cent (18%)" and inserting in lieu thereof the words and figures "sixteen per cent (16%)".

On the question "Shall the amendment offered by Senator Campbell be adopted?" the vote was:

Ayes, 16.

Abben	Campbell	Hale	Romkey
Adams	Cessna	Mantz	Slosson
Baird	Darting	Mead	Tuck
Bowman	Goodwin	Olson	Wichman

Nays, 32.

Banta	Fulton	McIntosh	Scott
Brookhart	Gilchrist	Nelson	Shaff
Brookins	Hartman	Newberry	Shane
Browne	Haskell	Perkins	Shinn
Buser	Holdoegel	Price	Smith
Caldwell	Horchem	Reed	Snook
Dutcher	Johnston	Rees	Stoddard
Ethell	Kimberly	Schmedika	Thurston

Absent or not voting, 2.

Bergman	White
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The amendment to the amendment was lost.

On the question "Shall the amendment by Senator Brookhart be adopted?" the vote was:

Ayes, 12.

Brookhart	Ethell	Olson	Snook
Browne	McIntosh	Romkey	Thurston
Campbell	Nelson	Shinn	Tuck

Nays, 36.

Abben	Darting	Horchem	Rees
Adams	Dutcher	Johnston	Schmedika
Baird	Fulton	Kimberly	Scott
Banta	Gilchrist	Mantz	Shaff
Bowman	Goodwin	Mead	Shane
Brookins	Hale	Newberry	Slosson
Buser	Hartman	Perkins	Smith
Caldwell	Haskell	Price	Stoddard
Cessna	Holdoegel	Reed	Wichman

Absent or not voting, 2.

Bergman White

The amendment by Senator Brookhart was lost.

On the question "Shall the twenty-fifth committee amendment be adopted?" the vote was:

Ayes, 30.

Abben	Dutcher	Horchem	Romkey
Adams	Fulton	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Shane
Bowman	Hale	Newberry	Slosson
Campbell	Hartman	Olson	Stoddard
Cessna	Haskell	Perkins	Wichman
Darting	Holdoegel		

Nays, 18.

Brookhart	Ethell	Reed	Smith
Brookins	Johnston	Rees	Snook
Browne	McIntosh	Schmedika	Thurston
Buser	Nelson	Shinn	Tuck
Caldwell	Price		

Absent or not voting, 2.

Bergman White

The twenty-fifth amendment was adopted.

Senator Gilchrist offered the following amendment to the twenty-second amendment and moved its adoption:

Amend by striking the words "as monied capital in competition with banks as provided in section 15 hereof" and inserting in lieu thereof the words "on the same basis as bank stock".

The amendment to the amendment was adopted.

The twenty-second committee amendment was adopted.

On the question "Shall the twenty-sixth amendment be adopted?" the vote was:

Ayes, 36.

Abben	Fulton	Mantz	Shaff
Adams	Gilchrist	Mead	Shane
Baird	Goodwin	Newberry	Slosson
Banta	Hale	Olson	Smith
Bowman	Hartman	Perkins	Snook
Campbell	Haskell	Reed	Stoddard
Cessna	Holdoegel	Rees	Thurston
Darting	Horchem	Romkey	Tuck
Dutcher	Kimberly	Scott	Wichman

Nays, 12.

Brookhart	Buser	Johnston	Price
Brookins	Caldwell	McIntosh	Schmedika
Browne	Ethell	Nelson	Shinn

Absent or not voting, 2.

Bergman **White**

The twenty-sixth amendment was adopted.

The twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth and thirty-seventh amendments were adopted.

On the question "Shall the thirty-eighth amendment be adopted?" the vote was:

Ayes, 40.

Abben	Dutcher	Johnston	Scott
Adams	Ethell	Kimberly	Shaff
Baird	Fulton	McIntosh	Shane
Banta	Gilchrist	Mantz	Shinn
Bowman	Goodwin	Mead	Slosson
Brookins	Hale	Newberry	Smith
Caldwell	Hartman	Olson	Stoddard
Campbell	Haskell	Perkins	Thurston
Cessna	Holdoegel	Reed	Tuck
Darting	Horchem	Rees	Wichman

Nays, 8.

Brookhart	Buser	Price	Schmedika
Browne	Nelson	Romkey	Snook

Absent or not voting, 2.

Bergman **White**

The thirty-eighth amendment was adopted.

The thirty-ninth amendment was adopted.

Senator Campbell offered the following amendment and moved its adoption:

Amend by striking the comma (,) after the word "thereof" in line 4 of section 18 and by inserting the words "as moneys and credits".

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend as follows:

Following section 6 insert the following:

"Section 6-a1. Deduction on mortgaged real estate.

Any person being owner of real estate liable for taxation in the state of Iowa, and being indebted in any sum secured by mortgage upon the real estate, may have the amount of such mortgage indebtedness existing and unpaid upon the first day of January of any year, deducted from the valuation of the mortgaged premises for that year, and the amount of such valuation remaining after such deduction shall have been made, shall form the basis for assessment and taxation for said real estate for said year:

Provided, that no deduction shall be allowed greater than one-fourth of the assessed valuation of said real estate."

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

Ayes, 24.

Adams	Caldwell	Mead	Romkey
Bowman	Campbell	Nelson	Schmedfka
Brookhart	Cessna	Olson	Shinn
Brookins	Hartman	Price	Snook
Browne	Johnston	Reed	Thurston
Buser	McIntosh	Rees	Tuck

Nays, 24.

Abben	Fulton	Horchem	Shaff
Baird	Gilchrist	Kimberly	Shane
Banta	Goodwin	Mantz	Slosson
Darting	Hale	Newberry	Smith
Dutcher	Haskell	Perkins	Stoddard
Ethell	Holdoegel	Scott	Wichman

Absent or not voting, 2.

Bergman White

The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

Amend by inserting therein after section ten (10) the following:

"Section 10-a. Beginning with the year 1924 and continuing until the soldiers bonus bonds are retired and paid, there shall be levied and collected upon all property taxed at five (5) mills on the dollar of actual

valuation as provided in section four thousand five hundred and five (4505) of the compiled code of Iowa, an additional tax of one (1) mill on the dollar of actual valuation. Said tax shall be remitted to the treasurer of state and applied to the payment of the principal and interest of the soldiers bonus bonds. In determining the annual levy for the payment of the principal and interest on such bonds, the executive council shall take into consideration the funds to be derived from said tax."

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding after section 28 the following:

"That section four thousand five hundred eighty-four (4584) of the compiled code is amended, revised, and codified to read as follows:

Sec. 29. Actual value as basis of taxation—how determined.

All property subject to taxation shall be valued at its actual value which shall be entered opposite each item, and, except as otherwise provided, shall be assessed at twenty-five per cent (25%) of such actual value. Such assessed value shall be taken and considered as the taxable value of such property upon which the levy shall be made.

In arriving at the value of such property the assessor shall take into consideration its productive and earning capacity, if any, past, present, and prospective; its market value, if any; and all other elements that may properly enter into the valuation thereof; and the burden shall be upon the complainant attacking such valuation as excessive, inadequate or inequitable to show by a preponderance of the evidence, that, after taking into consideration all of the said elements of value, the valuation so fixed is excessive, inadequate or inequitable."

Amend the title by striking the word "and" after the figures (4620) in said title, and by inserting after the figures (4693) a comma (,) and the following "and four thousand five hundred eighty-four (4584)".

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

Ayes, 21.

Adams	Campbell	Johnston	Rees
Bowman	Cessna	McIntosh	Schmedika
Brookhart	Ethell	Nelson	Shinn
Brookins	Gilchrist	Olson	Thurston
Browne	Horchem	Price	Tuck
Caldwell			

Nays, 27.

Abben	Goodwin	Mead	Shane
Baird	Hale	Newberry	Slosson
Banta	Hartman	Perkins	Smith
Buser	Haskell	Reed	Snook
Darting	Holdoegel	Romkey	Stoddard
Dutcher	Kimberly	Scott	Wichman
Fulton	Mantz	Shaff	

Absent or not voting, 2.

Bergman White

The amendment was lost.

Senator Banta offered the following amendments and moved their adoption:

Amend the title by inserting after the figures in parentheses, at the end of line 7 of the title, the words and figures "four thousand six hundred twenty-four (4624), of the supplement to the compiled code,".

Amend by inserting the following after section 23:

That section four thousand six hundred twenty-four (4624) of the supplement to the compiled code of Iowa is amended, revised and codified to read as follows:

Sec. 23-a1. Levy—limit.

The board of supervisors of each county shall, annually, at its September session, levy the following taxes upon the assessed value of the taxable property in the county, and in addition to the following poll tax:

1. For state revenue, such rate of tax as shall be fixed by the executive council as hereinafter provided.
2. For ordinary county revenue not to exceed six (6) mills on a dollar.
3. A poll tax of one dollar (\$1.00) on each male resident over twenty-one years of age.

Sec. 23-a2. Court expense fund.

In any county where, by reason of extraordinary or unusual litigation the rates herein fixed for ordinary county revenue are found to be insufficient to pay the same, the board of supervisors may create an additional fund to be known as court expense fund, and may levy for such fund such rate of taxes, not exceeding three (3) mills on the dollar, as shall be necessary to pay all court expenses chargeable to the county. Such fund shall be used for no other purpose and the levy shall be dispensed with when the authorized levy for the ordinary county revenue is sufficient to meet the necessary county expenditures including such court expenses.

Senator Price offered the following amendments to Senator Banta's amendment and moved their adoption:

Amend by striking the following from the first paragraph of section 23-a1: "and in addition to the following poll tax". Also amend by striking out all of subsection 3 of section 23-a1.

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

Ayes, 23.

Adams
Brookhart
Browne

Caldwell
Campbell
Cessna

Darting
Goodwin
Hartman

Horchem
Kimberly
McIntosh

Mead	Rees	Shinn	Thurston
Nelson	Schmedika	Smith	Tuck
Price	Shaff	Snook	

Nays, 25.

Abben	Ethell	Johnston	Romkey
Baird	Fulton	Mantz	Scott
Banta	Gilchrist	Newberry	Shane
Bowman	Hale	Olson	Slosson
Brookins	Haskell	Perkins	Stoddard
Buser	Holdoegel	Reed	Wichman
Dutcher			

Absent or not voting, 2.

Bergman White

The amendment to the amendment was lost.

On the question "Shall the amendment offered by Senator Banta be adopted?" the vote was:

Ayes, 11.

Abben	Dutcher	Newberry	Scott
Baird	Holdoegel	Olson	Shaff
Banta	Mantz	Perkins	

Nays, 37.

Adams	Ethell	Kimberly	Shane
Bowman	Fulton	McIntosh	Shinn
Brookhart	Gilchrist	Mead	Slosson
Brookins	Goodwin	Nelson	Smith
Browne	Hale	Price	Snook
Buser	Hartman	Reed	Stoddard
Caldwell	Haskell	Rees	Thurston
Campbell	Horchem	Romkey	Tuck
Cessna	Johnston	Schmedika	Wichman
Darting			

Absent or not voting, 2.

Bergman White

The amendment was lost.

Senator Ethell offered the following amendment and moved its adoption:

Amend section 1 of code bill No. 183 by inserting immediately after the language contained in committee amendment No. 15, and immediately before line 95 of the bill, the following:

"No such suspended taxes shall be collectible or be a lien at a date two years later than the death of the person for whose benefit such suspension was made."

The amendment was adopted.

Further action was deferred.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on House File No. 134, on the part of the Senate, Senators Mantz, Price, Bowman and Caldwell.

The President appointed as a conference committee on House File No. 34, on the part of the Senate, Senators Scott, Brookhart, Perkins and Horchem.

AMENDMENTS FILED

Senator Shane filed the following amendment:

"Amend the amendment to Senate File No. 302, (page 1129 of the Senate Journal) by inserting the words "Monroe, Osceola" between the words "Mitchell" and "Pottawattamie" and by inserting the word "Keokuk" between the words "Jones" and "Lucas".

Senator Shaff filed the following amendment to Senate File No. 183:

Amend by adding the following as subsection 15 of section 1:

"15. Moneys and credits. Money invested in farm mortgages and money in savings accounts in state, national or private banks."

Senator Smith filed the following amendment to the title of Senate File No. 183:

Amend by adding thereto the following: "and to provide an additional millage tax upon certain property".

MR. PRESIDENT: I move to amend Senate File No. 121 by adding after Sec. 57 the following as Sec. 57-a1.

"Sec. 57-a1. In any county containing a city having a population of over four thousand, it shall be necessary in order to carry said proposition that the same receive the affirmative vote of a majority of the votes cast by the voters in such city or cities should there be more than one such city in the county, and also a majority of the votes cast by the voters outside of such city or cities."

J. L. BROOKHART.

MR. PRESIDENT: I move to amend Senate File No. 121 by adding the following after Sec. 57 as Sec. 57-a2.

"Sec. 57-a2. In any county where the question of hard surfacing the roads of said county has heretofore been, or may hereafter be, submitted to the voters of said county as provided by law, and the proposition carried, and where no paving has been done for a period of at least two years and no contract for paving is outstanding, the board of supervisors shall, upon the petition of fifteen per cent of the legal voters of said county, as shown by the vote for governor at the last preceding general election, re-submit the question of hard surfacing in the same manner as it was originally submitted, at the next general election, providing said general

election comes within six months after said petition is filed. And if the general election does not come within six months after the filing of said petition, then the board shall call a special election to submit such proposition within ninety days after the filing of said petition, and shall give the same notice as provided for the original submission of the question of hard surfacing roads. And unless a majority of the voters at such election vote in favor of the proposition of hard surfacing, the same shall be deemed lost and the action of the former election wherein the proposition was carried, shall be cancelled by virtue of said vote and no hard surfacing shall thereafter be done until authorized by a vote of the people as provided by law."

J. L. BROOKHART.

On motion of Senator Price Senator Brookhart was excused from the call of the Senate on Senate Files Nos. 183, 121 and 7.

By unanimous consent Senator Price was excused from the call of the Senate on Senate Files Nos. 183, 121 and 7.

The Journal of March 31st was corrected and approved.

Senator Campbell moved that the Senate adjourn until 10:00 a. m. Wednesday.

Senator Shaff moved to amend by making the hour 9:00 a. m.

The amendment was lost.

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

Ayes, 27.

Abben	Campbell	Johnston	Schmedika
Adams	Cessna	McIntosh	Shinn
Bowman	Gilchrist	Nelson	Slosson
Brookhart	Goodwin	Olson	Snook
Browne	Hartman	Price	Thurston
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchem	Romkey	

Nays, 21.

Baird	Fulton	Mead	Shaff
Banta	Hale	Newberry	Shane
Brookins	Haskell	Perkins	Smith
Darting	Kimberly	Reed	Stoddard
Dutcher	Mantz	Scott	Wichman
Ethell			

Absent or not voting, 2.

Bergman White

The motion prevailed and the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 2, 1924.

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

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

On motion of Senator Shane, 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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 289, a bill for an act relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of certain public officers.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 289, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, su-

perintendent of printing, and other public officers, with reference to such laws and publications, establishing a code supervising committee and making appropriation therefor.

Read first and second times and referred to committee on code revision.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 183.

The roll call revealed the presence of the following Senators:

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

The President declared the call to be complete, Senators Bergman, Brookhart and White having been excused.

Senator Shaff offered the following amendment and moved its adoption:

Amend by adding the following as subsection 15 of section 1:

"15. Moneys and credits. Money invested in farm mortgages and money in savings accounts in state, national or private banks."

By unanimous consent, on request of Senator Shaff, the word "farm" was stricken and the words "real estate" were inserted in lieu thereof.

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

Ayes, 12.

Abben	Cessna	Nelson	Shane
Brookins	Hartman	Romkey	Snook
Browne	Mead	Shaff	Stoddard

Nays, 35.

Adams	Buser	Dutcher	Goodwin
Baird	Caldwell	Ethell	Hale
Banta	Campbell	Fulton	Haskell
Bowman	Darting	Gilchrist	Holdoegel

Horchem	Newberry	Rees	Smith
Johnston	Olson	Schmedika	Thurston
Kimberly	Perkins	Scott	Tuck
McIntosh	Price	Shinn	Wichman
Mantz	Reed	Slosson	

. Absent or not voting, 3.

Bergman	Brookhart	White
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The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

Amend the title by adding thereto the following: "and to provide an additional millage tax upon said property."

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, 35.

Abben	Fulton	Mantz	Scott
Adams	Gilchrist	Mead	Shaff
Baird	Goodwin	Newberry	Shane
Banta	Hale	Olson	Slosson
Bowman	Hartman	Perkins	Smith
Campbell	Haskell	Price	Stoddard
Cessna	Holdoegel	Reed	Tuck
Darting	Horchem	Rees	Wichman
Dutcher	Kimberly	Romkey	

Nays, 11.

Brookins	Ethell	Nelson	Snook
Browne	Johnston	Schmedika	Thurston
Buser	McIntosh	Shinn	

Absent or not voting, 4.

Bergman	Brookhart	Caldwell	White
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The bill having received a constitutional majority was declared to have passed the Senate and the title, as amended, 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.

Senator Shaff moved that when we adjourn today it be until 9:00 a. m., Thursday.

The motion prevailed.

SENATE INSISTS ON AMENDMENTS

Senator Smith moved that the Senate insist on its amendments to the House amendments on Senate File No. 7.

On the question "Shall the Senate insist?" the vote was:

Ayes, 29.

Abben	Dutcher	Horchem	Rees
Adams	Fulton	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookline	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Reed	Wichman
Darting			

Nays, 18.

Browne	Hartman	Price	Shinn
Buser	Johnston	Romkey	Snook
Campbell	Mcintosh	Schmedika	Thurston
Cessna	Nelson	Shane	Tuck
Ethell	Olson		

Absent or not voting, 3.

Bergman	Brookhart	White
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The motion prevailed and the Senate insisted on its amendments.

SENATE INSISTS ON ITS AMENDMENTS TO HOUSE FILE NO. 65

The Senate resumed consideration of House File No. 65.

Senator Goodwin moved the previous question, which motion prevailed.

Senator Ethell invoked rule 8.

On the question "Shall the Senate recede from its amendments to House File No. 65?" the vote was:

Ayes, 18.

Browne	Fulton	Price	Shinn
Buser	Hartman	Romkey	Snook
Campbell	Johnston	Schmedika	Thurston
Cessna	McIntosh	Shane	Tuck
Ethell	Nelson		

Nays, 29.

Abben	Dutcher	Kimberly	Rees
Adams	Gilchrist	Mantz	Scott
Baird	Goodwin	Mead	Shaff
Banta	Hale	Newberry	Slosson
Bowman	Haskell	Olson	Smith
Brookins	Holdoegel	Perkins	Stoddard
Caldwell	Horchem	Reed	Wichman
Darting			

Absent or not voting, 3.

Bergman	Brookhart	White
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Motion to recede was lost.

On the question "Shall the Senate insist on its amendments to House File No. 65?" the vote was:

Ayes, 30.

Abben	Dutcher	Kimberly	Rees
Adams	Fulton	Mantz	Scott
Baird	Gilchrist	Mead	Shaff
Banta	Goodwin	Newberry	Slosson
Bowman	Hale	Olson	Smith
Brookins	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Reed	Wichman
Darting	Horchem		

Nays, 17.

Browne	Hartman	Price	Shinn
Buser	Johnston	Romkey	Snook
Campbell	McIntosh	Schmedika	Thurston
Cessna	Nelson	Shane	Tuck
Ethell			

Absent or not voting, 3.

Bergman	Brookhart	White
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The motion prevailed and the Senate insisted on its amendments.

THIRD READING OF BILLS

On motion of Senator Holdoegel, Senate File No. 121, a bill for an act to amend, revise, and codify chapters five (5) and eighteen (18) 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 and to toll bridges and ferries, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (page 1036, Senate Journal) were considered.

The first amendment was adopted.

Senator Johnston offered the following amendment to the second amendment and moved its adoption:

Amend by striking the word "may" from line 1 of the second amendment and by inserting the word "shall" in lieu thereof.

The amendment to the amendment was lost.

The second amendment was adopted.

Senator Price raised the point of order that these amendments could not be considered at this time for the following reasons:

First—That the original bill has to do only with county and township roads, or in other words, secondary roads, and that the original bill makes no provision whatever for the levying of a tax for the purpose of paying the expense of hard surfacing or graveling the secondary roads.

Second—That the original bill makes no provision whatever for the levying of a tax on primary roads for graveling purposes.

Third—That the original bill makes no provision whatever for the levying of a tax on the whole county for the purpose of paying the whole expense of hard surfacing or graveling primary roads.

Fourth—That the original bill makes no provision whatever providing for the levying of a tax on the property of the whole county for the purpose of paying the expense of either hard surfacing or graveling secondary roads.

Fifth—That the original bill makes no provision whatever for the levying of a tax on the property of the county, or the issuing of bonds in any of these cases for the purpose of paying the expenses on primary roads.

Because of these facts no substitute bill or any amendments either offered by the committee or from the floor of the Senate providing for the levying of a tax on the whole property of the county for the purpose of hard surfacing or graveling primary roads, is germane to the original bill.

Also because of these facts this substitute is not germane to the original bill for the reason that it contains a proposition for

the levying of a tax on the whole property of the county for the purpose of raising funds with which to pay the expense of hard surfacing or graveling secondary roads.

For these reasons this can not be considered at this time.

The President ruled that when a bill has been introduced on any subject, "it is allowable to offer as an amendment a substitute for an entire paragraph or for the whole proposition under consideration, which substitute may deviate in any degree from the original intention, even to reversing it"; and that the amendments under consideration were not unrelated to the original proposition, and the point of order was therefor overruled.

The third amendment was considered.

Senator Price raised the following points of order:

(1) That the provisions of Senate File No. 121 apply only to the subject of county road, bridge, and culvert system and taxation therefor, and have nothing whatever to do with the question of graveling, either the county roads or any other roads, nor with the subject of authorizing a county to levy a tax on the whole property of the county for the purpose of hard surfacing or graveling the county roads;

(2) That the proposed amendments as offered by the committee contain a provision injecting an entirely new matter not found in the law anywhere, either the original bill or the present law, providing for the authorizing of levying a tax for the purpose of graveling primary roads and secondary roads; that it is not germane to the original bill in this, that it provides for its purposes on primary roads which does not now obtain in the original bill or the present law, and for that purpose is not germane to the original bill.

The points of order were overruled for the same reason heretofore given.

Senator Shinn filed the following:

I raise the following point of order on Senate File No. 121:

1st. That the original bill deals *only* with the subject of secondary roads.

2nd. That there is not in the present law nor in the original bill, Senate File No. 121, the question of levying a tax or issuing bonds for graveling secondary roads.

3rd. That the substitute bill is new legislative matter in that it provides legislation on "Primary Roads".

4th. That it provides for the levying of a tax on the whole county for the purpose of defraying the expense among roads, of graveling the primary roads.

5th. That it provides for the levying of a tax on the whole county for the purpose of hard surfacing or graveling the primary roads.

6th. That it provides for the levying of a tax on the whole county for the purpose of paying the expense of graveling the secondary roads.

7th. That points 2 and 6, inclusive, are not germane to the original bill.

The President ruled, as before, that when a bill has been introduced on any subject, "it is allowable to offer as an amendment a substitute for an entire paragraph or for the whole proposition under consideration, which substitute may deviate in any degree from the original intention, even to reversing it"; and that the amendments under consideration were not unrelated to the original proposition, and the point of order was therefor overruled.

The third amendment was adopted.

The fourth amendment was considered.

Senator Price raised the same points of order which were overruled.

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

Ayes, 28.

Abben	Darting	Horchem	Reed
Adams	Dutcher	Kimberly	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Newberry	Smith
Brookins	Hale	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Wichman

Nays, 17.

Browne	Hartman	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck
Campbell	McIntosh	Shane	
Cessna	Nelson	Shinn	
Ethell	Price	Snook	

Absent or not voting, 5.

Bergman	Haskell	Rees	White
Brookhart			

The fourth amendment was adopted.

The fifth amendment was considered.

Senator Price raised the same points of order, which were overruled.

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

Ayes, 29.

Abben	Dutcher	Horchem	Reed
Adams	Fulton	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookins	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Wichman
Darting			

Nays, 18.

Browne	Hartman	Rees	Shinn
Buser	Johnston	Romkey	Snook
Campbell	McIntosh	Schmedika	Thurston
Cessna	Nelson	Shane	Tuck
Ethell	Price		

Absent or not voting, 3.

Bergman	Brookhart	White
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The fifth amendment was adopted.

The sixth amendment was considered.

Senator Price raised the same points of order which were overruled.

The sixth amendment was adopted.

The seventh amendment was considered.

Senator Price raised the same points of order which were overruled.

The seventh amendment was adopted.

The eighth amendment was considered.

Senator Price raised the same points of order which were overruled.

The eighth amendment was adopted.

On motion of Senator Schmedika the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, 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: House Files Nos. 42 and 296.

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. 25, 119 and 290.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 121.

The ninth amendment was considered.

Senator Price raised the same points of order which were overruled.

The ninth amendment was adopted.

The tenth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The eleventh amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The twelfth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The thirteenth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The fourteenth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The fifteenth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The sixteenth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The nineteenth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The twentieth amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The twenty-first amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The twenty-second amendment was considered.

Senator Price raised the same points of order. Same ruling.

The amendment was adopted.

The seventeenth and eighteenth amendments were considered.

Senator Price raised the same points of order which were overruled.

Senator Adams moved the previous question, which motion prevailed.

On the question "Shall the seventeenth and eighteenth amendments be adopted?" the vote was:

Ayes, 25.

Abben	Gilchrist	Kimberly	Scott
Baird	Goodwin	Mantz	Shaff
Banta	Hale	Mead	Slosson
Bowman	Haskell	Newberry	Smith
Brookins	Holdoegel	Perkins	Stoddard
Caldwell	Horchem	Reed	Wichman
Dutcher			

Nays, 22

Adams	Ethell	Olson	Shane
Browne	Fulton	Price	Shinn
Buser	Hartman	Rees	Snook
Campbell	Johnston	Romkey	Thurston
Cessna	McIntosh	Schmedika	Tuck
Darting	Nelson		

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendments were adopted.

The twenty-third amendment was considered.

Senator Price raised the same points of order. Same ruling.

Senator Price offered the following amendment to the twenty-third amendment and moved its adoption:

Amend by striking out of line 2 of proposed section 52 the words "one hundred voters" and inserting in lieu thereof the following "ten per cent of the legal voters, resident of the county, as shown by the poll books of the last preceding election".

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

Ayes, 39.

Abben	Ethell	McIntosh	Schmedika
Adams	Fulton	Mantz	Shane
Brookins	Gilchrist	Nelson	Shinn
Browne	Goodwin	Newberry	Slosson
Buser	Hale	Olson	Smith
Caldwell	Hartman	Perkins	Snook
Campbell	Haskell	Price	Thurston
Cessna	Horchem	Reed	Tuck
Darting	Johnston	Rees	Wichman
Dutcher	Kimberly	Romkey	

Nays, 4.

Baird	Banta	Bowman	Shaff
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Absent or not voting, 7.

Bergman	Holdoegel	Scott	White
Brookhart	Mead	Stoddard	

The amendment to the amendment was adopted.

Senator Price offered the following amendments to the twenty-third amendment and moved their adoption:

Amend by striking from line 4 of proposed section 53 the words "meets with its approval" and insert in lieu thereof the following: "conforms with the law of the state".

By striking out of line 6 of said section the following: "meet with the commission's approval" and insert in lieu thereof the following: "conform with the law of the state".

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

Ayes, 19.

Browne	Fulton	Price	Shinn
Buser	Hartman	Rees	Snook
Campbell	Johnston	Romkey	Thurston
Cessna	McIntosh	Schmedika	Tuck
Ethell	Nelson	Shane	

Nays, 28.

Abben	Darting	Horchem	Reed
Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookins	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Wichman

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendments to the amendment were lost.

Senator Price offered the following amendments to the twenty-third amendment and moved their adoption:

Amend by inserting after the word "election" in line 4 of proposed section 56 the following: "as shown by the poll books of said election".

Amend by inserting after the word "qualified" in line 1 of said proposed section 56 the word "resident".

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

Ayes, 21.

Browne	Fulton	Olson	Shane
Buser	Hartman	Price	Shinn
Campbell	Johnston	Rees	Snook
Cessna	McIntosh	Romkey	Thurston
Darting	Nelson	Schmedika	Tuck
Ethell			

Nays, 26.

Abben	Dutcher	Kimberly	Scott
Adams	Gilchrist	Mantz	Shaff
Baird	Goodwin	Mead	Slosson
Banta	Hale	Newberry	Smith
Bowman	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Reed	Wichman
Caldwell	Horchem		

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendments to the amendment were lost.

Senator Price offered the following amendments to the twenty-third amendment and moved their adoption:

Amend by striking out of line 2 of proposed section 58 the word "may", and inserting in lieu thereof the word "shall".

Amend by striking out of line 2 of said proposed section 58 the word "single" and inserting the word "separate" in lieu thereof, and by striking from the end of said proposed section the words "or separately."

Senator Ethell moved the previous question, on the amendment, which motion prevailed.

On motion of Senator Gilchrist Senator Schmedika was given permission to speak.

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

Ayes, 19.

Browne	Fulton	Price	Shinn
Buser	Hartman	Rees	Snook
Campbell	Johnston	Romkey	Thurston
Cesena	McIntosh	Schmedika	Tuck
Ethell	Nelson	Shane	

Nays, 28.

Abben	Darting	Horchem	Reed
Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookins	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Wichman

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendments to the amendment were lost.

Senator Price offered the following amendment to the twenty-third amendment and moved its adoption:

Amend by inserting at the end of proposed section 58 the following: "Only one such election shall be held in any fiscal period of two years."

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

Ayes, 20.

Browne	Fulton	Olson	Shane
Buser	Hartman	Price	Shinn
Campbell	Johnston	Rees	Snook
Cessna	McIntosh	Romkey	Thurston
Ethell	Nelson	Schmedika	Tuck

Nays, 27.

Abben	Darting	Horchem	Scott
Adams	Dutcher	Kimberly	Shaff
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Brookins	Haskell	Perkins	Wichman
Caldwell	Holdoegel	Reed	

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendment to the amendment was lost.

Senator Price offered the following amendment to the twenty-third amendment and moved its adoption:

Amend by striking from proposed section 67, in lines 2 and 3 the following: "In the Des Moines Daily News and Plain Talk, newspapers published in the city of Des Moines, Iowa," and inserting in lieu thereof "in the Des Moines Register and the Cedar Rapids Republican, newspapers published in the cities of Des Moines, Iowa, and Cedar Rapids, Iowa, respectively".

Senator Snook offered the following amendment and moved its adoption:

Amend by adding immediately after section 30 the following:

"Sec. 30-a1. Liability of county.

Counties shall be liable in damages resulting from its failure to exercise reasonable care in the erection or maintenance of bridges and the approaches thereto under its jurisdiction.

The following amendment filed by Senator Brookhart was considered.

Amend Senate File No. 121 by adding the following after Sec. 57 as Sec. 57-a2.

"Sec. 57-a2. In any county where the question of hard surfacing the roads of said county has heretofore been, or may hereafter be, submitted to the voters of said county as provided by law, and the proposition carried, and where no paving has been done for a period of at least two years and no contract for paving is outstanding, the board of supervisors shall, upon the petition of fifteen per cent of the legal voters of said county, as shown by the vote for governor at the last preceding general election, re-submit the question of hard surfacing in the same manner as it was originally submitted, at the next general election, providing said general election comes within six months after said petition is filed. And if the general election does not come within six months after the filing of said petition, then the board shall call a special election to submit such proposition within ninety days after the filing of said petition, and shall give the same notice as provided for the original submission of the question of hard surfacing roads. And unless a majority of the voters at such election vote in favor of the proposition of hard surfacing, the same shall be deemed lost and the action of the former election wherein the proposition was carried, shall be cancelled by virtue of said vote and no hard surfacing shall thereafter be done until authorized by a vote of the people as provided by law."

Senator Ethell moved the previous question, which motion prevailed.

Senator Ethell offered the following amendment as a substitute for the last amendment offered by Senator Price and moved its adoption:

Amend by striking from the proposed section 67 the words "Plain Talk" and inserting the words "Cedar Rapids Republican".

Senator Buser raised the point of order that this amendment was out of order as the previous question had been ordered.

The President held the point well taken.

By unanimous consent, on request of Senator Price the word "Register" was stricken and the word "News" inserted in lieu thereof.

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

Ayes, 28.

Abben	Cessna	Hale	Nelson
Browne	Darting	Hartman	Olson
Buser	Ethell	Johnston	Price
Caldwell	Fulton	McIntosh	Reed
Campbell	Gilchrist	Mantz	Rees

Romkey
Schmedika

Shane
Shinn

Slosson
Smith

Snook
Tuck

Nays, 14.

Baird
Bowman
Goodwin
Haskell

Horchem
Kimberly
Mead
Newberry

Perkins
Scott
Shaff

Stoddard
Thurston
Wichman

Absent or not voting, 8.

Adams
Banta

Bergman
Brookhart

Brookins
Dutcher

Holdoegel
White

The amendment was adopted.

On the question "Shall the amendment offered by Senator Snook be adopted?" the vote was:

Ayes, 25.

Baird
Banta
Bowman
Brookins
Browne
Buser
Campbell

Cessna
Fulton
Hartman
Holdoegel
Johnston
Kimberly

McIntosh
Mantz
Mead
Nelson
Price
Romkey

Schmedika
Shane
Shinn
Snook
Thurston
Tuck

Nays, 22.

Abben
Adams
Caldwell
Darting
Dutcher
Ethell

Gilchrist
Goodwin
Hale
Haskell
Horchem
Newberry

Olson
Perkins
Reed
Rees
Scott

Shaff
Slosson
Smith
Stoddard
Wichman

Absent or not voting, 3.

Bergman

Brookhart

White

The amendment was adopted.

On the question "Shall the first amendment offered by Senator Brookhart be adopted?" the vote was:

Ayes, 22.

Browne
Buser
Campbell
Cessna
Ethell
Fulton

Hartman
Johnston
Kimberly
McIntosh
Nelson
Olson

Price
Rees
Romkey
Schmedika
Shane

Shinn
Slosson
Snook
Thurston
Tuck

Nays, 25.

Abben	Darting	Holdoegel	Reed
Adams	Dutcher	Horchem	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Brookins	Haskell	Perkins	Wichman
Caldwell			

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendment was lost.

The following amendment filed by Senator Brookhart was considered:

Amend Senate File No. 121 by adding after Sec. 57 the following as Sec. 57-a1.

"Sec. 57-a1. In any county containing a city having a population of over four thousand, it shall be necessary in order to carry said proposition that the same receive the affirmative vote of a majority of the votes cast by the voters in such city or cities should there be more than one such city in the county, and also a majority of the votes cast by the voters outside of such city or cities."

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

Ayes, 18.

Browne	Fulton	Price	Shane
Buser	Hartman	Rees	Shinn
Campbell	Johnston	Romkey	Thurston
Cessna	McIntosh	Schmedika	Tuck
Ethell	Nelson		

Nays, 29.

Abben	Dutcher	Kimberly	Scott
Adams	Gilchrist	Mantz	Shaff
Baird	Goodwin	Mead	Slosson
Banta	Hale	Newberry	Smith
Bowman	Haskell	Olson	Snook
Brookins	Holdoegel	Perkins	Stoddard
Caldwell	Horchem	Reed	Wichman
Darting			

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendment was lost.

Senator Buser moved that the Senate reconsider the vote by which the amendment offered by Senator Snook was adopted.

Senator Price moved that the motion to reconsider be laid on the table.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 10.

Browne	Nelson	Romkey	Shinn
Campbell	Price	Schmedika	Snook
McIntosh	Rees		

Nays, 37.

Abben	Dutcher	Horchem	Scott
Adams	Ethell	Johnston	Shaff
Baird	Fulton	Kimberly	Shane
Banta	Gilchrist	Mantz	Slosson
Bowman	Goodwin	Mead	Smith
Brookins	Hale	Newberry	Stoddard
Buser	Hartman	Olson	Thurston
Caldwell	Haskell	Perkins	Tuck
Cessna	Holdoegel	Reed	Wichman
Darting			

Absent or not voting, 3.

Bergman	Brookhart	White
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The motion to lay on the table was lost.

The motion to reconsider prevailed.

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

Ayes, 16.

Banta	Fulton	Price	Shinn
Brookins	Johnston	Romkey	Snook
Browne	McIntosh	Schmedika	Thurston
Campbell	Nelson	Shane	Tuck

Nays, 31.

Abben	Dutcher	Horchem	Rees
Adams	Ethell	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Bowman	Goodwin	Mead	Slosson
Buser	Hale	Newberry	Smith
Caldwell	Hartman	Olson	Stoddard
Cessna	Haskell	Perkins	Wichman
Darting	Holdoegel	Reed	

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendment was lost.

On the question "Shall the twenty-third amendment be adopted?" the vote was:

Ayes, 27.

Abben	Darting	Horchem	Scott
Adams	Dutcher	Kimberly	Shaff
Baird	Gilchrist	Mantz	Slosson
Banta	Goodwin	Mead	Smith
Bowman	Hale	Newberry	Stoddard
Brookins	Haskell	Olson	Wichman
Caldwell	Holdoegel	Perkins	

Nays, 20.

Browne	Fulton	Price	Shane
Buser	Hartman	Reed	Shinn
Campbell	Johnston	Rees	Snook
Cessna	McIntosh	Romkey	Thurston
Ethell	Nelson	Schmedika	Tuck

Absent or not voting, 3.

Bergman	Brookhart	White
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The amendment was 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, 28.

Abben	Darting	Horchem	Reed
Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookins	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Wichman

Nays, 19.

Browne	Fulton	Price	Shinn
Buser	Hartman	Rees	Snook
Campbell	Johnston	Romkey	Thurston
Cessna	McIntosh	Schmedika	Tuck
Ethell	Nelson	Shane	

Absent or not voting, 3.

Bergman	Brookhart	White
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The bill having received a constitutional majority was declared to have passed the Senate 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.

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. 25, 119 and 290.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on Senate File No. 7, on the part of the Senate, Senators Smith, Banta, Scott and Shaff.

The Journal of April 1st was corrected and approved.

On motion of Senator Price, the Senate adjourned, in conformity with the motion previously considered, until 9:00 a. m., Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1924.

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

Prayer was offered by Rev. Owen Thomas, pastor of the Congregational Church, of Fontanelle, Iowa.

On motion of Senator Shane rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Horchem for the day, on request of Senator Baird.

CONFERENCE COMMITTEE APPOINTED

The President appointed as members of the conference committee on Senate File No. 65, on the part of the Senate, Senators Slosson, Holdoegel, Mead and Hartman.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as conference committee on the part of the House on House File No. 65, a bill for an act relating to the department of agriculture and fruit-tree and forest reservations, Representatives Children, Wamstad, Matthews, and Napier.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 134, a bill for an act relating to county attorneys, Representatives Vincent, Diltz, Lovrien and Himebauch.

Also: That the Speaker of the House has appointed as conference committee on the part of the House on House File No. 34, a bill for an act relating to removal from office, Representatives Ulstad, Smith of Chickasaw, Blake and Long.

Also: That the House has adopted the conference committee report on House File No. 66, a bill for an act relating to state fair and agricultural organizations receiving state aid.

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

Senate Concurrent Resolution No. 17, relating to the purchase of land for state purposes.

Also: That the House refuses to concur in Senate amendment to section one (1) and concurs in all other Senate amendments to House File No. 172, a bill for an act relating to municipal corporations—public utilities.

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: House File No. 54.

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. 42, 296 and 54.

Senator Price moved that Senate File No. 302 be made a special order for 10:00 a. m. next Tuesday.

Senator Holdoegel moved to amend the motion by making the time Friday at 10:00 a. m.

Senator Holdoegel withdrew the amendment.

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

Ayes, 22.

Brookins	Darting	Newberry	Scott
Browne	Fulton	Price	Shinn
Buser	Hartman	Reed	Snook
Caldwell	Kimberly	Rees	Tuck
Campbell	McIntosh	Romkey	Wichman
Cessna	Nelson		

Nays, 13.

Abben	Hale	Mantz	Schmedika
Baird	Haskell	Mead	Smith
Banta	Johns	Perkins	Stoddard
Dutcher			

Absent or not voting, 15.

Adams	Ethell	Horchem	Slosson
Bergman	Gilchrist	Olson	Thurston
Bowman	Goodwin	Shaff	White
Brookhart	Holdoegel	Shane	

The motion was lost, not having received a two-thirds vote.

Senator Buser moved that action on Senate File No. 302 be deferred.

Senator Price moved to amend by making the time 10:00 a. m. next Tuesday.

Senator Banta raised the point of order that this motion would then have the same effect as the question just voted on.

The President held the point not well taken, as one was a motion for a special order and the other a simple motion to defer.

Senator Banta raised the point of order that it would require a two-thirds vote to suspend the rules and defer this until a specified time.

The President held the point well taken, as the special rules of the Senate require a bill to go to the foot of the calendar if deferred.

Senator Price withdrew his amendment.

The motion prevailed and action on Senate File No. 302 was deferred.

THIRD READING OF BILLS

On motion of Senator Haskell, Senate File No. 182, a bill for an act to amend, revise, and codify sections four thousand two hundred ninety-nine (4229), 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 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 (4350), inclusive,

four thousand three hundred fifty-two (4352) to four thousand three hundred fifty-five (4355), inclusive, four thousand three hundred fifty-seven (4357), 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 two (4402), inclusive, four thousand four hundred four (4404), four thousand four hundred six (4406) to four thousand four hundred eight (4408), inclusive, four thousand four hundred ten (4410), 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, of the compiled code of Iowa, and sections four thousand three hundred twenty-three (4323), four thousand three hundred twenty-eight (4328), four thousand three hundred twenty-nine (4329), four thousand three hundred forty-seven (4347), four thousand three hundred fifty-one (4351), four thousand three hundred fifty-six (4356), four thousand three hundred fifty-eight (4358), four thousand three hundred seventy-eight (4378), four thousand three hundred ninety-four-a one (4394-a1), four thousand four hundred three (4403), four thousand four hundred nine (4409), four thousand four hundred forty-a one (4440-a1), four thousand four hundred sixty-eight (4468), and four thousand four hundred sixty-eight-a one (4468-a1) of the supplement to said code, relating to municipal corporations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Section 3, line 2, immediately after the period (.) add the following:

"Such appointees shall be, so far as applicable, subject to the same regulations and restrictions as policemen in such cities."

2. Strike out all of section 4.

3. Immediately after section 5 insert the following:

"Sec. 5-a1. Expense of treasurer's bond.

If the treasurer shall request it, the city shall pay the reasonable ex-

pense of procuring a bond for the treasurer, not to exceed one-half ($\frac{1}{2}$) of one per cent (1%) per annum upon the amount thereof."

4. Section 6, line 1, after the word "adopted" insert the words "and signed,".

Section 6, line 2, after the word "evidenced" insert the words "and be subject to veto by the mayor".

5. Immediately after section 6 insert the following:

"Sec. 6-a. Fines recovered.

Fines and penalties may in all cases be recovered by action before a justice of the peace or other court of competent jurisdiction, and in the name of the proper municipal corporation. In any such action, where pleading is necessary, it shall be sufficient to declare generally for the amount claimed to be due in respect to the violation of the ordinance, referring to its title and the date of its adoption or passage, and showing, as near as may be, the facts of the alleged violation. All fees, fines, forfeitures, costs and expenses collected shall be turned over to the city Treasurer by the officer collecting the same on or before the 10th day of each succeeding month, and the city Treasurer shall forthwith pay to the county treasurer for the benefit of the school fund the portion of fines and forfeitures collected for the violation of state laws.

6. Sections 10, line 1, 11, line 1, 12, line 1, 13, line 1, strike out the words "the establishment and maintenance of" where same appears in said sections.

7. Strike out all of sections 15 and 16.

8. Amend section 21 of Code Bill 182 by adding thereto the following:

"This section shall not be construed as depriving Boards of Supervisors, County Auditors and County Treasurers of their powers to spread tax levies and collect taxes certified by cities acting under special charter as provided in section forty-four hundred twenty-nine (4429) of the compiled code.

9. Section 26, strike out lines 1 to 4, inclusive, and insert in lieu the following:

"Chapter twenty-three (23) of this title is applicable to special charter cities in so far as the subject matter of said chapter is not specifically provided for in this chapter."

10. Section 33, line 1, strike out the words "construct and maintain" and insert in lieu the words "acquire real estate and easements therein, for constructing and maintaining".

11. Strike out of the five lines immediately preceding section 34 the following: "and section four thousand four hundred three (4403), of the supplement to said code".

12. Section 34, line 2, strike out the period (.) and insert in lieu the following: "in so far as the subject matter of said chapter is not specifically provided for in this chapter."

13. Strike out of the title, where same appears, the following: "sixty-seven (4367), inclusive," and insert in lieu "sixty-one (4361), inclusive,

four thousand three hundred sixty-four (4364), four thousand three hundred sixty-five (4365),”.

Strike out of the title, where same appears, the following: “four thousand three hundred seventy-one (4371),”.

Strike out of the title, where same appears, the following: “four thousand four hundred three (4403),”.

The committee amendments were adopted.

Senator Buser offered the following amendments and moved their adoption:

Amend by adding thereto the following as section 39.

“Sec. 39. That section four thousand eighty-five (4085) of the compiled code be and the same is hereby repealed.”

Amend the title by striking out the period (.) at the end thereof and inserting a comma (,) and adding the following “and to repeal section four thousand and eighty-five (4085) of the compiled code, relating to plats”.

The amendments were adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting therein as section 13-a1 the following:

“Chapter 5 of this title as amended, revised and codified by the extra session of the fortieth general assembly shall apply to cities acting under special charter except those parts thereof specially applicable to cities having a population of more than 100,000.

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, 39.

Abben	Ethell	McIntosh	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Mead	Shane
Bowman	Goodwin	Nelson	Shinn
Brookins	Hale	Newberry	Smith
Browne	Hartman	Perkins	Snook
Buser	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Tuck
Campbell	Johnston	Romkey	Wichman
Darting	Kimberly	Schmedika	

Nays, none.

Absent or not voting, 11.

Adams	Cessna	Olson	Thurston
Bergman	Dutcher	Rees	White
Brookhart	Horchem	Slosson	

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.

THIRD READING OF BILLS

On motion of Senator Stoddard, House File No. 287, a bill for an act to appropriate sufficient funds to pay the drainage assessments and accrued interest against the state in connection with the drainage of Tow Head Lake in Calhoun county, and to make the amount of such assessments and interest a lien against said lands in case the state is found not to be the owner thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ethell moved that the bill be rereferred to the committee on judiciary No. 1.

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

Ayes, 14.

Browne	Ethell	Nelson	Schmedika
Buser	Hartman	Price	Shinn
Campbell	Kimberly	Rees	Snook
Cessna	McIntosh		

Nays, 25.

Abben	Fulton	Johnston	Romkey
Baird	Gilchrist	Mantz	Scott
Banta	Goodwin	Mead	Shaff
Bowman	Hale	Newberry	Shane
Brookins	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Wichman
Darting			

Absent or not voting, 11.

Adams	Dutcher	Slosson	Tuck
Bergman	Horchem	Smith	White
Brookhart	Reed	Thurston	

The motion was lost.

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, 23.

Abben	Darting	Haskell	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Mead	Shane
Bowman	Goodwin	Newberry	Stoddard
Brookins	Hale	Olson	Wichman
Caldwell	Hartman	Perkins	

Nays, 16.

Browne	Holdoegel	Nelson	Romkey
Buser	Johnston	Price	Schmedika
Campbell	Kimberly	Reed	Shinn
Cessna	McIntosh	Rees	Snook

Absent or not voting, 11.

Adams	Dutcher	Slosson	Tuck
Bergman	Ethell	Smith	White
Brookhart	Horchem	Thurston	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

EXPLANATION OF VOTE FILED

MR. PRESIDENT: In explanation of my vote on House File No. 287 I wish to say that I am voting in the negative on this bill because the committee failed to give information regarding the assessment of adjacent property to the lands belonging to the state, which was assessed at ninety-two (\$92.00) dollars an acre.

T. C. CESSNA.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File No. 287 failed to pass the Senate.

P. C. HOLDOEGEL.

THIRD READING OF BILLS

On motion of Senator Scott, Senate File No. 207, a bill for an act to amend, revise, and codify sections five thousand six hundred seventeen (5617), and five thousand six hundred eighteen (5618) of the compiled code of Iowa, and sections five thousand four hundred ninety-six (5496), and five thousand six hundred five (5605) of the supplement to said code, relating to insurance other than life, was taken up and considered, the report of the committee having been previously adopted.

The following amendment by Senator Fulton was adopted:

Amend by substituting the following for section 6:

"No company shall enter into any contract with any promoter, officer, director or agent of the company or any other person to pay his expenses or to pay him any commission or any compensation for his services in promoting or organizing such company or in selling its stock in excess of the amount authorized in section 4 hereof; nor shall it contract with any such person to pay him any part of the premiums arising from the insurance it has written or may write as compensation directly or indirectly for aiding in the promotion or for aiding or effecting any consolidation of such company with any other company, without the approval of the insurance commissioner."

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, 33.

Abben	Fulton	Kimberly	Schmedika
Banta	Gilchrist	McIntosh	Scott
Bowman	Goodwin	Mantz	Shaff
Brookins	Hale	Mead	Shane
Buser	Hartman	Perkins	Stoddard
Caldwell	Haskell	Price	Thurston
Campbell	Holdoegel	Reed	Tuck
Darting	Johnston	Rees	Wichman
Ethell			

Nays, none.

Absent or not voting, 17.

Adams	Cessna	Newberry	Slosson
Baird	Dutcher	Olson	Smith
Bergman	Horchem	Romkey	Snook
Brookhart	Nelson	Shinn	White
Browne			

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 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 Scott the word "life" was stricken from the sub-enacting clause of section 17 of the bill and also from the third from the last line of the title.

On motion of Senator Reed, Senate File No. 310, a bill for an act legalizing the transfer by concurrent resolution by the 38th

General Assembly of \$519,287.76 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and an appropriation made therefor, by the committee on judiciary No. 1, 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, 37.

Baird	Gilchrist	Mantz	Schmedika
Banta	Goodwin	Mead	Scott
Bowman	Hale	Nelson	Shaff
Brookins	Hartman	Olson	Shane
Buser	Haskell	Perkins	Shinn
Caldwell	Holdoegel	Price	Snook
Campbell	Johnston	Reed	Stoddard
Darting	Kimberly	Rees	Thurston
Ethell	McIntosh	Romkey	Wichman
Fulton			

Nays, none.

Absent or not voting, 13.

Abben	Browne	Horchem	Smith
Adams	Cessna	Newberry	Tuck
Bergman	Dutcher	Slosson	White
Brookhart			

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

INTRODUCTION OF BILL

Senate File No. 311, by committee on judiciary No. 1, a bill for an act legalizing the transfer by concurrent resolution by the 39th General Assembly of \$199,839.39 from the general revenue fund of the state to the support fund of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and appropriation made therefor.

Read first and second times.

THIRD READING OF BILLS

On motion of Senator Reed, the rules were suspended and Senate File No. 311, a bill for an act legalizing the transfer by concurrent resolution by the 39th General Assembly of \$199,839.39 from the general revenue fund of the state to the support of various state institutions under the board of control of state institutions and the expenditure thereof the same as though such transfer had been legally made and appropriation made therefor, by the committee on judiciary No. 1, was taken up and considered.

The bill was read for information.

Senator Reed moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Baird	Gilchrist	Nelson	Shaff
Banta	Goodwin	Newberry	Shane
Bowman	Hale	Perkins	Shinn
Brookins	Hartman	Price	Smith
Browne	Haskell	Reed	Snook
Campbell	Johnston	Rees	Stoddard
Cessna	Kimberly	Romkey	Thurston
Darting	McIntosh	Schmedika	Tuck
Ethell	Mead	Scott	Wichman
Fulton			

Nays, none.

Absent or not voting, 13.

Abben	Buser	Holdoegel	Olson
Adams	Caldwell	Horchem	Slosson
Bergman	Dutcher	Mantz	White
Brookhart			

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. 254, a bill for an act to amend, revise, and codify 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee recommendations were considered:

1st. That the Senate reconsider the vote by which its amendment to subdivision two (2) of section one (1) passed the Senate, and that such amendment be not adopted.

2nd. Amend section seven (7) as follows: After the word "material" in line three thereof, add the words "service or transportation"; also change the period after the word "material" in line 6 to a comma and add thereto the words "service or transportation".

On motion of Senator Reed the rules were suspended and the vote by which the amendment to subdivision 2 of section 1 passed the Senate was reconsidered.

By unanimous consent Senator Reed withdrew the amendment to subdivision 2 of section 1.

The committee 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, 34.

Baird	Gilchrist	Nelson	Shinn
Eanta	Goodwin	Newberry	Smith
Bowman	Hale	Perkins	Snook
Brookins	Hartman	Price	Stoddard
Campbell	Haskell	Reed	Thurston
Cessna	Holdoegel	Rees	Tuck
Darting	Johnston	Schmedika	Wichman
Ethell	Kimberly	Scott	
Fulton	Mantz	Shane	

Nays, none.

Absent or not voting, 16.

Abben	Browne	Horchem	Romkey
Adams	Buser	McIntosh	Shaff
Bergman	Caldwell	Mead	Slosson
Brookhart	Dutcher	Olson	White

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

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your conference committee on Senate File No. 27 begs leave to report that it has had under consideration the amendments to said bill, proposed by the House and in which the Senate refused to concur. After mature consideration, it is the recommendation of this committee that the Senate recede from its original refusal to accept the House amendments and concur in and adopt the same.

FRANK SHANE,

GEORGE S. BANTA,

H. A. DARTING,

D. W. KIMBERLY,

Conferees on the part of the Senate.

JOHN H. AIKEN,

A. C. NOBLE,

W. C. SCOTT,

L. V. CARTER,

Conferees on the part of the House.

On motion of Senator Banta the conference committee report was taken up and considered.

On the question "Shall the Senate adopt and concur in the conference committee report?" the vote was:

Ayes, 37.

Banta	Goodwin	Nelson	Shaff
Bowman	Hale	Newberry	Shane
Brookins	Hartman	Perkins	Shinn
Browne	Haskell	Price	Smith
Buser	Holdoegel	Reed	Snook
Campbell	Johnston	Rees	Stoddard
Darting	Kimberly	Romkey	Thurston
Ethell	Mantz	Schmedika	Tuck
Fulton	Mead	Scott	Wichman
Gilchrist			

Nays, none.

Absent or not voting, 13.

Abben	Brookhart	Dutcher	Olson
Adams	Caldwell	Horchem	Slosson
Baird	Cessna	McIntosh	White
Bergman			

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

SENATE RECEDES ON HOUSE FILE NO. 172

Senator Shaff moved that the Senate recede from its amendment to section 1 of Senate File No. 172.

On the question "Shall the Senate recede?" the vote was:

Ayes, 33.

Baird	Gilchrist	Mantz	Scott
Banta	Goodwin	Mead	Shaff
Bowman	Hale	Nelson	Shane
Brookins	Hartman	Newberry	Shinn
Browne	Haskell	Perkins	Smith
Buser	Holdoegel	Price	Snook
Campbell	Johnston	Reed	Thurston
Darting	Kimberly	Rees	Wichman
Fulton			

Nays, 2.

Ethell	Stoddard
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Absent or not voting, 15.

Abben	Caldwell	McIntosh	Slosson
Adams	Cessna	Olson	Tuck
Bergman	Dutcher	Romkey	White
Brookhart	Horchem	Schmedika	

The motion prevailed and the Senate recessed.

AMENDMENT FILED

MR. PRESIDENT: I move to amend House File No. 88-A as follows:

Amend section 5, line 5, by changing the comma following the word "require" to a period and by striking the remainder of the section.

ED. M. SMITH.

The Journal of April 2d was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 4, 1924.

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 Brookins, rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Abben for today and tomorrow on request of Senator Shane.

INTRODUCTION OF BILL

Senate File No. 312, by Senator Reed, a bill for an act to amend, revise, and codify section five thousand three hundred and ninety-nine (5399) of the compiled code, relating to shares of stock in cooperative associations.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred House File No. 262, a bill for an act relating to practice of professions affecting the public health, 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:

1. Amend section 5 by striking out the words from the House amendments "and the president of examining boards."
2. Amend section 14, line 5, immediately following the word "licensed" strike out the words "osteopath or an".
3. Amend section 19 by striking out of line 1 the words ", or its board of trustees,".
4. Amend section 30, line 7, by inserting immediately after the word "board" the words "and the commissioner of health".

5. Amend section 71, lines 5 and 6, and 8 and 9, by striking out the words "society or association" where same appear in said lines and insert in lieu thereof the following "or national accrediting agency".

6. Amend section 72 by striking out the "period (.)" at the end of said section and inserting in lieu thereof the following: "at places other than his office maintained at the place of his residence."

7. Amend section 79, lines 7 and 8, by striking out the words and figures "seventy dollars (\$70.00)" and inserting in lieu the following: "fifty dollars (\$50.00)".

Amend section 79, lines 16 and 17, by striking out the words and figures "fifty dollars (\$50.00)" and inserting in lieu the following: "forty dollars (\$40.00)".

8. Strike out all of section 80.

9. Amend section 81 by striking out of lines 2 and 3 the words ", at the next regular meeting of the examining board,". Also strike the "period (.)" at the end of line 3 and insert in lieu the following: "at any time within a period of twelve (12) months after the first examination."

10. Immediately after section 82 insert the following:

"Sec. 83. Injunction against illegal practice.

Any person engaging in any business or in the practice of any profession for which a license is required by this title without such license may be restrained by permanent injunction."

11. Amend chapter one (1) by inserting at the end thereof the following:

"Sec. 92-a7. Additional renewal fee for pharmacy association.

The secretary of the pharmacy examiners shall annually add one dollar (\$1.00) to the renewal fee provided in this chapter for a person licensed to practice pharmacy. Such additional amount shall be considered as a part of the regular renewal fee and payment of the same shall be a prerequisite to the renewal of his license. The funds derived from the additional renewal fee collected under this section shall be paid to the state pharmacy association upon the order of its treasurer and secretary. Said funds shall be used by such association in the advancement of the art and science of pharmacy."

12. Amend section 129, line 3, immediately after the word "means" by inserting the words "other than drugs".

Amend section 129, line 4, by striking out the words "other than drugs".

13. Immediately after section 137 insert the following:

"Sec. 138. Requirements for approved college.

No college of pharmacy shall be approved by the Pharmacy Examiners as a college of recognized standing unless the entrance and graduation requirements are equivalent to those prescribed by the American conference of Pharmaceutical faculties for the year nineteen hundred seventeen (1917)."

14. Amend House File No. 262 by striking out sections 92-a1 to 92-a5, inclusive, and inserting in lieu the following:

"Sec. 92-a1. Licensing of pharmacists, chiropractors, and osteopaths.

The provisions of this chapter relative to the making of application for a license, the issuance of a license, the negotiation of reciprocal agreements for recognition of foreign licenses, the collection of license and renewal fees, and the preservation of records shall not apply to the licensing of persons to practice pharmacy, chiropractic, "osteopathy", or "osteopathy and surgery", but such licensing shall be governed by the following regulations:

1. Every application for a license to practice such a profession shall be made direct to the secretary of the examining board for such profession.

2. Such license and all renewals thereof shall be issued by the examining board for such profession.

3. Every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession.

4. All license and renewal fees exacted from persons licensed to practice any such profession shall be paid to and collected by the secretary of the examining board for such profession.

5. All records in connection with the licensing of pharmacists, chiropractors, "osteopaths", and "osteopaths and surgeons" shall be kept by the secretary of the respective examining boards for such professions, but all records not needed for the current use of such boards shall be deposited with the department of health.

Sec. 92-a2. Certification of licenses and renewals.

After each examination the secretary of the examining board for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" shall certify to the department of health in the manner prescribed by the department the names of all persons licensed by the board of which he is secretary. The department shall then make the required entry in the registry book as provided in section eight (8). On July first each year, or as soon as practical thereafter, the secretary of each of the above boards shall certify to the department a list of practitioners licensed by the board of which he is secretary, who have paid their renewal fees and are in good standing.

Sec. 92-a3. Regulations governing certain examining boards.

In discharging the duties and exercising the powers provided for in the two preceding sections the several examining boards and their secretaries shall be governed by all the provisions of this chapter which govern the department of health when discharging a similar duty or exercising a similar power with reference to any of the professions regulated by this title.

Sec. 92-a4. Clerical help and supplies.

Subject to the approval of the executive council, the examining boards for pharmacy, chiropractic, "osteopathy" and "osteopathy and surgery" may employ such clerical assistance as may be necessary to enable said board to perform the duties imposed upon them by law. Payment for such assistance shall be made out of the appropriation provided for in section twenty-four (24). The executive council shall also furnish said boards with the necessary quarters and all articles and supplies required for the

public use and the provisions of section twenty-five (25) shall not apply to said boards.

Sec. 92-a5. Secretary of Pharmacy Examiners.

The Pharmacy Examiners shall have the right to employ a full time secretary who shall not be a member of the examining board at such compensation as may be fixed from time to time in the biennial salary act. The provisions of section twenty-one (21) providing for a secretary for each examining board shall not apply to the Pharmacy Examiners.

Sec. 92-a6. Duties of Secretary of Pharmacy Examiners.

The secretary of the Pharmacy Examiners shall, upon the direction of said examiners, make inspections of alleged violations of the provisions of this title relative to the practice of pharmacy and of chapters nine (9) and ten (10) of House File two hundred sixty-one-a (261-a), special session, fortieth general assembly. Said secretary shall furnish the department of health with any information obtained by him with reference to any violation of the provisions of this title relative to the practice of pharmacy. He shall be allowed his necessary traveling and hotel expenses in making such inspections, which shall be paid out of the appropriation provided for in section twenty-four (24)."

JNO. R. PRICE, Chairman.

Ordered passed on file.

Senator Haskell submitted the following report :

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 310, a bill for an act relating to the government of 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 striking all of section two (2).

W. G. HASKELL, Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Substitute for House File No. 178, a bill for an act relating to municipal corporations, 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 two (2), subsection four (4) by inserting a comma (,) after the words "playgrounds" and inserting the words "swimming pools".

Amend by striking from the bill section 3-a1, section 3-a2, and section 3-a3.

Amend section five (5) line six (6) by striking the words "The third preceding section" and substitute in lieu thereof the words "section two (2) hereof".

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 307, a bill for an act legalizing the transfer of money from the general fund to the school house fund of the consolidated independent school district of Laurens, Pocahontas county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 312, a bill for an act authorizing the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox.

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

House Joint Resolution No. 4, authorizing the board of control of state institutions to enter into contracts for the employment of prisoners.

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 providing for the preparation and printing of the session laws of the extra session of the Fortieth General Assembly.

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 legalizing the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain funds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 308, a bill for an act legalizing the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district No. 4, Wapello county, Iowa.

Also: That the Speaker has appointed as conference committee on the part of the House on Senate File No. 7, a bill for an act relating to the duties of the Governor, Representatives Moen, Harrison, Hauge and Quirk.

Also: That the House has adopted the conference committee report and the amendments proposed therein on House File No. 110 a bill for an act relating to school funds and bonds.

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. 45, 101 and 123.

F. C. GILCHRIST, *Chairman Senate Committee.*

GEO. F. SLEMMONS, *Acting 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. 19 and 93.

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. 45, 101, 123, 19 and 93.

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 third day of April, sent to the Governor for his approval, Senate Files Nos. 25, 119 and 290.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

Also:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the fourth day of April, sent to the Governor for his approval, Senate Files Nos. 45, 101 and 123.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

Also :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the fourth day of April, sent to the Governor for his approval, Senate Files Nos. 19 and 93.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: Your conference committee on Senate File No. 75 recommends that the differences now existing between the House and the Senate be adjusted as follows:

1. The House recedes from its amendments to sections three, six and seven.

2. Amend section three as follows: Strike from line five of section three the words "true copy" and insert in lieu thereof the word "duplicate".

3. The Senate agrees to the House amendments to sections eight, thirteen, seventeen and eighteen.

4. Add to said bill, following section fifteen, the following:

"Sec. 15-a1. Negotiable warehouse receipt, duplicate filed recorder's office.

When a negotiable warehouse certificate is issued, the sealer shall issue and deliver to the owner a duplicate certificate marked "no value". When the owner negotiates the original certificate, he shall at the same time deliver to the assignee the duplicate or the county recorder's receipt for the same. Such assignee may file the duplicate in the office of the county recorder of the county in which the grain is located, which duplicate shall remain in the custody of the recorder, except as hereinafter provided.

Sec. 15-a2. Indexing by recorder.

When a duplicate is filed in the office of the recorder, he shall index the same in the chattel mortgage index or other suitable index book showing date of the certificate, the number thereof, to whom issued, kind, quantity, and location of the grain. He shall collect twenty-five cents (25c) for each certificate indexed.

Sec. 15-a3. Record of assignment.

When the owner or holder of a certificate makes written assignment thereof, the recorder shall on request of the assignee enter a copy of such assignment upon the duplicate in his office, and enter upon his index book the date of the assignment, the names of the assignor and the assignee. In case of reassignment of the certificate to the person to whom issued, the recorder shall copy such assignment on the duplicate and deliver the same to the original owner and enter upon the index book "reassigned to the original owner".

Sec. 15-a4. Notice imparted.

The filing and indexing of such certificate shall impart the same notice as the filing and indexing of a chattel mortgage.

JOHN J. ETHELL,
CARL W. REED,
S. C. REES,
FRANK SHANE,
Senate Conferees.

EARL W. VINCENT,
JOHN BRADLEY,
WM. E. G. SAUNDERS,
R. O. GARBER,
House Conferees.

On motion of Senator Ethell the report was taken up and considered.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 30.

Adams	Darting	Kimberly	Price
Baird	Ethell	McIntosh	Scott
Banta	Fulton	Mead	Shaff
Bowman	Hale	Nelson	Shane
Brookins	Hartman	Newberry	Shinn
Browne	Haskell	Olson	Snook
Campbell	Horchem	Perkins	Stoddard
Cessna	Johnston		

Nays, none.

Absent or not voting, 20.

Abben	Dutcher	Reed	Smith
Bergman	Gilchrist	Rees	Thurston
Brookhart	Goodwin	Romkey	Tuck
Buser	Holdoegel	Schmedika	White
Caldwell	Mantz	Slosson	Wichman

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Fulton called up for consideration Senate File No. 169, amended by the House, and moved that the Senate refuse to concur in the following amendments:

1. Amend section four (4) by striking from line five (5) the words "where located".
2. Amend section six (6) by striking from lines six (6), seven (7),

eight (8) and nine (9) the following words: "If there is no such board, the council shall put in said connections and the official in charge of the work shall certify the cost thereof to the council."

Also by striking from line ten (10) the words "in either case".

3. Amend section thirteen (13) by adding after the period (.) in line eleven (11) the following: "No resolution providing for the improvement of streets by paving shall be passed except by unanimous vote of the entire council, if at the time set for its consideration, a remonstrance shall have been filed with the council signed by at least sixty per cent (60%) of the property owners owning at least seventy-five per cent (75%) of the property subject to assessment."

4. Amend section fourteen (14) by striking all in the first line thereof to and including the word "shall" and by inserting in lieu thereof the following: "When the district method of assessment is adopted the council shall, and in all other cases the council may".

Amend section fourteen (14) by adding at the end thereof the following: "The cost of making the plat and schedule required to be filed with the resolution of necessity shall be paid from the improvement fund."

5. Amend section fifteen (15) by striking from line seven (7) the word "corporation" and inserting in lieu thereof the word "city".

6. Amend section nineteen (19) by inserting the word "for" in line two (2) between the words "and" and "sewers".

7. Amend section twenty-three (23) by inserting in line ten (10) the word "a" before the word "special".

8. Amend section twenty-four (24) by inserting the following after the word "streets" in line three (3); "may be assessed against privately owned property".

Also by striking the word "and" from line three (3).

Also amend section twenty-four (24) by striking therefrom everything appearing after the period (.) in line eleven (11).

9. Amend section thirty (30) by striking therefrom the word and figures "ten (10)" and inserting in lieu thereof the word and figures "thirty (30)".

Also by striking the word and figures "twenty (20)" and inserting in lieu thereof the word and figures "thirty (30)".

Also amend by striking all of said section after the period (.) in line ten (10).

10. Amend by striking all of section forty-one (41) and inserting in lieu thereof the following:

"Unless the owner of any lot or railway or street railway, the assessment against which is embraced in any bond or certificates provided for by law, shall, within thirty (30) days from the date of such assessment, file written objection to the legality or regularity of the assessment or levy of such tax upon and against his property, such owner shall be deemed to have waived objection on these grounds and shall have the right to pay said assessment, with interest thereon not exceeding six per cent (6%)

per annum, in ten (10) equal annual installments. In no case shall the owner be liable for more than the value of the property included in such assessment. The cost of oiling the streets may not be paid in installments.

11. Amend section forty-two (42), lines six (6) to ten (10), by striking all of said lines following the word "taxes" in line six (6) and preceding the word "all" in line ten (10), and inserting in lieu thereof the following: "provided that any or all installments not yet paid together with accrued interest thereon may be paid on the due date of any installment".

12. Amend section sixty (60) by inserting in line one (1) after the word "maintained" the words "by the city".

13. Amend by adding the following as section sixty-nine (69):

"Sec. 69. Right to pay in installment after appeal or objection.

When any special assessment has been reduced on appeal, the property owner may, within twenty (20) days after final determination of the appeal, pay an amount equal to the installments which would have matured under the revised assessment, had objections not been filed, together with interest on the entire revised assessment from the date of the original levy and shall be entitled to pay the remaining installments as provided in section forty-one (41) of this chapter.

In case objections are filed but no appeal is taken, if such objection be withdrawn within thirty (30) days from the date of the assessment or if said objection be overruled by the council at a hearing as in this chapter provided for, the property owner may pay the special assessment in the same manner as in this section provided in case of successful appeal."

14. Amend by adding the following as section seventy (70):

"Sec. 70. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sioux City Tribune, a newspaper published in the city of Sioux City, Iowa, and the Plain Talk, a newspaper published in the city of Des Moines, Iowa."

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 33.

Baird	Goodwin	Mantz	Scott
Banta	Hale	Mead	Shaff
Brookins	Hartman	Newberry	Shinn
Buser	Haskell	Olson	Smith
Campbell	Horchem	Perkins	Snook
Cessna	Johnston	Price	Stoddard
Darting	Kimberly	Reed	Thurston
Ethell	McIntosh	Rees	Tuck
Fulton			

Absent or not voting, 13.

Abben	Browne	Holdoegel	Shane
Adams	Caldwell	Nelson	Slosson
Bowman	Dutcher	Romkey	White
Brookhart	Gilchrist	Schmedika	Wichman
Bergman			

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 Newberry, House File No. 88A, 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-eight (2488), inclusive, and two thousand four hundred ninety-two (2492) to two thousand four hundred ninety-nine (2499), inclusive, of the compiled code, and sections two thousand two hundred ninety-five (2295), two thousand three hundred four (2304), two thousand three hundred six (2306) and two thousand four hundred eighty-two-a one (2482-a1) of the supplement to said code, relating to education, 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 section 5, line 5, by changing the comma following the word "require" to a period and by striking the remainder of the section.

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

Ayes, 23.

Adams	Gilchrist	Mantz	Slosson
Baird	Goodwin	Mead	Smith
Banta	Hale	Newberry	Stoddard
Caldwell	Haskell	Perkins	Tuck
Darting	Holdoegel	Reed	Wichman
Fulton	Horchem	Scott	

Nays, 14.

Browne	Ethell	McIntosh	Rees
Buser	Hartman	Nelson	Shane
Campbell	Johnston	Olson	Snook
Cessna	Kimberly		

Absent or not voting, 13.

Abben	Brookins	Romkey	Shinn
Bergman	Dutcher	Schmedika	Thurston
Bowman	Price	Shaff	White
Brookhart			

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 5 by striking from lines 4 and 5 the words "or with such other training and qualifications as the board may require,".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 6 by inserting in line 8 the word "and" before the word "general"; by striking the comma (,) after the word "history", inserting a period (.) and striking the remainder of the section.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 32 by inserting a period (.) in lieu of the semicolon (;) after the word "examiner" in line 8 and by striking the remainder of the section and by inserting in line 7 after the word "certificate" a comma (,) and the words "valid for the remainder of the year,".

By unanimous consent, on request of Senator Fulton, the word "school" was inserted before the word "year" in the last line of the amendment.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting as section 4-a the following:

"All examinations shall cover the fundamental principles of a republican form of government and the constitution of the United States and of the state of Iowa."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting in line 7 of section 8 after the word "fitness" the word "requisite".

The amendment was adopted.

By unanimous consent, on request of Senator Fulton the word "to" was stricken from line 2 of section 36 and the word "with" inserted in lieu thereof.

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.

Adams	Ethell	Kimberly	Scott
Baird	Fulton	McIntosh	Shaff
Banta	Gilchrist	Mantz	Shane
Browne	Goodwin	Mead	Slosson
Buser	Hale	Nelson	Smith
Caldwell	Hartman	Newberry	Snook
Campbell	Haskell	Perkins	Stoddard
Cessna	Holdoegel	Price	Thurston
Darting	Horchem	Reed	Wichman

Nays, none.

Absent or not voting, 14.

Abben	Brookins	Rees	Shinn
Bergman	Dutcher	Romkey	Tuck
Bowman	Johnston	Schmedika	White
Brookhart	Olson		

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.

CALL OF THE SENATE FILED

MR. PRESIDENT: We, the undersigned senators, hereby ask that a call be made on the Senate (to go into effect Monday, April 7th, at 1:30 p. m.) on all bills at present on the calendar.

A. J. SHINN
 W. SCHMEDIKA
 JAS. F. JOHNSTON
 M. L. BOWMAN
 H. C. ADAMS
 J. D. BUSER
 W. A. CALDWELL
 C. J. FULTON
 W. S. BAIRD
 J. A. NELSON
 FRANK SHANE
 A. T. BROOKLINS
 I. N. SNOOK
 J. A. SHAFF
 JOHN J. ETHELL

On motion of Senator Reed, Senator Mantz was excused from this call.

On motion of Senator Stoddard, Senator Perkins was excused until Tuesday morning.

HOUSE MESSAGES CONSIDERED

House File No. 311, a bill for an act to legalize the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain funds.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 312, a bill for an act to authorize the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 308, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district number four, Wapello county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 314, a bill for an act to provide for the preparation and printing of the session laws of the extra session of the Fortieth General Assembly by the state printing board and making the necessary appropriation available therefor.

Read first and second times and referred to committee on code revision.

House Joint Resolution No. 4, a resolution authorizing the board of control of state institutions to enter into contracts for the employment of prisoners.

Read first and second times and referred to committee on board of control.

Senator Ethell took the chair at 11:30 a. m.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 213

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House File

No. 213, a bill relating to marriages and incest, beg leave to report that we have had these differences under consideration and have been unable to agree on any compromise on the differences existing between the Senate and House on said bill.

F. C. GILCHRIST,
CARL W. REED,
J. K. HALE,
W. S. BAIRD,

Senate Conferees.

T. E. POWERS,
T. E. MOEN,
FRANK W. ELLIOTT,
C. F. CLARK,

House Conferees.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: Your conference committee on Senate File No. 9 recommends that the differences now existing between the House and the Senate on said bill be adjusted as follows:

1. The House shall recede from its amendments to said bill.
2. By amending the bill as follows:

(1) After section 2 of the bill insert the following sections:

"That sections 4769-a1 to 4769-a5 of the supplement to the compiled code are amended, revised, and codified to read as follows:

Sec. 2-a1. State funds—duty of county treasurer.

The treasurer of each county shall, on or before the fifteenth day of each month, prepare sworn statements of the amount of money in his hands on the last day of the preceding month belonging to the state treasury, not including primary road funds or motor vehicle funds, and forward by mail, one such statement to the auditor of state, and one such statement to the treasurer of state.

Sec. 2-a2. Payment to state treasurer.

The treasurer of each county shall also, at any time when directed by the treasurer of state as hereafter provided, forthwith pay into state treasury any or all of the said money due the state and remaining in his hands. The treasurer of state is hereby required to receive on all such payments the same kind of money and notes which the county treasurer is authorized and required by law to receive in payment of taxes.

Sec. 2-a3. Cash balance.

The treasurer of state shall not draw on the funds in any county treasury so long as the receipts from all sources, not including primary road funds, belonging to the state, are sufficient to maintain in the state treasury and authorized depositories in the aggregate, a cash balance of two million dollars (\$2,000,000.00).

Sec. 2-a4. Restoration of cash balance.

When said cash balance is reduced below two million dollars (\$2,000,000.00) the treasurer of state may draw upon each county treasurer in proportion to the amount in their possession, a sum sufficient in the aggregate to increase said cash balance to an amount not to exceed three million dollars (\$3,000,000.00).

Sec. 2-a5. Penalty.

In case the treasurer of any county shall fail to prepare and forward the aforesaid statement, or shall fail to promptly honor any draft by the treasurer of state as provided in the preceding section, he shall forfeit and pay for each and every failure, a sum no less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), to be recovered in an action on the treasurer's bond, brought in the name of the state auditor or the treasurer of state."

(2) Amend the title by striking the period (.) in line eight (8) and adding the following:

"and sections forty-seven hundred sixty-nine-a one (4769-a1) to forty-seven hundred sixty-nine-a five (4769-a5) of the supplement to the compiled code relating to the duty of the county treasurer and treasurer of state relative to state funds."

T. C. CESSNA,
BEN C. ABBEN, JR.,
GEO. S. HARTMAN,
GEO. B. PERKINS,

Senate Conferees.

F. C. SAMPSON,
H. RUST,
S. E. FACKLER,
M. L. HENDERSON,

House Conferees.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 110, relating to education, beg leave to report that they have had the same under consideration and beg leave to submit the following:

That the House concur in Senate amendment to sub-section one (1) of section one (1).

That sub-section two (2) of section one (1) be rewritten as follows:

"2. In school corporations having a school enumeration of ten thousand (10,000) or more, seventy dollars (\$70.00)."

That sub-section three (3) of section one (1) be rewritten as follows:

"3. In all other school corporations, eighty dollars (\$80.00); provided that corporations not maintaining an approved high school and which have tuition pupils attending high school in other districts may levy such an

additional amount above the said eighty dollars (\$80.00) as will be necessary to pay the cost of tuition for such pupils."

BYRAN W. NEWBERRY,
F. C. GILCHRIST,
H. J. MANTZ,
W. A. CALDWELL,

Conferees on part of Senate.

W. C. CHILDREN,
W. C. EDSON,
L. V. CARTER,
T. W. NAPIER,

Conferees on part of House.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 220

MR. PRESIDENT: We, your conference committee to whom was referred the disagreement between the House and Senate on House File 220, a bill for an act relating to municipal courts, beg leave to report we have had same under consideration and make the following recommendations:

- (1) That the Senate recede from its amendment to section 14.
- (2) That the House concur in Senate amendment to section 15.
- (3) That the House concur in Senate amendment to section 17.
- (4) That the Senate amendment to section 19 be amended by inserting after the word "towns" in line four the words "other than that" and that said amendment when so amended be concurred in.
- (5) That the House concur in Senate amendment to section 20.
- (6) That the following amendment be substituted for the Senate amendment which adds section 23-a1 to the bill. Amend said bill by inserting following section 23 the following:

"Sec. 23-a1. All provisions of the law relating to change of venue from the district court shall govern so far as applicable changes of venue from the municipal court".

- (7) That the House concur in Senate amendment to section 24.
- (8) That the Senate recede from its amendment to section 27.
- (9) That the House concur in Senate amendment to section 28.
- (10) That the Senate amendment to section 29 be stricken out and the following inserted in lieu thereof:

Amend by striking out section 29 of the bill and inserting in lieu thereof the following:

"Sec. 29. Fees, costs, and expenses. If no provision is made in the laws applicable to the district court for fees, costs, and expenses, they shall be the same as in justice of the peace courts. The bailiff may retain the amount allowed to him by law for mileage and necessary actual expenses in addition to his salary. All other fees, fines, forfeitures, costs and expenses shall be turned over to the city treasurer by the officer collecting the same on or before the tenth day of each succeeding month and the city

treasurer shall forthwith pay to the county treasurer for the benefit of the school fund the portion of the fines and forfeitures collected for the violation of state laws."

- (11) That the House concur in the Senate amendment to section 31.
- (12) That the House concur in the Senate amendment to section 35.
- (13) That the House concur in the Senate amendment to section 36.
- (14) That the Senate recede from its amendment to section 41.
- (15) That the House concur in Senate amendment to section 42.
- (16) That the Senate recede from its amendment to section 43.
- (17) That the House concur in Senate amendment to section 49.

R. P. SCOTT,
J. E. WICHMAN,
CARL W. REED,

Conferees on part of Senate.

F. B. GILBERT,
VOLNEY DILTZ,
C. A. HOLLIS,

Conferees on part of House.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 289 by inserting in section 10, following subsection 18, the following as subsection 19:

"19. To J. H. Trewin and J. C. Mabry, Code Commissioners, each one copy."

P. C. HOLDOEGEL.

AMENDMENT TO HOUSE FILE NO. 262

MR. PRESIDENT: I move to amend House File No. 262 by striking therefrom all of section eighty (80).

ED. M. SMITH.

Senator Shane filed the following amendment:

Amend House File No. 262 by striking out section 130 and inserting in lieu the following:

"Sec. 130. Persons not engaged in the practice of optometry.

The preceding section shall not be construed to include the following classes:

1. Merchants or dealers who sell glasses as merchandise in an established place of business and who do not profess to be optometrists or practice optometry as herein defined.
2. Licensed physicians and surgeons who employ means for the measurement of the powers of vision of the human eyes and adapt lenses for aiding the same as an incident to the general practice of their profession.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, request a call of the Senate upon all matters coming before it, said call to be in force each and every week until the close of the session from 1:30 o'clock on Monday until 12:00 o'clock on Saturday, said call to begin to apply Monday, April 7th, 1924.

P. C. HOLDOEGEL
A. J. SHINN
I. N. SNOOK
W. A. CALDWELL
J. A. NELSON
O. L. MEAD
CHAS. OLSON

M. L. BOWMAN
GEO. S. HARTMAN
J. K. HALE
FRANK SHANE
J. E. WICHMAN
W. S. BAIRD
B. J. HORCHEM,

The Journal of April 3d was corrected and approved.

Senator Shaff moved the Senate adjourn until 1:30 p. m. Monday.

Senator Shinn moved to amend by making the time 10:00 a. m. Saturday.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 5, 1924.

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.

PETITIONS AND MEMORIALS

A petition was presented by Senator Browne, from the Chamber of Commerce of Maquoketa, Iowa, and the business houses, and citizens of Maquoketa, Iowa, urging and demanding some action to relieve the distress caused by the present impassable highways, and also the passage of a gasoline tax bill as a constructive remedy for road conditions. Referred to the committee on highways.

INTRODUCTION OF BILLS

Senate File No. 314, by committee on banks, a bill for an act to amend section fifty-seven hundred forty-six (5746) of the compiled code, relating to salaries of bank examiners.

Read first and second times and placed on the calendar.

Senate File No. 313, by Senator Price, a bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

REPORTS OF COMMITTEES

Senator Slosson submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred House File No. 277, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa

and of the supplement of said code, sections thirty hundred forty-one (3041), thirty hundred forty-two (3042) and thirty hundred forty-four (3044), eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, 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:

1. Amend section thirty-three (33), line one (1) by inserting between the word "agent" and the word "to" the following: "except as provided in the succeeding section".

Also amend by adding after section thirty-three (33) as section thirty-three-a (33-a) the following:

"Section 33-a. It shall be lawful for any dealer or used car dealer in this state to sell and transfer his stock of used motor vehicles in bulk by complying with the following requirements:

Subsection 1. The vendor shall:

(a) File with the county treasurer and the department, duplicate inventories of all used motor vehicles proposed to be transferred, giving the factory number, last license number, if any, and description of each such used motor vehicle and the name and address of proposed vendee.

(b) File with the county treasurer or department duplicate bills of sale setting forth the fact that such sale has been completed.

Subsection 2. The vendee shall:

(a) If he has not already secured a used car dealer's license, immediately secure such license from the department.

Subsection 3. Vendor and vendee: The vendor and vendee shall join in the transfer of each used motor vehicle in said stock and shall file with the county treasurer a transfer and shall pay a transfer fee of one dollar (\$1.00) for each such used motor vehicle. Upon the completion of such requirements the department shall certify to the county treasurer that such used motor vehicles are, from and after a date to be set by the department, the property of the vendee."

2. Amend section forty-three (43) line two (2) by striking out the word "eight" and insert the word "ten".

3. Amend section one hundred twenty-one (121) by striking out of lines four (4) and five (5) the words "the provisions of this chapter together with the lenses and devices so approved by the department", and substitute the following: "that specified on the approved list for the lens in stituting in lieu thereof the following: "that specified on the approved list for the lens in question when installed in such way that the bulbs are focused as specified in the approved list, and the directly reflected beam of light does not rise or diverge contrary to the provisions of this chapter."

4. Also amend by inserting after section one hundred twenty-nine (129) the following:

"Sec. 129-a1.

"The board of supervisors of any county may designate certain public highways whereon heavily laden vehicles may be excluded and make such other reasonable regulation in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvement thereon."

5. Amend section one hundred thirty-two (132) by inserting after the word "registration" in line eleven (11) of subsection three (3) the following: "and each transfer."

6. Amend section one hundred forty-four (144) by inserting in line three (3) after the word "license" the following: "and transfer."

7. Amend by adding immediately after section 185 the following:

Sec. 185-a1. Stationary unlighted vehicle.

No person shall, during any part of the time from one-half hour after sunset to one-half hour before sunrise, permit a motor vehicle, under his control, to stand upon the traveled portion of any highway with the front or rear lights extinguished unless said highway is artificially lighted at the place where the vehicle is located to such extent as to clearly indicate the presence of said vehicle. A violation of the section shall constitute a misdemeanor and be punished accordingly.

Sec. 185-a2. Exception.

The last preceding section shall not apply when an accident extinguishes said lights and renders any vehicle incapable of use, and when the person in control of the vehicle erects, at the earliest opportunity after the accident, such proper lights at or near the vehicle as will give warning of the presence of said vehicle."

8. Also strike out section one hundred ninety-five (195) and insert in lieu thereof the following: "The total maximum load that any one wheel of a motor vehicle, including the weight of the vehicle and loaded carriage, shall be four (4) tons, provided the total maximum weight of the vehicle load shall not in any event exceed fourteen (14) tons."

9. Also by inserting the following as section 197-a1.

"When a motor vehicle is being operated upon a public highway, no article shall be carried on the left hand side of such vehicle when such article extends beyond the width of the running board. The left hand side shall be deemed that side of the vehicle which is to the left of the driver when the vehicle is in motion.

J. M. SLOSSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred House File No. 305, a bill for an act to amend sections thirty hundred eighty-one-a one (3081-a1), thirty hundred eighty-one-a seven (3081-a7), and thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, relating to the rules and regulations of motor carriers and providing penalty for the violation of the statutes,

rules and regulations promulgated thereunder, 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.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 3, 1924, he had signed Senate Files Nos. 205, 290 and 119.

SENATE FILE NO. 88 WITHDRAWN

By unanimous consent Senator Newberry withdrew Senate File No. 88 from further consideration, the companion bill having passed.

Senator Stoddard moved that Mr. J. C. Mabry, a member of the code commission, be invited to address the Senate.

The motion prevailed and the President appointed Senator Stoddard to invite Mr. Mabry to address the Senate.

Mr. Mabry addressed the Senate briefly.

Senator Banta moved that the remarks of Mr. Mabry be printed in the Journal, which motion prevailed.

Mr. Mabry spoke as follows:

MR. PRESIDENT AND SENATORS: I appreciate more than I can tell you this opportunity to say a parting word on the occasion of my departure from the great work upon which you have been engaged. Those of us to whom was set this task did not seek the task but were called to the work without our having sought it. We were selected in the first place by the chief justice of the supreme court of the state, who has been acquainted with us as lawyers for more than a quarter of a century. We did not appreciate ourselves what the task involved when we came to take it up and we have labored now for a long time and you can hardly realize what a feeling of rejoice we have in our hearts that the great task and the splendid work that this body has done this winter is so nearly finished. When we were called here at the beginning of this session to render what aid we could there was much misunderstanding about code revision. Many of your members did not appreciate the attitude of the members of the code commission. They did not fully appreciate what we had tried to do—what the ideals were toward which we had been laboring through these three or four months. And I cannot blame any member of this body, or of the House, that they had a little "chilly" feeling for the first week or two toward the code commission. I confess to you that it was with some feeling of discouragement for the first week or two we were here trying to get into cooperation with you upon this work, but the time finally came

when you gathered up the spirit of code revision that animated us in the work we had tried to accomplish. We found that you felt that bills were not in all respects as you would want them, nor as we would want them if we had to go over them again. When you entered upon that work I suppose some of you felt that if you saw fit to change some bill we had written or found the necessity of rewriting the same that we would feel like it was a thrust at us. Nothing could ever have been further from any such feeling of any member of this code revision entertained.

I now believe that you will bear witness that we welcomed every change that you saw fit to make in any bill and that we were ready at any time to cooperate with you in making any change that you wished to make, and I say to you that the changes that you have made have been for the betterment of the work. We were here animated by just such a feeling as animated you senators and the officers of the General Assembly, and that was to serve the people of our great commonwealth unselfishly and to the best of our ability, and as your work has been clean and impartial, we claim the same credit for our work that it was absolutely clean and honest so far as we were able to do it.

So, gentlemen, you have about accomplished the great task and I wish that I might in some way say to the people of our great state that they have sent down here to this General Assembly as true and loyal representatives of their interests as ever came here, and I wish they might appreciate, as they will come to appreciate later, the great work that you have done for them this winter. We claim no great amount of credit in it only that we are proud to have been permitted and invited to cooperate with you, that we have had some part in this great task, and now as I have asked to be relieved from further activities here, I want you to know that as I go I have every feeling of appreciation and good will for every member of this body and I bid you God speed in this work and all those laudable undertakings which lie before you in the future. There will go out from this hall a great educational influence as a result of this session that will animate and reach every quarter of the state, because I dare say that there is a body of men here now that have a more intimate acquaintance with the statutory laws of the state than any member of the General Assembly has had since the revision of 1897, and I am sure that it will be a great and helpful influence to the people of this state.

With feelings of gratitude and appreciation I bid you God speed and I bid you adieu to take a much needed rest and a long needed recreation into a little trip into other lands. But permit me to say, senators, that I shall never visit any land under the shining sun that will be to me what my own land is, and I expect to return from wherever my footsteps may lead me, with higher appreciation of the land of the Stars and Stripes, and the great institutions of our country and the high standard of the citizenship of our country than I have entertained before. I thank you.

AMENDMENT FILED

MR. PRESIDENT: I move to amend House File No. 277, being a bill to

amend, revise and codify the law relating to the operation of motor vehicles, by striking out of said bill all of section 199 thereof.

I. N. SNOOK.

The Journal of April 4th was corrected and approved.

On motion of Senator Brookins the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 7, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Shaff rule 33 was suspended for the day.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 84, a bill for an act relating to charitable, correctional, and penal institutions, and the juvenile court.

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 legalizing certain acts of the Keokuk & Hamilton Mississippi River Bridge Company.

Also: That the House insists on its amendments to Senate File No. 169, a bill for an act relating to municipal corporations—street improvements and sewers, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Blake, Gilbert, Stock and Forsling.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 307, a bill for an act to legalize the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty (50) years, beginning August first, nineteen hundred eighteen (1918).

Read first and second times and referred to committee on judiciary No. 1.

House File No. 84, a bill for an act to amend, revise, and codify, title nine (9), and chapters fifteen (15) and sixteen (16) of title ten (10) of the compiled code 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.

HOUSE AMENDMENTS CONSIDERED

Senator Gilchrist called up for consideration Senate File No. 307, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding as section two (2) the following:

"Sec. 2. Nothing in this act shall affect pending litigation."

Amend by renumbering section two (2) as section three (3).

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Abben	Dutcher	Johnston	Scott
Adams	Ethell	Kimberly	Shaff
Baird	Gilchrist	McIntosh	Shane
Banta	Hale	Mead	Shinn
Brookins	Hartman	Nelson	Snook
Browne	Haskell	Newberry	Stoddard
Buser	Holdoegel	Rees	Thurston
Campbell	Horchem	Schmedika	Wichman
Darting			

Nays, none.

Absent or not voting, 17.

Bergman	Fulton	Perkins	Slosson
Bowman	Goodwin	Price	Smith
Brookhart	Mantz	Reed	Tuck
Caldwell	Olson	Romkey	White
Cessna			

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

Senator Haskell moved that Senator Banta be excused from the call of the Senate this afternoon, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Haskell, House File No. 178, 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 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), and three thousand six hundred thirty-eight (3638) of the supplement to said code, relating to municipal corporations, 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 section two (2), subsection four (4) by inserting a comma (,) after the word "playgrounds" and inserting the words "swimming pools".

Amend by striking from the bill section 3-a1, section 3-a2, and section 3-a3.

Amend section five (5) line six (6) by striking the words "The third preceding section" and substitute in lieu thereof the words "section two (2) hereof".

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	Ethell	Johnston	Scott
Adams	Fulton	Kimberly	Shaff
Banta	Gilchrist	McIntosh	Shane
Bowman	Goodwin	Mead	Shinn
Brookins	Hale	Newberry	Snook
Buser	Hartman	Price	Stoddard
Campbell	Haskell	Reed	Thurston
Darting	Holdoegel	Schmedika	Wichman
Dutcher	Horchem		

Nays, none.

Absent or not voting, 16.

Baird	Caldwell	Olson	Slosson
Bergman	Cessna	Perkins	Smith
Brookhart	Mantz	Rees	Tuck
Browne	Nelson	Romkey	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 Fulton withdrew Senate File No. 178 from further consideration.

On motion of Senator Reed, the rules were suspended and Senate File No. 312, a bill for an act to amend, revise, and codify section five thousand three hundred and ninety-nine (5399) of the compiled code, relating to shares of stock in cooperative associations was taken up and considered.

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, 34.

Abben	Fulton	Kimberly	Schmedika
Baird	Gilchrist	McIntosh	Scott
Banta	Goodwin	Mead	Shane
Brookins	Hale	Nelson	Shinn
Browne	Hartman	Newberry	Snook
Buser	Haskell	Price	Stoddard
Campbell	Holdoegel	Reed	Thurston
Darting	Horchem	Rees	Wichman
Ethell	Johnston		

Nays, none.

Absent or not voting, 16.

Adams	Caldwell	Olson	Slosson
Bergman	Cessna	Perkins	Smith
Bowman	Dutcher	Romkey	Tuck
Brookhart	Mantz	Shaff	White

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 Haskell, House File No. 310, a bill for an act relating to the government of cities and towns, 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 all of section two (2).

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, 34.

Abben	Ethell	Johnston	Scott
Baird	Fulton	Kimberly	Shaff
Banta	Gilchrist	McIntosh	Shane
Bowman	Goodwin	Mead	Shinn
Browne	Hale	Nelson	Snook
Buser	Hartman	Newberry	Stoddard
Campbell	Haskell	Price	Thurston
Darting	Holdoegel	Reed	Wichman
Dutcher	Horchem		

Nays, none.

Absent or not voting, 16.

Adams	Caldwell	Perkins	Slosson
Bergman	Cessna	Rees	Smith
Brookhart	Mantz	Romkey	Tuck
Brookins	Olson	Schmedika	White

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

Senator Shaff moved that the Senate recess until 1:30 p. m which motion prevailed.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

The roll was called, there being a call of the Senate.

The roll call revealed the presence of the following Senators:

Abben	Fulton	Mead	Shaff
Adams	Gilchrist	Nelson	Shane
Baird	Goodwin	Newberry	Shinn
Brookins	Hale	Olson	Slosson
Browne	Hartman	Price	Smith
Buser	Haskell	Reed	Snook
Caldwell	Holdoegel	Rees	Stoddard
Campbell	Horchem	Romkey	Thurston
Darting	Johnston	Schmedika	Wichman
Dutcher	Kimberly	Scott	
Ethell	McIntosh		

Senator Price moved that Senator Tuck be excused from the call on account of illness, which motion prevailed.

Senator Shinn moved that Senator Cessna be excused until tomorrow morning, which motion prevailed.

On motion of Senator Price, Senator Brookhart was excused until tomorrow morning.

On motion of Senator Haskell, Senator White was excused from the call.

Senator Bowman appeared and the President declared the call complete, all absent Senators having been excused.

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. 283.

F. C. GILCHRIST, *Chairman Senate Committee.*

CHARLES RHINEHART, *Acting 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. 283.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4, 1924, he had signed Senate Files Nos. 25, 19, and 93. Also, that on April 5, 1924, he had signed Senate Files Nos. 123, 45 and 101.

REPORTS OF COMMITTEES

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 311, a bill for an act to legalize the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain funds, 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. 312, a bill for an act to authorize the issuance of a patent to certain lands in Winnebago county, Iowa, to William E. Cox,

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. 307, a bill for an act to legalize certain acts of the Keokuk & Hamilton Mississippi River Bridge Company relating to renewal of the articles of consolidation, etc., 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 Dutcher submitted the following report:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 314, a bill for an act to provide for the preparation and printing of the session laws of the extra session of the Fortieth General Assembly by the state printing board and making the necessary appropriation available therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

CHAS. M. DUTCHER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 289, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58), of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publication of a legal nature, and to the powers and duties of the reporter of the supreme court, etc., 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 in section 10 following subsection 16 the following as subsection 17:

"17. To J. H. Trewin and J. C. Mabry, code commissioners, each....1 copy."

Amend section 21 by striking therefrom paragraph 5 and substituting the following in lieu thereof:

"5. To prepare and cause to be published immediately following the issuance of the code in nineteen hundred twenty-seven (1927), and each four years thereafter, a volume which shall by proper annotations, show

the construction placed by the supreme court of this state and the federal courts on all statutes of this state since the then existing permanent volume of annotations. The edition of nineteen hundred thirty-one (1931) and all subsequent volumes shall constitute a cumulation of the edition of nineteen hundred twenty-seven (1927) and so continued until said cumulation shall reach a size sufficient for a permanent volume."

Amend by inserting in the second line preceding section 25 and immediately after the parenthetical expression "(241-a38)" the following: "and section two hundred forty-one-a fifty-seven (241-a57)".

Amend the title by inserting immediately after the parenthetical expression "(241-a38)" the following: "and section two hundred forty-one-a fifty-seven (241-a57)".

CHAS. M. DUTCHER, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Ethell, Senate File No. 302, a bill for an act to amend chapters one hundred four (104) and one hundred five (105) of the acts of the Fortieth (40) General Assembly relating to limitations on the expenditures of public funds in counties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ethell offered the following amendments as a substitute for all pending amendments and moved its adoption:

Amend Senate File No. 302 by striking out the period at the end of section one (1) and adding the words, "in counties which do not have sufficient funds for such purposes; provided that, in such counties, before any claim is allowed or any warrant issued for such election expense, a verified statement and showing of the necessity therefor must be made by the county auditor and filed with and approved by the state auditor."

Senator Shane withdrew his amendments previously filed.

Senator Buser offered the following amendment to the amendment offered by Senator Ethell and moved its adoption:

Amend by striking the word "and" following the word "statement" in line 6 and by striking the word "of" following the word "showing" in the same line.

The amendment to the amendment was adopted.

Senator Buser offered the following amendment to the amendment and moved its adoption:

Amend by striking the word "auditor" from line 8 and inserting the words "board of supervisors" in lieu thereof.

The amendment to the amendment was adopted.

On the question "Shall the amendment offered by Senator Ethell be adopted?" the vote was:

Ayes, 26.

Abben	Ethell	Horchem	Scott
Adams	Fulton	Kimberly	Shane
Browne	Gilchrist	McIntosh	Slosson
Buser	Goodwin	Nelson	Stoddard
Caldwell	Hale	Reed	Wichman.
Campbell	Hartman	Rees	
Darting	Haskell	Romkey	

Nays, 14.

Baird	Johnston	Schmedika	Smith
Brookins	Mead	Shaff	Snook
Dutcher	Olson	Shinn	Thurston
Holdoegel	Price		

Absent or not voting, 10.

Banta	Brookhart	Newberry	Tuck
Bergman	Cessna	Perkins	White
Bowman	Mantz		

The amendment was adopted.

Senator Brookins moved that further action be deferred until Senator Tuck could be present.

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

Ayes, 22.

Baird	Fulton	Nelson	Shinn
Bowman	Gilchrist	Olson	Slosson
Brookins	Goodwin	Price	Smith
Browne	Hartman	Rees	Snook
Buser	Horchem	Romkey	Thurston
Campbell	McIntosh		

Nays 20.

Abben	Ethell	Kimberly	Scott
Adams	Hale	Mead	Shaff
Caldwell	Haskell	Newberry	Shane
Darting	Holdoegel	Reed	Stoddard
Dutcher	Johnston	Schmedika	Wichman

Absent or not voting, 8.

Banta	Brookhart	Mantz	Tuck
Bergman	Cessna	Perkins	White

The motion prevailed and action was deferred.

CONFERENCE COMMITTEE REPORTS CONSIDERED

Senator Newberry called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 110, relating to education, beg leave to report that they have had the same under consideration and beg leave to submit the following:

That the House concur in Senate amendment to subsection one (1) of section one (1).

That subsection two (2) of section one (1) be rewritten as follows:

"2. In school corporations having a school enumeration of ten thousand (10,000) or more, seventy dollars (\$70.00)."

That subsection three (3) of section one (1) be rewritten as follows:

"3. In all other school corporations, eighty dollars (\$80.00); provided that corporations not maintaining an approved high school and which have tuition pupils attending high school in other districts may levy such an additional amount above the said eighty dollars (\$80.00) as will be necessary to pay the cost of tuition for such pupils."

BYRON W. NEWBERRY,
F. C. GILCHRIST,
H. J. MANTZ,
W. A. CALDWELL,
Conferees on part of Senate.

W. C. CHILDREN,
W. C. EDSON,
L. V. CARTER,
T. W. NAPIER,
Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 34.

Abben	Gilchrist	Mead	Shaff
Adams	Goodwin	Newberry	Shane
Baird	Hale	Olson	Shinn
Brookins	Hartman	Price	Slosson
Browne	Haskell	Reed	Smith
Buser	Holdoegel	Romkey	Snook
Caldwell	Horchem	Schmedika	Stoddard
Campbell	Kimberly	Scott	Wichman
Fulton	McIntosh		

Nays, none.

Absent or not voting, 16.

Banta	Cessna	Johnston	Rees
Bergman	Darting	Mantz	Thurston
Bowman	Dutcher	Nelson	Tuck
Brookhart	Ethell	Perkins	White

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Shaff called up the following conference committee report for consideration:

MR. PRESIDENT: We, your conference committee to whom was referred House File No. 66, beg leave to report we have had the same under consideration and recommend that the Senate recede from its amendments to sections 5 and 98.

J. O. SHAFF,
D. W. KIMBERLY.,
O. L. MEAD,
Conferees on part of Senate.

A. V. BRADY,
HEIKE A. RUST,
G. E. HELD,
F. C. SAMPSON,
Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 22.

Abben	Goodwin	Kimberly	Scott
Adams	Hale	Mead	Slosson
Baird	Hartman	Newberry	Smith
Campbell	Haskell	Olson	Stoddard
Dutcher	Holdoegel	Reed	Wichman
Gilchrist	Horchem		

Nays 20.

Bowman	Darting	Nelson	Shaff
Brookins	Ethell	Price	Shane
Browne	Fulton	Rees	Shinn
Buser	Johnston	Romkey	Snook
Caldwell	McIntosh	Schmedika	Thurston

Absent or not voting, 8.

Banta	Brookhart	Mantz	Tuck
Bergman	Cessna	Perkins	White

The conference committee report having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Shane, House File No. 262, a bill for an act to amend, revise, and codify 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 sixteen (1416) to fourteen hundred nineteen (1419), inclusive, fourteen hundred twenty-one (1421) to fourteen hundred twenty-three (1423), inclusive, fourteen hundred twenty-five (1425), and fourteen hundred twenty-six (1426) of the compiled code of Iowa, and chapters six (6), twelve (12), 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 thirteen (1413) to fourteen hundred fifteen (1415), inclusive, and fourteen hundred twenty (1420) of the supplement to the compiled code of Iowa, relating to the practice of certain professions affecting the public health, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (found on page 1193 of the Senate Journal) were considered :

Amendments Nos. 1, 2, 3, 5, 6, 7, 8, 9 and 10 were adopted.

On the question "Shall amendment No. 11 be adopted?" the vote was :

Ayes, 24.

Baird	Hale	Olson	Scott
Caldwell	Hartman	Price	Shane
Campbell	Holdoegel	Reed	Slosson
Darting	Horchem	Rees	Stoddard
Ethell	Kimberly	Romkey	Thurston
Gilchrist	Mead	Schmedika	Wichman

Nays, 17.

Abben	Buser	Haskell	Newberry
Adams	Dutcher	Johnston	Shinn
Bowman	Fulton	McIntosh	Smith
Brookins	Goodwin	Nelson	Snook
Browne			

Absent or not voting, 9.

Banta	Cessna	Perkins	Tuck
Bergman	Mantz	Shaff	White
Brookhart			

Amendment No. 11 was adopted.

Amendment No. 12 was adopted.

Senator Dutcher offered the following amendment to the thirteenth amendment and moved its adoption:

Amend section 138, as amended, by placing a period (.) after the word "faculties" in the last line of said section, and striking from the end of said section the words "for the year nineteen hundred seventeen (1917)".

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

Ayes, 16.

Abben	Gilchrist	McIntosh	Rees
Adams	Haskell	Newberry	Shaff
Campbell	Holdoegel	Olson	Thurston
Dutcher	Kimberly	Reed	Wichman

Nays, 25.

Baird	Ethell	Johnston	Scott
Bowman	Fulton	Mead	Shane
Brookins	Goodwin	Nelson	Shinn
Browne	Hale	Price	Slosson
Buser	Hartman	Romkey	Smith
Caldwell	Horchem	Schmedika	Snook
Darting			

Absent or not voting, 9.

Banta	Cessna	Perkins	Tuck
Bergman	Mantz	Stoddard	White
Brookhart			

The amendment to the amendment was lost.

The thirteenth amendment was adopted.

On the question "Shall amendment No. 14 be adopted?" the vote was:

Ayes, 24.

Abben	Darting	Johnston	Romkey
Adams	Gilchrist	Kimberly	Schmedika
Bowman	Goodwin	McIntosh	Shane
Brookins	Hale	Mead	Shinn
Caldwell	Hartman	Olson	Slosson
Campbell	Haskell	Price	Snook

Nays, 12.

Buser	Holdoegel	Reed	Smith
Dutcher	Horchem	Scott	Thurston
Fulton	Newberry	Shaff	Wichman

Absent or not voting, 14.

Baird	Browne	Nelson	Stoddard
Banta	Cessna	Perkins	Tuck
Bergman	Ethell	Rees	White
Brookhart	Mantz		

Amendment No. 14 was adopted.

Senator Price moved that the vote by which the amendment was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Price offered the following amendment to amendment No. 4 and moved its adoption:

Amend by striking the word "and" from the last line and inserting the words "together with" in lieu thereof.

The amendment to the amendment was adopted.

Amendment No. 4 was adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out section 130 and inserting in lieu the following:

"Sec. 130. Persons not engaged in the practice of optometry.

The preceding section shall not be construed to include the following classes:

1. Merchants or dealers who sell glasses as merchandise in an established place of business and who do not profess to be optometrists or practice optometry as herein defined.

2. Licensed physicians and surgeons who employ means for the measurement of the powers of vision of the human eyes and adapt lenses for aiding the same as an incident to the general practice of their profession.

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking therefrom all of section 80.

Senator Smith withdrew his amendment.

Senator Price offered the following amendment and moved its adoption:

Amend by inserting in line 5 of subsection 1 of section 71 following the word "learning" the words "recognized by any of the respective boards in this chapter named or by an institution of learning", and by inserting in line 8 of subsection 2 following the word "learning" the words "recognized by any of the respective boards in this chapter named or by an institution of learning".

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

Ayes, 28.

Abben	Darting	Haskell	Reed
Adams	Ethell	Horchem	Rees
Baird	Fulton	Johnston	Romkey
Brookins	Gilchrist	Kimberly	Shane
Browne	Goodwin	McIntosh	Shinn
Caldwell	Hale	Olson	Slosson
Campbell	Hartman	Price	Snook

Nays, 6.

Buser	Mead	Thurston	Wichman
Dutcher	Smith		

Absent or not voting, 16.

Banta	Cessna	Newberry	Shaff
Bergman	Holdoegel	Perkins	Stoddard
Bowman	Mantz	Schmedika	Tuck
Brookhart	Nelson	Scott	White

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out of line 2 of section 109 the words "or give", and insert in lieu thereof the following words in line 3 after the word "medicine": "which shall not include such prescriptions as antiseptics, germicides, parasiticides, narcotics and antidotes."

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

Ayes, 19.

Abben	Hartman	Price	Shane
Adams	Johnston	Reed	Shinn
Baird	Kimberly	Rees	Slosson
Brookins	McIntosh	Romkey	Snook
Browne	Nelson	Schmedika	

Nays, 22.

Bowman	Ethell	Holdoegel	Scott
Buser	Fulton	Horchem	Shaff
Caldwell	Gilchrist	Mead	Smith
Campbell	Goodwin	Newberry	Thurston
Darting	Hale	Olson	Wichman
Dutcher	Haskell		

Absent or not voting, 9.

Banta	Cessna	Perkins	Tuck
Bergman	Mantz	Stoddard	White
Brookhart			

The amendment was lost.

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	Ethell	Kimberly	Romkey
Adams	Fulton	McIntosh	Schmedika
Baird	Goodwin	Mead	Scott
Brookins	Hale	Nelson	Shaff
Brwne	Hartman	Newberry	Shane
Buser	Haskell	Olson	Shinn
Caldwell	Holdoegel	Price	Slosson
Campbell	Horchem	Reed	Snook
Darting	Johnston	Rees	Wichman
Nays, 5.			
Bowman	Gilchrist	Smith	Thurston
Dutcher			

Absent or not voting, 9.

Banta	Cessna	Perkins	Tuck
Bergman	Mantz	Stoddard	White
Brookhart			

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 Scott arose as a matter of personal privilege and asked that the following remarks be printed in the Journal:

MR. PRESIDENT AND SENATORS: I appeared conspicuously on the front page of the Des Moines Register this morning, April 7th, from headlines that read as follows: "Quiz Ray Scott in Insurance Investigation—Senator was Counsel for both sides in Modern Brotherhood of America Suit". The most slanderous and libelous statement that can be made of an attorney is that he appeared on both sides and collected fees on both sides of litigation.

Now at the outset I desire to state that I have never at any time been in the employ of the Modern Brotherhood of America, nor have I ever received a dollar from the Modern Brotherhood of America for services rendered.

The statement goes on to say that I admitted I was paid fees by both the Modern Brotherhood of America, and by clients who sued the Modern Brotherhood in the same action. The statement further says that testimony was given that attorneys fees totaling \$8000 were paid by policy holders in Clinton and Linn counties with the inference that I received these fees. The fact of the matter is that I was not concerned in any of that litigation. I had no appearance in either the Clinton or Linn county cases stated. The statement says that I represented eight hundred members of the Modern Brotherhood. The eight hundred members which I represented were all the way from New York to California, there being only just a few members in Marshall county. The statement further read that I received \$3000 in fees from the company against whom the action was brought. Now the plain facts are, the court directed attorney fees to be paid to the three who represented the plaintiffs, Guy P. Linville, now United States District Attorney, E. C. Barber, both of Cedar Rapids, and myself. This \$3000 at the direction of the court was paid out of a fund created by our clients, a trust fund if you please, paid by our clients and kept separately pending the litigation, in the case of Helsingier et al vs. Modern Brotherhood of America. That \$3000, I repeat, belonged to our clients, was not the property of the Modern Brotherhood of America, and the Modern Brotherhood of America never paid us one dollar for services rendered.

Now, it is apparent from glancing over this article that it is not the truth, that it never was intended to be the truth, and that it does not even approximate the truth. The plain facts are that in this litigation we saved our clients upwards of \$500,000 in actual money, and we also obtained for our clients the right to mature their policies at the old prevailing rates, in effect before any attempt was made to put in force certain new rates, and I so testified.

It is apparent to one reading this article that there is not a word of truth in the statement that is alleged to have been testified to by me, and I want to say here and now that this article was not written by the gentleman that reports these legislative proceedings for the Register here at the Capital. Mr. C. C. Clifton for several years has reported these proceedings, but this story was written by a man brought up here from the Police Court, or some other place down town, and Mr. Clifton had nothing whatever to do with it, and furthermore I want to state that I have it on good information—it is heresay and I give it to you for what it is worth, that this whole story was inspired by this man Murray, who has been hanging around here. I give that fact to you for what it is worth. It is heresay, but it comes to me direct.

I do not desire to take any further time of the Senate at this time—no doubt I will have something further to say a little later, along this line before this matter is closed. Now, Mr. President, I ask the printing of these brief remarks in the Journal.

By unanimous consent, on request of Senator Haskell, Senator Smith was excused from the call tomorrow, if necessary.

The Journal of April 5th was corrected and approved.

Senator Campbell moved that the Senate adjourn until 9:00 a. m., Tuesday.

Senator Newberry moved to amend by making the hour 9:30 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 9:30 a. m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 8, 1924.

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

Prayer was offered by Rev. Herbert Scott, pastor of the First Methodist Episcopal Church, Des Moines.

On motion of Senator Campbell rule 33 was suspended for the day.

REPORT OF COMMITTEE

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred House File No. 84, a bill for an act relating to charitable, correctional, and penal institutions, and the juvenile court, 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.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as a second conference committee on the part of the House on House File No. 213, a bill for an act relating to marriage and incest, Representatives Cole, Wolfe, Patterson and Knutson.

Also: That the House has adopted the conference committee report on Senate File No. 27, a bill for an act relating to absent voters.

Also: That the House has adopted the conference committee report and the amendments proposed therein to House File No. 220, a bill for an act relating to municipal courts.

Also: That the House concurs in Senate amendments to House File No. 254, a bill for an act 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.

Also: That the House concurs in Senate amendments to House File No. 88-a, a bill for an act relating to education.

Also: That the House has adopted the conference committee report and the amendments proposed therein to Senate File No. 75, a bill for an act relating to chattel mortgages and conditional sales.

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 eighth day of April, sent to the Governor for his approval, Senate File No. 283.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

INTRODUCTION OF BILLS

Senate File No. 315, by Senator Thurston, a bill for an act to legalize a school election held in the independent school district of Indianola, in the county of Warren, on the tenth (10th) day of March, nineteen hundred twenty-four (1924), whereat there was submitted to the voters of said independent school district, pursuant to a resolution adopted by the board of directors thereof, a proposition to issue bonds of said district in the sum of one hundred seventy-five thousand dollars (\$175,000.00), the funds arising from the sale thereof, to be used for the purpose of constructing and equipping a school building and procuring a site therefor.

Read first and second times and referred to committee on judiciary No. 1.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Senate failed to adopt the conference report on House File No. 66.

J. O. SHAFF.

SECOND CONFERENCE COMMITTEE APPOINTED

The President appointed as the second conference committee on House File No. 213, on the part of the Senate, Senators Holdoegel, Abben, Hartman and Newberry.

THIRD READING OF BILLS

On motion of Senator Slosson, House File No. 305, a bill for an act to amend sections thirty hundred eighty-one-a one

(3081-a1), thirty hundred eighty-one-a seven (3081-a7) and thirty hundred eighty-one-a twelve (3081-a12) of the supplement to the compiled code of Iowa, relating to the rules and regulations of motor carriers and providing penalty for the violation of the statutes, rules and regulations promulgated thereunder, 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, 39.

Abben	Cessna	Johnston	Romkey
Adams	Dutcher	Kimberly	Schmedika
Baird	Ethell	McIntosh	Shaff
Banta	Fulton	Mead	Shinn
Bowman	Gilchrist	Newberry	Slosson
Brookins	Hale	Olson	Snook
Browne	Hartman	Perkins	Thurston
Buser	Haskell	Price	Tuck
Caldwell	Holdoegel	Reed	Wichman
Campbell	Horchem	Rees	

Nays, none.

Absent or not voting, 11.

Bergman	Goodwin	Scott	Stoddard
Brookhart	Mantz	Shane	White
Darting	Nelson	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 Cessna withdrew Senate File No. 308, it being a companion bill.

The Senate resumed consideration of Senate File No. 302.

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, 27.

Abben	Baird	Bowman	Campbell
Adams	Banta	Brookhart	Cessna

Darting	Goodwin	Mead	Shane
Dutcher	Haskell	Newberry	Slosson
Ethell	Holdoegel	Perkins	Stoddard
Fulton	Horchem	Rees	Wichman
Gilchrist	McIntosh	Scott	

Nays, 18.

Brookins	Hartman	Reed	Shinn
Browne	Johnston	Romkey	Snook
Buser	Kimberly	Schmedika	Thurston
Caldwell	Nelson	Shaff	Tuck
Hale	Price		

Absent or not voting, 5.

Bergman	Olson	Smith	White
Mantz			

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.

On motion of Senator Reed the rules were suspended and House File No. 307, a bill for an act to legalize the consolidation of the Keokuk & Hamilton Mississippi River Bridge Company with the Hancock County Bridge Company and the amendment and renewal of the articles of consolidation of the consolidated company for a term of fifty (50) years, beginning August first, nineteen hundred eighteen (1918), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Snook 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	Dutcher	McIntosh	Scott
Adams	Ethell	Mead	Shaff
Baird	Fulton	Nelson	Shane
Banta	Gilchrist	Newberry	Shinn
Bowman	Goodwin	Perkins	Slosson
Brookhart	Hale	Price	Snook
Brookins	Hartman	Reed	Stoddard
Browne	Haskell	Rees	Thurston
Caldwell	Holdoegel	Romkey	Tuck
Campbell	Horchem	Schmedika	Wichman
Cessna	Johnston		

Nays, none.

Absent or not voting, 8.

Bergman	Darting	Mantz	Smith
Buser	Kimberly	Olson	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 Reed the rules were suspended and House File No. 312, a bill for an act to amend, revise, and codify section five thousand three hundred ninety-nine (5399) of the compiled code, relating to shares of stock in cooperative associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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, 40.

Abben	Cessna	Johnston	Schmedika
Adams	Ethell	Kimberly	Scott
Baird	Fulton	McIntosh	Shaff
Banta	Gilchrist	Mead	Shane
Bowman	Goodwin	Nelson	Shinn
Brookhart	Hale	Newberry	Slosson
Brookins	Hartman	Perkins	Snook
Browne	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Thurston
Campbell	Horchem	Romkey	Wichman

Nays, none.

Absent or not voting, 10.

Bergman	Dutcher	Rees	Tuck
Buser	Mantz	Smith	White
Darting	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 Reed the rules were suspended and House File No. 311, a bill for an act to legalize the acts and proceedings of the board of supervisors of Winnebago county, Iowa, in relation to the transfer of certain funds, 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, 39.

Abben	Darting	Johnston	Scott
Adams	Ethell	Kimberly	Shaff
Baird	Fulton	McIntosh	Shane
Banta	Gilchrist	Mead	Slosson
Bowman	Goodwin	Nelson	Snook
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Perkins	Thurston
Browne	Haskell	Reed	Tfick
Caldwell	Holdoegel	Rees	Wichman
Campbell	Horchem	Romkey	

Nays, none.

Absent or not voting, 11.

Bergman	Dutcher	Price	Smith
Buser	Mantz	Schmedika	White
Cessna	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 Dutcher, the rules were suspended and House File No. 314, a bill for an act providing for the preparation and printing of the session laws of the extra session of the Fortieth General Assembly, 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, 43.

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

Nays, none.

Absent or not voting, 7.

Adams	Mantz	Romkey	White
Bergman	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 Dutcher the rules were suspended and House File No. 289, a bill for an act to amend, revise, and codify chapters five (5) and six (6) of title one (1) and section fifty-eight (58) of the compiled code of Iowa and sections forty-three-a one (43-a1), forty-three-a two (43-a2), forty-three-a five (43-a5), forty-three-a six (43-a6), fifty-seven-a one (57-a1) to fifty-seven-a three (57-a3), inclusive, fifty-nine (59), sixty (60), one hundred seventy-five-a four (175-a4) to one hundred seventy-five-a nine (175-a9), inclusive, one hundred seventy-five-a twelve (175-a12), one hundred seventy-five-a thirteen (175-a13), and two hundred forty-one-a thirty-eight (241-a38) of the supplement to said code, relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications, establishing a code supervising committee and making appropriation therefor, 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 inserting in section 10 following subsection 16 the following as subsection 17:

"17. To J. H. Trewin and J. C. Mabry, code commissioners, each....1 copy."

Amend section 21 by striking therefrom paragraph 5 and substituting the following in lieu thereof:

"5. To prepare and cause to be published immediately following the issuance of the code in nineteen hundred twenty-seven (1927), and each four years thereafter, a volume which shall by proper annotations, show the construction placed by the supreme court of this state and the federal courts on all statutes of this state since the then existing permanent volume of annotations. The edition of nineteen hundred thirty-one (1931) and all subsequent volumes shall constitute a cumulation of the edition of nineteen hundred twenty-seven (1927) and so continued until said cumulation shall reach a size sufficient for a permanent volume."

Amend by inserting in the second line preceding section 25 and immediately after the parenthetical expression "(241-a38)" the following: "and section two hundred forty-one-a fifty-seven (241-a57)".

Amend the title by inserting immediately after the parenthetical expression ("241-a38") the following: "and section two hundred forty-one-a fifty-seven (241-a57)".

Senator Dutcher offered the following amendment and moved its adoption:

Amend by inserting after the word "annotations" in line 2 of paragraph 7 of section 25 the words "tables of corresponding sections".

The amendment was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend section 1 by adding as subsection 7½ the following: "7½. The code editor is specifically directed to prepare an index to the code, based substantially on the plan of the index of the code of 1897."

Senator Newberry moved that the Hon. James H. Trewin be invited to address the Senate on the question of the index to the code as it was adopted in the 1897 code and also the proposed index to the code now being revised.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

The roll call revealed the presence of the following Senators:

Abben	Darting	Kimberly	Schmedika
Adams	Dutcher	McIntosh	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Mead	Shane
Brookhart	Goodwin	Newberry	Shinn
Brookins	Hale	Olson	Slosson
Buser	Hartman	Perkins	Stoddard
Caldwell	Haskell	Price	Thurston
Campbell	Holdoegel	Reed	Wichman
Cessna	Johnston	Rees	

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 289.

Mr. Trewin addressed the Senate.

The bill was read for information.

Senator Thurston withdrew his amendment.

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, 46.

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

Nays, none.

Absent or not voting, 4.

Bergman Bowman Smith White

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 Fulton, Senate File No. 314, a bill for an act to amend section fifty-seven hundred forty-six (5746) of the compiled code, relating to salaries of bank examiners, a bill by the committee on banks was taken up and considered.

Senator Caldwell moved the previous question, which motion prevailed.

By unanimous consent Senator Fulton offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting therefor the following:

That section twenty-two (22) of chapter three hundred thirty-four (334) of the acts of the Fortieth General Assembly be amended by inserting after the period (.) in line eleven (11) the following: "The salaries of examiners may be increased upon proper showing to and with the approval of the executive council, but the salaries of not more than four examiners in any one year may be so increased, and the increase allowed any one examiner in any one year shall not exceed six hundred dollars."

Also amend the title by substituting therefor the following: "A bill for an act to amend section twenty-two (22) of chapter three hundred thirty-four (334) of the acts of the Fortieth General Assembly."

On motion of Senator Price the vote by which the previous question was ordered was reconsidered.

Senator Shane offered the following amendment to the 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 and be in force from and after its publication in the Des Moines Capital, a newspaper published in Des Moines, Iowa, and in the Ottumwa Courier, a newspaper published in Ottumwa, Iowa."

The amendment to the amendment was adopted.

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, 23.

Abben	Brookins	Haskell	Shaff
Adams	Cessna	Holdoegel	Shane
Baird	Dutcher	Kimberly	Slosson
Banta	Fulton	Newberry	Stoddard
Bowman	Goodwin	Perkins	Wichman
Brookhart	Hartman	Scott	

Nays, 22.

Browne	Gilchrist	Nelson	Schmedika
Buser	Hale	Olson	Shinn
Caldwell	Horchem	Price	Snook
Campbell	Johnston	Reed	Thurston
Darting	McIntosh	Rees	Tuck
Ethell	Mantz		

Absent or not voting, 5.

Bergman	Romkey	Smith	Whute
Mead			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Cessna called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee on Senate File No. 9 recommends that the differences now existing between the House and the Senate on said bill be adjusted as follows:

1. The House shall recede from its amendments to said bill.
2. By amending the bill as follows:

That sections 4769-a1 to 4769-a5 of the supplement to the compiled code are amended, revised, and codified to read as follows:

- (1) After section 2 of the bill insert the following sections:

Sec. 2-a1. State funds—duty of county treasurer.

The treasurer of each county shall, on or before the fifteenth day of each month, prepare sworn statements of the amount of money in his hands on the last day of the preceding month belonging to the state treasury, not including primary road funds or motor vehicle funds, and forward by mail, one such statement to the auditor of state, and one such statement to the treasurer of state.

Sec. 2-a2. Payment to state treasurer.

The treasurer of each county shall also, at any time when directed by the treasurer of state as hereafter provided, forthwith pay into state treasury any or all of the said money due the state and remaining in his hands. The treasurer of state is hereby required to receive on all such payments the same kind of money and notes which the county treasurer is authorized and required by law to receive in payment of taxes.

Sec. 2-a3. Cash balance.

The treasurer of state shall not draw on the funds in any county treasury so long as the receipts from all sources, not including primary road funds; belonging to the state, are sufficient to maintain in the state treasury and authorized depositories in the aggregate, a cash balance of two million dollars (\$2,000,000.00).

Sec. 2-a4. Restoration of cash balance.

When said cash balance is reduced below two million dollars (\$2,000,000.00) the treasurer of state may draw upon each county treasurer in proportion to the amount in his possession, a sum sufficient in the aggregate to increase said cash balance to an amount not to exceed three million dollars (\$3,000,000.00).

Sec. 2-a5. Penalty.

In case the treasurer of any county shall fail to prepare and forward the aforesaid statement, or shall fail to promptly honor any draft by the treasurer of state as provided in the preceding section, he shall forfeit and pay for each and every failure, a sum no less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), to be recovered in an action on the treasurer's bond, brought in the name of the state auditor or the treasurer of state.

- (2) Amend the title by striking the period (.) in line eight (8) and adding the following:

"and sections forty-seven hundred sixty-nine-a one (4769-a1) to forty-seven hundred sixty-nine-a five (4769-a5) of the supplement to the com-

vised code relating to the duty of the county treasurer and treasurer of state relative to state funds."

T. C. CESSNA,
 BEN C. ABBEN, JR.,
 GEO. S. HARTMAN,
 GEO. B. PERKINS,
Senate Conferees.

F. C. SAMPSON,
 H. RUST,
 S. E. FACKLER,
 M. L. HENDERSON,
House Conferees.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 43.

Abben	Dutcher	Mantz	Scott
Adams	Ethell	Mead	Shaff
Baird	Fulton	Nelson	Shane
Banta	Goodwin	Newberry	Shinn
Brookhart	Hale	Olson	Slosson
Brookins	Hartman	Perkins	Snook
Buser	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Thurston
Campbell	Horchem	Rees	Tuck
Cessna	Kimberly	Romkey	Wichman
Darting	McIntosh	Schmedika	

Nays, none.

Absent or not voting, 7.

Bergman	Browne	Johnston	White
Bowman	Gilchrist	Smith	

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Scott called up the following conference committee report for consideration:

MR. PRESIDENT: We, your conference committee to whom was referred the disagreement between the House and Senate on House File No. 220, a bill for an act relating to municipal courts, beg leave to report we have had same under consideration and make the following recommendations:

- (1) That the Senate recede from its amendment to section 14.
- (2) That the House concur in Senate amendment to section 15.
- (3) That the House concur in Senate amendment to section 17.

(4) That the Senate amendment to section 19 be amended by inserting after the word "towns" in line four the words "other than that" and that said amendment when so amended be concurred in.

(5) That the House concur in Senate amendment to section 20.

(6) That the following amendment be substituted for the Senate amendment which adds section 23-a1 to the bill. Amend said bill by inserting following section 23 the following:

"Sec. 23-a1. All provisions of the law relating to change of venue from the district court shall govern so far as applicable changes of venue from the municipal court".

(7) That the House concur in Senate amendment to section 24.

(8) That the Senate recede from its amendment to section 27.

(9) That the House concur in Senate amendment to section 28.

(10) That the Senate amendment to section 29 be stricken out and the following inserted in lieu thereof:

Amend by striking out section 29 of the bill and inserting in lieu thereof the following:

"Sec. 29. Fees, costs, and expenses. If no provision is made in the laws applicable to the district court for fees, costs, and expenses, they shall be the same as in justice of the peace courts. The bailiff may retain the amount allowed to him by law for mileage and necessary actual expenses in addition to his salary. All other fees, fines, forfeitures, costs and expenses shall be turned over to the city treasurer by the officer collecting the same on or before the tenth day of each succeeding month and the city treasurer shall forthwith pay to the county treasurer for the benefit of the school fund the portion of the fines and forfeitures collected for the violation of state laws."

(11) That the House concur in the Senate amendment to section 31.

(12) That the House concur in the Senate amendment to section 35.

(13) That the House concur in the Senate amendment to section 36.

(14) That the Senate recede from its amendment to section 41.

(15) That the House concur in Senate amendment to section 42.

(16) That the Senate recede from its amendment to section 43.

(17) That the House concur in Senate amendment to section 49.

R. P. SCOTT,
J. E. WICHMAN,
CARL W. REED,

Conferees on part of Senate.

F. B. GILBERT,
VOLNEY DILTZ,
C. A. HOLLIS,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 44.

Abben	Dutcher	McIntosh	Schmedika
Adams	Ethell	Mantz	Scott
Baird	Fulton	Mead	Shaff
Banta	Gilchrist	Nelson	Shane
Bowman	Goodwin	Newberry	Shinn
Brookhart	Hale	Olson	Slosson
Brookins	Hartman	Perkins	Snook
Browne	Haskell	Price	Stoddard
Caldwell	Holdoegel	Reed	Thurston
Campbell	Horchem	Rees	Tuck
Darting	Kimberly	Romkey	Wichman

Nays, none.

Absent or not voting, 6.

Bergman	Cessna	Smith	White
Buser	Johnston		

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

SENATE FILES NOS. 294 AND 6 WITHDRAWN

By unanimous consent Senator Dutcher withdrew Senate Files No. 294 and 6 from further consideration, the companion bills having passed.

MOTION TO RECONSIDER CONSIDERED

Senator Holdoegel called up his motion to reconsider the vote by which House File No. 287 failed to pass the Senate.

The motion to reconsider prevailed.

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.

Abben	Dutcher	Holdoegel	Reed
Adams	Ethell	Horchem	Scott
Baird	Fulton	Kimberly	Shaff
Banta	Gilchrist	Mantz	Shane
Bowman	Goodwin	Mead	Slosson
Brookhart	Hale	Newberry	Stoddard
Brookins	Hartman	Olson	Tuck
Caldwell	Haskell	Perkins	Wichman
Darting			

Nays, 9.

Browne	Nelson	Romkey	Shinn
Buser	Price	Schmedika	Snook
Johnston			

Absent or not voting, 8.

Bergman	Cessna	Rees	Thurston
Campbell	McIntosh	Smith	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 the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Holdoegel called up for consideration Concurrent Resolution No. 17, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking from line ten (10) thereof the word "inspect" and inserting in lieu thereof the words "investigate the value of".

Also amend by striking from line twelve (12) the word "purchase" and inserting in lieu thereof the words "need for and the desirability".

On the question "Shall the Senate concur?" the vote was:

Ayes, 41.

Abben	Dutcher	Kimberly	Romkey
Adams	Ethell	Mantz	Scott
Baird	Fulton	Mead	Shaff
Banta	Gilchrist	Nelson	Shane
Bowman	Goodwin	Newberry	Slosson
Brookhart	Hale	Olson	Snook
Brookings	Hartman	Perkins	Stoddard
Buser	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	Tuck
Cessna	Horchem	Rees	Wichman
Darting			

Nays, 1.

Campbell

Absent or not voting, 8.

Bergman	Johnston	Schmedika	Smith
Browne	McIntosh	Shinn	White

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

REPORTS OF COMMITTEES

Senator W. A. Caldwell submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred Substitute for House File No. 185, a bill for an act to amend, revise, and codify chapters one (1), two (2) and two-a (2-a) of title fifteen (15) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and water courses, and chapter two (2) of title eleven (11) of the compiled code of Iowa, relating to drainage of highways and highway 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:

1. Amend the sub-enacting clause by inserting the words "of title fifteen" immediately after the words "two-a (2-a)" so that the first two lines of the enacting clause will read as follows:

"Be It Enacted by the General Assembly of the State of Iowa:

That chapters one (1), two (2), and two-a (2-a) of title fifteen of the compiled".

1-a. Amend section 6 of the bill by striking therefrom all of the section before the word "improvement" in the second line thereof and by inserting in lieu thereof the following:

"Any person or persons whose lands will be affected by, or assessed for the expenses of, the proposed".

2. Amend section 18 of the bill by striking therefrom the last sentence thereof as follows:

"This instrument when filed as above provided shall apply to all subsequent proceedings under this act" and by inserting in lieu thereof the following:

"This designation when filed shall be in force for a period of ten years thereafter and shall apply to all proceedings under this act during such period. The person, company or corporation making such designation shall have the right to change the agent appointed therein or to amend it in any other particular."

3. Amend section 22 of the bill by inserting immediately after the word "hearing" in line 4 thereof the words "as hereinbefore provided".

4. Amend section 23 of the bill by striking from line 7 thereof the words "effect the reclamation of" and by inserting in lieu thereof the words "materially benefit".

5. Amend section 25 of the bill by striking from line 1 thereof the words "effect the drainage or protection from overflow of said lands, will" and by inserting in lieu thereof the words: "materially benefit said lands, will".

6. Amend section 26 of the bill by striking from line 4 thereof the words "each acreage taken for right of way" and by inserting in lieu thereof the words "the acreage of each owner taken for right of way for open ditches".

7. Amend section 27 of the bill by striking from lines 3 and 4 thereof

the following words: "and determine the amount of damages and compensation due each claimant," also by striking from line 5 thereof the words "the board".

8. Amend the bill by striking therefrom all of section 27-a.

9. Amend section 27-b by inserting after the word "district" in line 2 thereof these words: "or when an appeal is taken or litigation brought against said district within two years from the date such appeal or litigation is finally determined".

10. Amend section 27-a1 of the bill by striking from line 3 thereof the following: "as a commissioner, who shall" and by inserting in lieu thereof the word "to".

11. Amend section 27-a1 of the bill by striking from line 5 thereof the word "shall".

12. Amend section 33 of the bill by inserting after the word "on" in line 12 thereof the words "and certified by"; and also by inserting after the word "order" in line 13 thereof the words "at his office".

13. Amend section 35 of the bill by inserting after the word "on" in line 3 thereof the words "and certified by" and also by inserting after the word "Iowa" in line 3 the words "payable to the auditor or his order at his office".

14. Amend section 36 of the bill by striking from lines 4 and 5 the words "twenty-five per cent (25%)" and by inserting in lieu thereof the words "seventy-five per cent (75%)".

15. Amend section 38 of the bill by inserting a comma after the word "or" in line 2 and also the following: "unless otherwise provided by law"; also strike the word "repair" from line 3.

16. Amend section 40 of the bill by striking from line 5 thereof the word "districts" and by inserting in lieu thereof the word "description".

17. Amend section 43 of the bill by striking from lines 7, 8 and 9 thereof the following:

"county roads out of the county road or county drainage fund and against township roads out of the"

and by inserting in lieu thereof the following:

"all other highways, one-fourth out of county road fund or county drainage fund, and three-fourths out of the".

18. Amend section 44 of the bill by striking from line 8 thereof the words "Specifying the" and by inserting in lieu thereof the word "The".

19. Amend section 45 of the bill by inserting after the comma in line 3 the following:

"naming him".

Also by inserting after the comma in line 4 the following:

"without naming him".

20. Amend section 46 of the bill by striking from line 20 the words "not to exceed".

21. Amend section 47 of the bill by changing the comma in line 3 to

a period and by striking all parts of the paragraph following such comma in lines 3, 4 and 5; also amend section 47 by inserting in line 1 after the word "drainage" where it first appears, the words, "or levee"; also by inserting in line 6 after the word "drainage" the words, "or levee"; also insert after the word "drainage" in line 11 the following: "or levee"; also by inserting in line 13 after the word "drainage" the words, "or levee"; also by inserting in line 14 after the word "drainage" the words, "or levee district"; also insert after the word "the" in line 15 the words, "drainage or levee district".

22. Amend section 49 of the bill by striking from line 4 thereof the words "such certificate" and by inserting in lieu thereof the following: "any improvement certificate referred to in section sixty hereof."

23. Amend section 49 of the bill by striking from line 16 thereof the words "not to exceed".

24. Amend the bill by inserting at the end of section 49 thereof a new section numbered 49-a1:

"Sec. 49-a1. Option of installment payments after appeal.

When an owner takes an appeal from the assessment against any of his land, the option to pay in installments whatever assessment is finally established against such land in said appeal shall continue, if within twenty days after the final determination of said appeal he shall file in the office of the auditor his written election to pay in installments, and within said period pay such installments as would have matured prior to that time if no appeal had been taken, together with all accrued interest on said assessment to the last preceding interest paying date."

25. Amend the bill by inserting a new section at the end of section 51 as follows:

"Sec. 51-a1.

In all cases where a drainage district has been constructed consisting of main ditches which are beneficial to the entire district, and also of laterals, and where the assessments have been made based upon the estimated cost of such laterals and it can be ascertained that the actual cost of constructing such laterals was less than such estimated cost thereof, 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 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 respective proportional parts of such excess assessments made for such laterals by the issuance of warrants drawn upon the district fund."

26. Amend the bill by striking therefrom sections 54 and 55 and insert in lieu thereof the following:

Sec. 54. Alterations—notice.

If after the ordering of said repairs or improvements and before the completion thereof, it shall become apparent that the same should be enlarged, strengthened or otherwise changed or alteration in the location

should be made for the better service thereof, said board or boards may by resolution authorize such change or changes in said improvement as the engineer may recommend, provided that when any changes are made, all persons whose lands shall be taken shall have been given notice as at the original establishment of said district and have the right to be heard as to damages and appeal as in said chapter provided at the original establishment.

Sec. 55. Reclassifications.

When it shall be necessary to repair or strengthen or reopen said levee, ditches or drains in any district maintaining a levee, and assess the costs and damages therefor, and the board or boards shall find that the original assessments are no longer equitable as a basis, then and in that case they shall order a new classification of all the lands in said district and thereupon the auditor shall appoint three persons, one of whom shall be a competent civil engineer, and two of whom shall be resident freeholders of the county, not living within the township or townships where the improvement is or is to be located and not interested therein nor related to any party whose land is affected thereby, who shall, within twenty days after such appointment, personally inspect and classify all the lands within said district according to the benefits which said lands have received by the location and construction of the improvement or the repairing or reopening of the same, and they shall make an equitable apportionment of the costs, expenses, cost of construction, fees and damages assessed for the construction of said improvement or the repairing or reopening of the same and make report thereof in writing to the board of supervisors and file the same with the county auditor; and thereafter all the proceedings in reference to notice and hearing and the confirming of said assessments shall be as provided in chapter one of this title.

27. Amend section 56 of the bill by striking from line 3 thereof the following:

"owned by the persons to whom said warrants were issued,".

28. Amend section 57 of the bill by striking from line 3 thereof the words "not to exceed".

29. Amend section 65 of the bill by changing the period at the end thereof to a semicolon and by adding thereto at the close thereof the following:

"but in districts where an appeal or appeals have been taken, not later than ninety days after such appeals have been finally determined."

30. Amend section 74 of the bill by striking the word "and" from line 3 thereof; also by inserting a comma after the word "from" in line 4 thereof and by adding immediately after such comma the following:

"and stating that the appeal will come on for hearing at the next succeeding term of the court and designating such term. This notice shall be".

Also by striking from line 6 thereof the words: "prosecute such appeal to final judgment or decree, to" and also by changing the comma in line

8 thereof to a period and by striking all parts of the section following such period.

31. Amend section 78 of the bill by adding at the close thereof the following:

"The court may, in its discretion, order the consolidation for trial of two or more of such equitable cases".

32. Amend section 83 of the bill by inserting after the comma in line two thereof the following:

"or in including land within the district,".

33. Amend section 87 of the bill by inserting after the word "or" where it appears for the first time in line 6 thereof the following:

"give him an order directing the county treasurer to".

34. Amend section 90 of the bill by inserting after the word "or" where it appears for the first time in line 6 thereof the following:

"or give him an order directing the county treasurer to".

35. Amend section 96 of the bill by inserting after the word "any" in line 4 thereof the words "steam or electric".

36. Amend section 98 of the bill by striking the word "auditor" from line 2 thereof and by inserting the word "board" in lieu thereof.

37. Amend section 100 of the bill by striking therefrom the word "chapter" in line 3 and by inserting the word "act" in lieu thereof.

38. Amend section 101 of the bill by striking from line 2 thereof the word and figures "thirty (30)" and by inserting in lieu thereof the word and figures "fifteen (15)".

39. Amend section 102 of the bill by striking from line 1 thereof the words "expense of the".

40. Amend section 103 of the bill by inserting immediately before the word "make" in line 6 the word "to" and also by inserting immediately before the word "make" in line 9 the word "to".

41. Amend the bill by striking therefrom all of section 104 and by inserting in lieu thereof the following:

"If said report recommends the annexation of such lands or any portion thereof, the board shall consider such report, plats, and profiles and if satisfied that any of such lands are materially benefited by the district and that such annexation is feasible, expedient, and for the public good, it shall proceed in all respects as to notice, hearing, appointment of appraisers to fix damages and as to hearing thereon; and (if such annexation is finally made), as to classification and assessment of benefits to the same extent and in the same manner as provided in the establishment of an original district. All parties shall have the right to receive notice, to make objections, to file claims for damages, to have hearing, to take appeals and to do all other things to the same extent and in the same manner as provided in the establishment of an original district."

42. Amend the bill by striking therefrom section 106 and by inserting in lieu thereof the following:

"In cases where proceedings have been taken for the establishment of a levee or drainage district and an engineer has been appointed who has made a survey, return and plat thereof and for any reason the improvement has been abandoned and the proceedings dismissed, and afterwards proceedings are instituted for the establishment of a levee or drainage district which will benefit any territory surveyed in said former proceedings, the engineer shall use so much of the return, levels, surveys, plat, and profile made in the former proceedings as may be applicable. He shall specify in his reports the parts thereof so used, and in case the cost of said returns, levels, surveys, plat, and profile made in said former proceedings has been paid by the former petitioners or their bondsmen, then a reasonable amount shall be allowed said petitioners or bondsmen for the use of the same."

43. Amend section 107 of the bill by striking from line 6 the words "made in detail as to" and by inserting in lieu thereof "which he must make in detail setting forth".

44. Amend section 107 of the bill by inserting a period after the word "therefor" in line 7, by striking the words "placed on file with the auditor, and" in line 7, and by inserting in lieu thereof "Such report shall be filed with the auditor and be".

45. Amend the bill by striking all of section 116 and by substituting the following:

"Sec. 116. Control—repair—apportionment.

When any levee or drainage district shall have been established and the improvement constructed the same shall be at all times under the supervision of the board of supervisors except as otherwise provided for control and management by a board of trustees, and it shall be the duty of the board to keep the same in repair and for that purpose it may cause the ditches, drains, and watercourses thereof to be enlarged, reopened, deepened, widened, straightened or lengthened, or the location changed for better service, or may cause any part thereof to be converted into a closed drain when considered for the best interest of the public. Such repairs shall be paid for out of the funds of the levee or drainage district in the hands of the county treasurer if there be any.

If such funds are not sufficient and the cost thereof does not exceed ten per cent of the original cost of the improvements in the district a new assessment shall be made on the basis of the old apportionment and no notice of such assessment shall be necessary.

If the cost thereof does exceed ten per cent of the original cost of the improvements in the district the board shall order a new apportionment of, and assessment upon, the lands in the district to be made; and the same proceedings shall be had and the same rules shall be applied as are provided in this act for an original apportionment and assessment; and the same right to appeal shall be given to any interested party.

If additional land is required in making such repairs or changes then the same proceedings shall be had as to such additional land as are provided in this act for the original establishment of the district and the same

rights shall be given all interested parties including the rights of appeal from the decision of the board concerning any inclusion of land, damages, apportionment of benefits and assesment for costs."

"Sec. 116-a2.

But notwithstanding the provisions of the last preceding section so much of the cost of the work and materials as is required to clean out any specific open ditch or main so as to restore it to its original efficiency or capacity and to preserve its sides at a practical slope must be assessed to the lands in the whole district in the same proportion as the costs and expenses of the construction of such specific open ditch was originally assessed to said lands; and so much of the cost of the work and materials as is required to restore any tile line or lateral to its original efficiency, or to clean any tile line, or to replace broken or defective tile, or to rebuild any bulk head, must be assessed to the lands benefited by such specific tile line or lateral in the same proportion as the original cost thereof.

If, however, it shall appear that the original assessment or apportionment did not designate separately the amount each tract should pay for the respective open ditch, main, tile line, or lateral involved in the repair, then the cost of so much of this section shall be assessed to the lands in the whole district benefited by the improvements in the district according to the principles and rules set forth in sections forty and forty-one of this act."

Also amend the bill by renumbering sections 116-a1, 116-a2, 116-a3 and 116-a4 as sections 116-a3, 116-a4, 116-a5, and 116-a6 respectively.

46. Amend section 124 of the bill by inserting a comma after the word "district" in line 10 thereof, and by striking the word "and" in said line, by inserting the word "and" after the comma in line 12 thereof.

47. Amend the bill by inserting the word "wilfully" immediately before the word "break" in line 1 of section 130, by inserting the word "wilfully" immediately before the word "injure" in line 2 of section 130, and by inserting the word "wilfully" immediately before the word "diverting" in line 1 of section 131.

48. Amend the bill by striking from section 138 the word "commissioners" wherever such word appears in said section and by inserting in lieu thereof the word "persons".

49. Amend section 141 of the bill by striking lines 8 and 9 therefrom and by inserting in lieu thereof the following:

"against said premises from the district funds. The amount paid for redemption".

50. Amend section 141 of the bill by striking from line 10 the word "being" and by inserting in lieu thereof the words "shall be".

51. Amend section 148 of the bill by striking the first comma in line 2 thereof, and by striking the words: "who is one (1) of said commissioners" in line 2 thereof, and by inserting in lieu thereof the words "so appointed".

52. Amend section 150 of the bill by inserting a period instead of the comma at the end of line 4; by striking therefrom all of line 5 and by inserting in lieu thereof the following:

"He may, however, file it at the time and place of hearing. If he shall fail to file such claim at the time specified he shall be held".

Also amend section 150 of the bill by inserting after the word "way" in line 7 the words "for any open ditch".

53. Amend section 151 of the bill by inserting after the word "approve" in line 10 thereof the words "and tentatively adopt"; and by striking from line 11 thereof the words "and tentatively establish" and by inserting in lieu thereof the word "for".

Also amend section 151 of the bill by striking from line 22 thereof the words "shall be the same" and by inserting in lieu thereof the following:

"and of all persons, land owners, appellants, courts and officers shall be the same, and the same procedure shall be had,".

54. Amend section 152 of the bill by striking from lines 3 and 4 thereof the words "at any meeting adjourn to".

55. Amend section 157 of the bill by changing the period at the end thereof to a comma and by adding thereto the following:

"and subject to the same exceptions in cases of appeals set forth in section 65 hereof".

56. Amend section 162 of the bill by striking from line 5 the word "or" and by inserting in lieu thereof the following:

"for the contractor or give him an order directing the treasurer to".

57. Amend section 163 of the bill by striking from line 12 thereof the words "deliver to the contractor warrants", and by inserting in lieu thereof the following:

"draw a warrant for the contractor or give him an order directing the treasurer to deliver to him".

58. Amend the bill by striking therefrom section 167 and by inserting in lieu thereof the following:

"Sec. 167. Law applicable.

Except as in this chapter otherwise stipulated the provisions and procedure set forth in chapter one of this act shall govern and apply to the formation, establishment and conduct of every levee or drainage district extending into two or more counties, the petition therefor, the giving or publication or service of notice therein, the appointment and duties of all officers or appraisers or commissioners, the making or filing of waivers, reports, plats, profiles, recommendations, notices, contracts and papers, the classification and apportionment and assessment of lands and all other property, the taking and hearing of appeals, the issuance and delivery of warrants, bonds and assessment certificates, the payment of taxes and assessments, the making of improvements, ditches, drains, changes, enlargements, extensions and repairs, the inclusion of lands, and the making or performance of every other matter or thing whatsoever relevant to or

in any wise connected with such joint drainage or levee district and the rights, privileges and duties of all persons, land owners, officers, appellants and courts."

59. Amend the bill by inserting at the end of section 167 thereof as a new section the following:

"Sec. 167-a1.

The land owner may have any beneficial use of the land to which he has fee title and which is occupied by the waste banks of an open ditch when such use does not interfere in any way with the easement or rights of the drainage district as contemplated by this act. For the purpose of gaining such use the land owner may smooth said waste banks but in doing so he must preserve the berms of such open ditch without depositing any additional dirt upon them."

60. Amend section 172 of the bill by inserting the word "heretofore" immediately after the word "has" in line 1 thereof; also amend said section by inserting immediately after the comma in line 3 thereof the following: "including those the outlets of which are outside of such limits,"

61. Amend section 175-a4 of the bill by striking from line 4 thereof the word "and" and by inserting in lieu thereof the word "any".

62. Amend section 175-a6 of the bill by striking the article "a" from line 2 thereof and by inserting in lieu thereof the word "that".

63. Amend section 175-a10 of the bill by changing the period at the close of the section to a semicolon and by adding thereafter the following:

"and the provisions of section 167 of this act shall be in full force as to all highway drainage districts under this chapter, and such provision shall obtain and apply to all such districts."

64. Amend section 184-a9 of the bill by striking therefrom the word "issued" in line 2.

65. Amend section 217 of the bill by adding thereto at the close thereof the following:

"such remonstrances shall be filed not less than five days before the time set for hearing."

66. Amend section 220-a1 of the bill by changing the period at the end of paragraph 2 of said section to a comma and by inserting thereafter the words "unless otherwise specifically indicated by law".

67. Amend section 265 of the bill by striking the last word (being the word "of") from line 4 and by striking all of line 5 and by inserting in lieu thereof the following:

"then existing of all lands, the assessments and levy of drainage taxes then made, existing contracts, and vested rights".

Also amend section 265 of the bill by striking therefrom the comma after the word "bonds" in line 6.

68. Amend chapter heading of Chapter Five (5) of the bill by striking out the word "drainage", which is improperly spelled, and adding in lieu thereof the words "drainage or levee".

69. Amend section two hundred one (201) by inserting preceding the first word "The" in said section the following:

"Except as provided in the next section", and change the capital to a small letter in the word "The" at the beginning of the section.

70. Following section 201 insert the following new section:

Sec. 201-a1. Tenure of office in levee and pumping station districts.

In a levee district or drainage district having a pumping station an election of trustees shall be held biennially on the third Saturday in January, at which election two trustees shall be elected for a term of three years, but the term of one shall begin one year from the fourth Saturday in January after his election. Ballots shall indicate which of said trustees is for the term beginning on the first Saturday after his election and which for the term beginning one year from such period. For the purpose of carrying out the provisions of this section the terms of trustees in any such districts shall expire on the fourth Saturday of January, 1925, and on the third Saturday of January, 1925, an election of trustees shall be held at which there shall be two trustees elected for two years, and one for three years, and thereafter biennially two trustees shall be elected with terms of office as first above provided."

71. Amend section 209 by inserting after the word "drainage" in line 5 the words "and levee".

72. Amend section 214 by inserting in line 3 after the word "drainage" the words "or levee".

73. Amend chapter seven of said bill by inserting after section 249 the following four sections, numbered 249-a1, 249-a2, 249-a3, and 249-a4:

Sec. 249-a1. Costs assessed.

If said district is established, the entire costs and expenses incurred under this chapter shall be assessed against and collected from the lands lying within such district, by the levy of a rate upon the assessable value of the land within such district, sufficient to raise the required sum; provided that where the proposed improvement is for drainage only the board may, in their discretion, classify the land within such district and graduate the tax thereon, as provided in chapter one of this act.

Sec. 249-a2. Annual installments.

If the proposed improvement is the maintenance of a levee, the amount collected in any one year shall not exceed fifty mills on the dollar of the assessment valuation, which said assessment shall be levied at a level rate on the assessable value of the said lands, easements and railroads within the district. If the amount necessary to pay for the improvement, exceed said sum, it shall be levied and collected in annual installments. For all other improvements, the board shall levy a rate sufficient to pay for the same, and may, at their discretion, make the same payable in annual installments of ten or less.

Sec. 249-a3. Collection of tax.

The assessment required under the two preceding sections shall be made by the board of supervisors at the time of levying general taxes,

after the work has been authorized, and the same shall be entered on the records of the board of supervisors, then entered on the tax books by the county auditor as drainage taxes, and shall be collected by the county treasurer at the same time, in the same manner, and with the same penalties, as general taxes; and if the same is not paid he shall sell all such lands upon which such assessment remains unpaid, at the same time, and in the same manner, as is now by law provided for the sale of land for delinquent taxes, including all steps up to the execution and delivery of the tax deed for the same. The landowners shall take notice of and pay such assessments, without other or further notice than such as is provided for in this chapter. The funds realized from such assessments shall constitute the drainage fund, as contemplated in this chapter, and shall be disbursed on warrants drawn against that fund by the county auditor, on the order of the board of supervisors.

Sec. 249-a4. Cost of maintaining.

The board of supervisors shall have the right and power to keep up and maintain any such levee, ditches, drains, or system of drainage, either in whole or in part, established under the preceding sections of this chapter, as may in their judgment be required, and to levy the expense thereof upon the real estate within such drainage district as herein provided for, and collect and expend the same; provided, however, that no such work which shall impose a tax exceeding fifty mills on the dollar on the assessable value of the lands within the district shall be authorized by them, unless the same is first petitioned for and authorized in substantially the manner required by this chapter for the inauguration of new work.

74. Amend section 250 by inserting after the word "drainage" in line 10 the words "or levee"; also in line 11 insert after the word "drainage" the words "or levee".

In the same section strike out of lines 13 and 14 the words "chapter one of this chapter" and insert in lieu thereof the words "chapters one to six, inclusive, of this act".

75. Amend section 205 of the bill by striking out in lines 6 and 7 thereof the words "and until their successors are elected and qualified" and insert in lieu thereof, "when their successors shall be elected".

W. A. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Buser submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 68, a bill for an act to amend, revise and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, and House bill sixty-eight-a (68-a) of the special session of the Fortieth General Assembly, 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 Sec. 64 by striking from line two after the word "tuberculin"

the words "and other equipment" and insert in lieu thereof the words "and other material not including instruments and utensils".

Amend Sec. 74 by striking all of lines nine (9), ten (10) and eleven (11) following the word "dollars" in line nine (9) down to the period following the word "imprisonment" in line eleven (11). Also by inserting after the word "the" in line twelve (12) the word "breeding" and strike out of line thirteen (13) the word "his" and insert in lieu thereof the word "said".

Amend Sec. 76 by striking out the word "every" in line one (1) and inserting in lieu thereof the words "on or before November first of each".

Amend Sec. 77 by striking out of lines 2 and 3 following the comma after the word "department" the words "Whenever it deems it necessary for the welfare of the state or".

Amend Sec. 116 by striking all of lines 6 and 7.

J. D. BUSER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to whom was referred House File No. 261, a bill for an act relating to regulation and inspection of foods, and other articles, 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:

Insert the following section:

Sec. 27-a1. Institution of proceedings by department. In any case when it appears that any of the provisions of this title have been violated, the inspector having the investigation in charge shall, when instructed by the department, file an information against the suspected party.

Sec. 32, Sub-Sec. 1. Amend by inserting after the word "mass" in line 5, the following: "which may contain a small portion of other milk constituents".

Sec. 42. Change the words and figures "ten (10) by fourteen (14)" to the words and figures "twelve (12) by twenty-two (22)", in lines 7 and 8.

Sec. 49. Strike all after the word "milk" in line 2 and insert the following: "or buttermilk cause the same to be pasteurized according to the rules and regulations of the department".

Sec. 67. Amend by inserting the word "initials" in line 3, following the word "name".

Sec. 85. Add, after the word "form" in line 4, the words "and mineral mixtures,".

Sec. 90. Insert the word "for" immediately after the word "orders" in line 1.

Insert after the word "shall" in line 2, the following: ", except as otherwise provided in the following section,".

Insert the following section:

"Sec. 90-a1. Inspection fee for stock tonic.

Before any person shall solicit orders for, deliver, offer or expose for sale, or sell any stock tonic, he shall, in lieu of the inspection fee provided in the preceding section, pay to the department, on or before the fifteenth (15th) day of July each year, a general inspection fee of one hundred dollars (\$100.00). Inspections shall be made as provided in chapter one (1) hereof."

Sec. 91. Strike out the word "the" in line 3 and insert the word "any".

Strike out the words "in the preceding section" in line 4 and insert the words "by this chapter".

Section 92. Strike out the words "or license" in line 1.

Sec. 93. Strike out the words "Inspection fees" in line one (1) and insert in lieu thereof the following: "The inspection fee provided in section ninety (90)".

Insert the word "all" after the word "for" in line 4; also strike all of the section after the word "quantities" in line 4.

Strike all of section 95 of the bill.

Sec. 101. Strike all after the word "present" in line 9 down to subsection 4 in line 22.

Amend subsection 4 by inserting after the word "clover" in line 24 the words "of any variety."

Sec. 132. Insert after the word "poison" in line 5 the words "and the most available antidote".

Sec. 141. Strike all of line 4 and insert in lieu thereof the following: "the specifications adopted by the United States Department of Interior".

J. D. BUSER, *Chairman*.

Ordered passed on file.

The Journal of April 7th was corrected and approved.

Senator Newberry moved that the Senate adjourn until 9:00 a. m. Wednesday.

Senator Price moved as a substitute motion that when the Senate do adjourn it adjourn to reconvene at 9:30 a. m. Wednesday.

The substitution was made.

INTRODUCTION OF BILL

Senate File No. 316, by Senator Nelson, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa, from the schoolhouse fund to the general fund.

Read first and second times and referred to committee on judiciary No. 2.

INVESTIGATING COMMITTEE ON WILLETS FARM

The President appointed Senators Holdoegel and Cessna as a committee to investigate the Willets farm proposition as provided by concurrent resolution.

AMENDMENTS FILED

Amend House File No. 84 as follows:

Amend committee amendment to section 461 by adding the following:

"The board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for a like service or its equivalent".

M. L. BOWMAN.

On motion of Senator Rees the Senate adjourned until 9:30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 9, 1924.

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 Stoddard rule 33 was suspended for the day.

PETITIONS AND MEMORIALS

Petitions were presented by Senator Browne, from the Maquoketa Chamber of Commerce, citizens of Maquoketa, and Jackson county, relating to condition of highways, all of which was referred to the committee on highways.

PROOF OF PUBLICATION OF SENATE FILE NO. 315

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of Senate File No. 315, a proposed bill to legalize a certain school election of the independent school district of Indianola, Warren county, held on the tenth day of March, 1924.

LEON W. AINSWORTH, *Secretary 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: Senate File No. 307.

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. 172 and 254.

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, in the presence of the Senate, he had signed Senate File No. 307, also House Files 172 and 254.

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 ninth day of April, sent to the Governor for his approval, Senate File No. 307.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 319, a bill for an act relating to persons subject to poll tax in townships.

Also: That the House requests the return of Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

Also: That the House has adopted the conference committee report and the amendments proposed therein to House File No. 69, a bill for an act relating to hotels, restaurants, food establishments, and cold storage plants.

Also: That the House has adopted the conference committee report and the amendments proposed therein to House File No. 158, a bill for an act relating to municipal corporations—general powers.

Also: That the House has adopted the conference committee report and the amendments proposed therein on House File No. 134, a bill for an act relating to the county attorney.

Also: That the House refuses to concur in Senate amendments to House File No. 178, a bill for an act relating to municipal corporations.

Also: That the House amends and concurs in Senate amendments to House File No. 260, a bill for an act relating to public health.

Also: That the House has concurred in Senate amendments to House File No. 310, a bill for an act relating to the government of cities and towns.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 319, a bill for an act to amend section six (6) of chapter two hundred forty-six (246) of the acts of the Fortieth (40th) General Assembly (S. C. C. 3000-a1) relating to persons subject to poll tax in townships.

Read first and second times and referred to committee on judiciary No. 1.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 314 failed to pass the Senate.

ED. H. CAMPBELL.

THIRD READING OF BILLS

On motion of Senator Mantz, House File No. 90, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike out section 32 of said bill and insert in lieu thereof the following:

"Sec. 32. Payment.

The contract for such instruction shall authorize the payment for such service furnished the school district or for such service furnished the state, the amount to be agreed upon by the state board of education and the board of the school district thus cooperating."

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

Ayes, 26.

Abben	Campbell	Holdoegel	Reed
Adams	Dutcher	Horchem	Scott
Baird	Fulton	Mantz	Shaff
Banta	Gilchrist	Newberry	Stoddard
Bowman	Goodwin	Olson	White
Brookins	Hale	Perkins	Wichman
Caldwell	Haskell		

Nays, 23.

Brookhart	Hartman	Price	Slosson
Browne	Johnston	Rees	Smith
Buser	Kimberly	Romkey	Snook
Cessna	McIntosh	Schmedika	Thurston
Darting	Mead	Shane	Tuck
Ethell	Nelson	Shinn	

Absent or not voting, 1.

Bergman

The amendment was adopted.

Senator Mantz offered the following amendment and moved its adoption:

Amend by adding the following after section 33:

Section 34. When students register or enroll for the first time in any one of the three state institutions for higher education in Iowa, they shall be classified as follows:

Resident Students.

.Any student who shall, on or before the first day of the session for which he registers in any one of the three state institutions for higher education in Iowa, have voted or registered as a voter in Iowa, and who shall not have later relinquished his citizenship in Iowa through his having voted or registered as a voter elsewhere than in Iowa; or any student under twenty-one (21) years of age whose parent or parents or legal guardian shall, similarly, have voted or registered as a voter in Iowa, and who shall not have later relinquished his citizenship in Iowa through his having voted or registered as a voter elsewhere than in Iowa; shall be

required to pay such resident tuition, laboratory and other fees as may be prescribed by the state board of education.

Non-Resident Students.

Any student who, on or before the first day of the session for which he may register in any one of three state institutions for higher education in Iowa, shall not have voted or registered as a voter in Iowa; or any student under twenty-one (21) years of age whose parent or parents or legal guardian shall, similarly, not have voted or registered as a voter in Iowa, shall be required to pay such non-resident tuition fees as may be prescribed by the state board of education, until he shall have attended one or more of the three state institutions for higher education in Iowa through four successive academic years. But if he shall have attended any one or more of these three state institutions for from one to four academic years, spending the remainder of such four-year period as a registered voter (or as the son or daughter or legal ward of such a registered voter) of this state, not having, within this period, relinquished his citizenship in Iowa through his or his parent's or legal guardian's having voted or registered as a voter elsewhere than in Iowa, he shall thereafter be considered as a resident student of Iowa.

Any person twenty-one (21) years of age having been born or having acquired citizenship in Iowa, but who has not lived in Iowa continuously at least six (6) months next preceding the first day of the session for which he registers in any one of the three state institutions for higher education in Iowa, may be required to file his affidavit that he has not relinquished his citizenship in Iowa through his having voted or registered as a voter elsewhere than in Iowa, in order to establish his right to register as a student on paying only the resident tuition fee. If such a person is under twenty-one (21) years of age, either of his parents or his legal guardian may be required to file a similar affidavit respecting the place of his or her citizenship as determining whether such minor may, or may not, register as a student on paying only the resident fee.

The state board of education may remit, in whole or in part, tuition to a number of needy and worthy resident and non-resident students.

The state board of education is authorized and empowered to carry out the provisions of this section.

Senator Fulton offered the following amendment to the amendment and moved its adoption:

Amend section 34 by striking the next to the last paragraph and inserting the following in lieu thereof: "The state board of education may, wholly or partially, in meritorious cases, make provision evidenced by non-interest bearing obligations, for the future payment of tuition and fees."

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

Ayes, 32.

Adams	Cessna	Nelson	Shane
Baird	Ethell	Olson	Shinn
Brookhart	Fulton	Price	Slosson
Brookins	Gilchrist	Reed	Smith
Browne	Goodwin	Rees	Snook
Buser	Hale	Romkey	Thurston
Caldwell	Horchem	Schmedika	Tuck
Campbell	Kimberly	Shaff	White

Nays, 17.

Abben	Hartman	McIntosh	Perkins
Banta	Haskell	Mantz	Scott
Bowman	Holdoegel	Mead	Stoddard
Darting	Johnston	Newberry	Wichman
Dutcher			

Absent or not voting, 1.

Bergman

The amendment to the amendment was adopted.

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 1 by inserting in line 5 after the word "each" the words "of the institutions of higher learning,".

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, 41.

Abben	Cessna	McIntosh	Schmedika
Adams	Darting	Mantz	Scott
Baird	Dutcher	Mead	Shaff
Banta	Fulton	Nelson	Shane
Bowman	Gilchrist	Newberry	Slosson
Brookhart	Hale	Olson	Snook
Brookins	Hartman	Perkins	Stoddard
Browne	Haskell	Price	Thurston
Buser	Horchem	Reed	White
Caldwell	Kimberly	Rees	Wichman
Campbell			

Nays, 2.

Johnston	Shinn
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Absent or not voting, 7.

Bergman
Ethell

Goodwin
HoIdoegel

Romkey
Smith

Tuck

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 Slosson, House File No. 277, a bill for an act to amend, revise, and codify chapter seventeen (17) of title eleven (11) of the compiled code of Iowa and of the supplement to said code, sections thirty hundred forty-one (3041) to thirty hundred forty-four (3044), inclusive, eighty-eight hundred sixty-two (8862) and eighty-eight hundred sixty-three (8863) of the compiled code of Iowa, and sections eighty-six hundred forty-five-a five (8645-a5) to eighty-six hundred forty-five-a seven (8645-a7), inclusive, of the supplement to the compiled code of Iowa, relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (found on page 1213 of the Senate Journal) were considered:

By unanimous consent, on request of Senator Slosson, the first two paragraphs of amendment No. 1 were stricken; and the word and figures "section 33-a" were stricken and the following inserted in lieu thereof, "section 33-a1".

Senator Brookhart offered the following amendment to amendment No. 1 and moved its adoption:

Amend by striking the word "lawful" from line 1 and inserting the word "unlawful" in lieu thereof "and by striking the words "by complying" from lines 2 and 3 and inserting in lieu thereof the words "unless he complies".

The amendment to the amendment was adopted.

Amendment No. 1 was adopted.

On the question "Shall amendment No. 2 be adopted?" the vote was:

Ayes, 31.

Adams	Darting	Kimberly	Shaff
Baird	Dutcher	Mead	Slosson
Banta	Gilchrist	Nelson	Smith
Bowman	Goodwin	Newberry	Snook
Brookhart	Hale	Olson	Stoddard
Brookins	Haskell	Perkins	White
Browne	Holdoegel	Reed	Wichman
Cessna	Horchem	Scott	

Nays, 18.

Abben	Fulton	Price	Shane
Buser	Hartman	Reed	Shinn
Caldwell	Johnston	Rees	Thurston
Campbell	McIntosh	Romkey	Tuck
Ethell	Mantz	Schmedika	

Absent or not voting, 1.

Bergman

Amendment No. 2 was adopted.

By unanimous consent, on request of Senator Brookhart, Senator Price was excused from the call of the Senate for this afternoon.

Senator Shaff moved that the Senate recess until 1:30 p. m. which motion prevailed.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 277.

Amendments Nos. 5, 6, 7 and 8 were adopted.

Senator Brookhart offered the following amendment to amendment No. 9 and moved its adoption:

Amend by inserting after the word "extend" in line 3 the words "over two inches".

By unanimous consent, on request of Senator Brookhart, the word "over" was stricken and the words "more than" inserted in lieu thereof.

Senator Mead offered the following amendment to the amendment offered by Senator Brookhart and moved its adoption:

Amend by striking out the word "two" and inserting in lieu thereof the word "twelve".

Senator Mead's amendment was adopted.

Senator Brookhart's amendment to the committee amendment was adopted.

Amendment No. 9 was lost.

Amendment No. 3 was adopted.

Senator Buser offered the following amendment to amendment No. 4 and moved its adoption:

Amend by striking all of the first part of the amendment down to and including the word "vehicle" in line 2 and inserting in lieu thereof the following: "The board of supervisors of any county may designate certain public highways whereon vehicles, machines, and loads carried on wheels, of greater weight than the maximum prescribed in section 195 of this act".

The amendment to the amendment was adopted.

Amendment No. 4 was adopted.

Senator Snook offered the following amendment and moved its adoption:

Amend by striking out all of section 199.

Senator Snook withdrew his amendment.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking from line 4 of section 199 the words "per inch width of such cleats".

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, 43.

Abben	Dutcher	McIntosh	Scott
Adams	Fulton	Mantz	Shaff
Baird	Gilchrist	Mead	Shinn
Banta	Goodwin	Nelson	Slosson
Bowman	Hale	Newberry	Smith
Brookhart	Hartman	Olson	Snook
Browne	Haskell	Perkins	Stoddard
Buser	Holdoegel	Reed	Tuck
Caldwell	Horchem	Rees	White
Campbell	Johnston	Romkey	Wichman
Cessna	Kimberly	Schmedika	

Nays, 3.

Brookins

Shane

Thurston

Absent or not voting, 4.

Bergman

Darting

Ethell

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.

By unanimous consent Senator Slosson withdrew Senate File No. 277 from further consideration.

CONFERENCE COMMITTEE REPORTS CONSIDERED

Senator Mantz called up the following conference committee report for consideration:

MR. PRESIDENT: We, your conference committee, to whom was referred House File No. 134, beg leave to report that it has had under consideration and it hereby recommends that the Senate recede from its amendments and said bill as passed by the House be amended in the following particulars, to-wit:

1. Amend paragraph six (6) of section two (2) by striking out the said paragraph six (6) and substituting in lieu thereof the following: "To commence, prosecute and defend all actions and proceedings in which any county officer, in his official capacity, or the county, is interested, or a party."

2. Amend section six (6) by striking the period (.) at the end thereof and inserting a semicolon (;) and the following: "provided that no subpoena shall issue unless an order authorizing same shall have been first made by the court or a judge thereof."

Respectfully submitted,

H. J. MANTZ,
JNO. R. PRICE,
M. L. BOWMAN,
W. A. CALDWELL,

Conferees on part of Senate.

EARL W. VINCENT,
VOLNEY DILTZ,
FRED S. HIMENBAUCH,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 28.

Abben	Fulton	Horchem	Scott
Adams	Gilchrist	Mantz	Shaff
Banta	Goodwin	Newberry	Slosson
Bowman	Hale	Olson	Smith
Brookhart	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Thurston
Dutcher	Holdoegel	Reed	Wichman

Nays, 14.

Baird	Cessna	McIntosh	Shane
Browne	Ethell	Nelson	Snook
Buser	Johnston	Schmedika	White
Campbell	Kimberly		

Absent or not voting, 8.

Bergman	Darting	Rees	Shinn
Caldwell	Mead	Romkey	Tuck

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Fulton called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee appointed to adjust the differences between the House and the Senate on House File No. 158, relating to municipal corporations, beg to submit the following report:

1. Amend Senate amendment to section seven (7) by striking therefrom all following the word "halls" in line five (5).
2. Amend Senate amendment to section twenty-three (23) by striking the following language therefrom: "by inserting in line one after the word 'publish' the words 'in pamphlet form or' and".
3. That the House concur in all other Senate amendments to the bill and in the above amendments as amended.

Respectfully submitted,

C. J. FULTON,
FRANK SHANE,
J. E. WICHMAN,
J. O. SHAFF,

Conferees on part of Senate.

T. J. O'DONNELL,
FRANK W. ELLIOTT,
W. F. SCHIRMER,
E. P. HARRISON,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 40.

Abben	Dutcher	Kimberly	Shane
Baird	Ethell	McIntosh	Shinn
Banta	Fulton	Mantz	Slosson
Bowman	Gilchrist	Newberry	Smith
Brookhart	Hale	Perkins	Snook
Brookings	Hartman	Reed	Stoddard
Browne	Haskell	Rees	Thurston
Campbell	Holdoegel	Romkey	Tuck
Cessna	Horchem	Scott	White
Darting	Johnston	Shaff	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Caldwell	Nelson	Price
Bergman	Goodwin	Olson	Schmedika
Buser	Mead		

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Romkey called the following conference committee report up for consideration:

MR. PRESIDENT: Your joint conference committee to whom was referred House File No. 69 beg leave to report that they have considered the matters in dispute in which the House refuses to concur in the Senate amendments and report that they recommend a compromise report as follows:

That the Senate concur in the House amendments to the Senate amendment to section 2.

That the Senate recede from its amendments to section 5, subsection 6.

That section 18, subsection 6, be amended by striking the Senate amendment and also striking the words and figures "one hundred and fifty (150) feet" and inserting in lieu thereof the words and figures "fifty (50) feet."

That the Senate recede from its amendments to section 23.

That the Senate recede from its amendments in line 3 of section 63

and that the words "ten (10) by fourteen (14) inches" in line 7 be amended to read "fifteen (15) by twenty-five (25) inches."

That the Senate amendments to section 64 be sustained.

E. W. ROMKEY,
W. SCHMEDIKA,
J. A. NELSON,
CHAS. OLSON,
Conferees on part of Senate.

PAUL N. ROBSON,
W. WALTER WILSON,
H. C. HATTENDORF,
CHARLES RHINEHART,
Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 44.

Abben	Cessna	Horchem	Romkey
Adams	Darting	Johnston	Schmedika
Baird	Dutcher	Kimberly	Shaff
Banta	Ethell	McIntosh	Shane
Bowman	Fulton	Mantz	Slosson
Brookhart	Gilchrist	Mead	Smith
Brookins	Goodwin	Nelson	Snook
Browne	Hale	Olson	Stoddard
Buser	Hartman	Perkins	Thurston
Caldwell	Haskell	Reed	Tuck
Campbell	Holdoegel	Rees	Wichman

Nays, none.

Absent or not voting, 6.

Bergman	Price	Shinn	White
Newberry	Scott		

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Perkins called the following conference committee report up for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and House on Senate File No. 247 relating to carrying dangerous weapons and permits therefor, beg leave to report that they have had the same under consideration and beg leave to submit the following:

1. That the Senate concur in all the House amendments.
2. That the bill as amended by the House be further amended as follows:

Amend section 2 by inserting a period (.) after the word "billy" in line three (3) thereof and striking out the remainder of said section and inserting in lieu thereof the following:

"It shall be the duty of said sheriff to issue a permit to go armed with a revolver, pistol or pocket billy to all peace officers and such other persons who, in the judgment of said official, should be permitted to go so armed. Banks, trust companies, mining, transportation, manufacturing and mercantile companies or establishments may obtain a general permit good for any of their employes, only while on duty, actually engaged in guarding any property or the transportation of moneys or other valuables. Permits issued to peace officers or to employes of railroad or express companies shall permit such persons to go armed anywhere within the state while in the discharge of their duties."

3. Amend the amendment to Senate File No. 247 by striking out all of section 5 and renumbering all the succeeding sections.

4. Amend section 5 of the renumbered bill by inserting a comma (,) after the word "issued" in line thirteen (13) and by inserting after said comma the following: "except as otherwise provided in section 2 hereof,".

GEO. B. PERKINS,
CHAS. M. DUTCHER,
JOHN J. ETHELL,
M. L. BOWMAN,
Conferees on part of Senate.

VOLNEY DILTZ,
L. B. FORSLING,
W. M. RANKIN,
Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 46.

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

Nays, none.

Absent or not voting, 4.

Bergman	Brookhart	Caldwell	Price
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The conference committee report 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 Bowman, Senate Joint Resolution No. 1, 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, having been ordered out of the committee, was taken up and considered.

Senator Campbell moved that this resolution be deferred until the Forty-first General Assembly.

Senator Shaff moved the previous question, which motion prevailed.

Senator Banta raised the point of order that this body could not defer anything until the Forty-first General Assembly.

The President held the point well taken and the motion to defer out of order, as postponement must not extend to a time beyond the current session of the assembly.

Senator Campbell moved that the resolution be laid on the table.

Senator Bowman raised the point of order that this motion was out of order since the previous question had been ordered.

The President held the point not well taken as the previous question had been ordered on the motion to defer and not on the main question.

On the question "Shall the resolution be laid on the table?" the vote was:

Ayes, 33.

Abben	Fulton	McIntosh	Shaff
Adams	Goodwin	Mead	Shane
Baird	Hale	Nelson	Shinn
Banta	Hartman	Newberry	Slosson
Buser	Haskell	Perkins	Smith
Campbell	Holdoegel	Rees	Stoddard
Cessna	Johnston	Schmedika	Thurston
Darting	Kimberly	Scott	White
Dutcher			

Nays, 16.

Bowman	Caldwell	Mantz	Romkey
Brookhart	Ethell	Olson	Snook
Brookins	Gilchrist	Price	Tuck
Browne	Horchem	Reed	Wichman

Absent or not voting, 1.

Bergman

The motion prevailed and the resolution was laid on the table.

INTRODUCTION OF BILLS

Senate File No. 317, by Senator Baird, a bill for an act relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established.

Read first and second times and referred to committee on judiciary No. 2.

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee' on judiciary No. 2 to whom was referred Senate File No. 316, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa, from the schoolhouse fund to the general fund, 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 which was referred Senate File No. 313, a bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe 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 Mantz submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred House File No. 114, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred forty-five (2745), 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, 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.

S. F. 186 RETURNED TO HOUSE

On motion of Senator Brookins the request of the House for the return of Senate File No. 186 was granted.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 84 by striking out all of amendment No. 2 and inserting the following:

"But such contract shall not be entered into or extended beyond July 1st, 1925."

ED H. CAMPBELL

SECOND CONFERENCE COMMITTEE REPORT ON HOUSE FILE 213

MR. PRESIDENT: We, your second conference committee appointed to consider the differences between the House and Senate in regard to certain amendments on House File No. 213, a bill relating to marriage and incest, beg leave to report that we have had said differences under consideration and have unanimously agreed upon the following report as a substitute for the House amendments to the bill designated as section 1-a1; the Senate amendments to the bill designated as sections 2-a1, 2-a2, 2-a3 and 2-a4; the House amendments to the Senate amendments to the bill designated as sections 2-a1, 2-a2, 2-a3, 2-a4 and 2-a5, and the House amendment to the Senate amendment to section 1-a1, by adding certain provisions thereto:

Amend the bill by inserting as subsection 5 of section 1 thereof the following:

"5. Where either of the parties to the proposed marriage contract is an idiot or an imbecile or under guardianship on account of being an incompetent."

Amend the bill by inserting as subsection 6 of section 1 thereof the following:

"6. Unless each party to the proposed marriage contract sign and file with the clerk an affidavit in the following form:

State of Iowa, County of....., ss:

That, for the purpose of obtaining a marriage license, in conformity with law, I, first being duly sworn on oath, state:

That I am of the age of.....years, and a resident of.....

County of....., State of.....;

That I am about to enter into a contract of marriage with....., a resident of....., County of....., State of.....; and

That, according to the best of my knowledge and belief, I am free from venereal disease.

Subscribed and sworn to before me this.....day of....., 19....

Notary public."

Amend the bill by inserting as subsection 7 of section 1 thereof the following:

"7. Unless an application in writing for the license shall have been filed by one of the parties to the proposed marriage contract in the office of the clerk of the district court at least five (5) days prior to the issuance of such license. A judge of a court of record may upon proper showing by endorsement on the application authorize the issuance of a license before the expiration of said five (5) days."

Amend the bill by inserting after section 2 as section 2-a1 of the bill the following:

"Sec. 2-a1. The clerk of the district court of each county shall furnish all blanks necessary for the use of applicants for marriage licenses."

Amend section 6 of the bill by inserting as subsection 5 the following:

"5. Between persons one of whom is an idiot or an imbecile or is under guardianship as an incompetent."

Amend the title by striking out the period (.) at the end of same and adding thereto the following: "and prescribing the qualifications for entering into a marriage contract and prohibiting the issuance of licenses to marry in certain cases."

PERRY C. HOLDOEGEL,
GEO. S. HARTMAN,
BYRON W. NEWBERRY,
BEN W. ABBEN, JR.,
Conferees on part of Senate.

E. J. COLE,
C. A. KNUTSON,
T. L. WOLFE,
G. W. PATTERSON,
Conferees on part of House.

Senator Slosson asked unanimous consent to be excused from the call of the Senate tomorrow which consent was granted.

The Journal of April 8th was corrected and approved.

Senator Newberry moved that the Senate adjourn until 9:30 a. m. Thursday, which motion prevailed.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 10, 1924.

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

Prayer was offered by Rev. W. P. McCormick, pastor of the Lakeside Presbyterian church, of Storm Lake, Iowa.

On motion of Senator Brookhart rule 33 was suspended for the day.

Senator Brookhart moved that Senators Cessna and Holdoegel be excused from the call of the Senate for the time necessary to investigate the Willets Farm, which motion prevailed.

REPORT OF COMMITTEE

Senator Adams submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred House File No. 190, a bill for an act relating to construction and operation of railways, 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.

REPORTS 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. 88a and 110.

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: Senate Files Nos. 27 and 75.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 27 and 75, and House Files Nos. 88-A and 110.

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 tenth day of April, sent to the Governor for his approval, Senate Files Nos. 27 and 75.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

THIRD READING OF BILLS

On motion of Senator Kimberly, House File No. 84, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Campbell withdrew the following amendment:

Amend by striking out all of amendment No. 2 and inserting the following:

"But such contract shall not be entered into or extended beyond July 1st, 1925."

Senator Campbell offered the following amendment and moved its adoption:

Amend by striking out of the last line of section 461 the figures "1927" and by inserting in lieu thereof the figures "1925".

Senator Abben moved the previous question on the amendment, which motion prevailed.

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

Ayes, 22.

Bowman	Campbell	Nelson	Snook
Brookhart	Ethell	Rees	Stoddard
Brookins	Goodwin	Romkey	Thurston
Browne	Horchem	Schmedika	Tuck
Buser	Johnston	Shane	White
Caldwell	McIntosh		

Nays, 24.

Abben	Fulton	Kimberly	Reed
Adams	Gilchrist	Mantz	Scott
Baird	Hale	Mead	Shaff
Banta	Hartman	Newberry	Shinn
Darting	Haskell	Olson	Smith
Dutcher	Holdoegel	Perkins	Wichman

Absent or not voting, 4.

Bergman	Cessna	Price	Slosson
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The amendment was lost.

Senator Bowman offered the following amendment and moved its adoption:

Amend section 461 by adding the following:

"The board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for a like service or its equivalent".

Senator Brookins moved that further action be deferred until tomorrow when Senator Cessna could be present.

On the question "Shall the motion prevail and further action be deferred?" the vote was:

Ayes, 5.

Brookins	Caldwell	Campbell	Romkey
Browne			

Nays, 36.

Abben	Goodwin	Mead	Shane
Adams	Hale	Nelson	Shinn
Baird	Hartman	Newberry	Smith
Banta	Haskell	Perkins	Snook
Brookhart	Holdoegel	Reed	Stoddard
Darting	Horchem	Rees	Thurston
Dutcher	Johnston	Schmedika	Tuck
Fulton	Kimberly	Scott	White
Gilchrist	Mantz	Shaff	Wichman

Absent or not voting, 9.

Bergman	Cessna	McIntosh	Price
Bowman	Ethell	Olson	Slosson
Buser			

The motion to defer action was lost.

Senator Stoddard moved that Senator Ethell be excused from the call of the Senate on account of illness, which motion prevailed.

On the question "Shall the amendment offered by Senator Bowman be adopted?" the vote was:

Ayes, 35.

Abben	Fulton	Mantz	Shane
Baird	Gilchrist	Nelson	Shinn
Bowman	Hale	Newberry	Snook
Brookhart	Hartman	Reed	Stoddard
Brookins	Haskell	Rees	Thurston
Browne	Horchem	Romkey	Tuck
Buser	Johnston	Schmedika	White
Caldwell	Kimberly	Scott	Wichman
Campbell	McIntosh	Shaff	

Nays, 9.

Banta	Goodwin	Mead	Perkins
Darting	Holdoegel	Olson	Smith
Dutcher			

Absent or not voting, 6.

Adams	Cessna	Price	Slosson
Bergman	Ethell		

The amendment was adopted.

Senator Bowman moved that the vote by which the amendment was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Hale moved that the vote by which the amendment offered by Senator Campbell was lost, 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	Fulton	McIntosh	Rees
Adams	Gilchrist	Mantz	Scott
Baird	Hale	Mead	Shaff
Banta	Hartman	Newberry	Smith
Brookhart	Haskell	Perkins	Stoddard
Darting	Holdoegel	Reed	Wichman
Dutcher	Kimberly		

Nays, 19.

Bowman	Campbell	Olson	Snook
Brookins	Goodwin	Romkey	Thurston
Browne	Horchem	Schmedika	Tuck
Buser	Johnston	Shane	White
Caldwell	Nelson	Shinn	

Absent or not voting, 5.

Bergman	Ethell	Price	Slosson
Cessna			

The motion prevailed and the vote by which the amendment was lost was reconsidered and the motion to reconsider was laid on the table.

Senator Shaff moved that the Senate recess until 1:30 p. m., which motion prevailed.

AFTERNOON SESSION

The Senate reconvened, Senator W. S. Baird presiding.

President Hammill took the chair at 1:40 p. m.

Senator Hale moved that six hundred copies of Senate File No. 191, with the amendments proposed, be printed and a copy placed on the desk of each Senator.

Senator Hale withdrew his motion.

REPORTS OF COMMITTEES

Senator Hale submitted the following report:

MR. PRESIDENT: Your committee on public utilities to which was referred Senate File No. 191, a bill for an act to amend, revise, and codify sections thirty hundred thirty-nine (3039), fifty hundred twenty-seven (5027) 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, 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. Amend and revise section 1 of the bill so as to read as follows:

"Section 1. Franchise for electric transmission lines.

No individual, company, or corporation shall erect, maintain or operate any transmission line, wire or cable along, over or across any public highway or grounds outside of cities and towns for the transmission, distribution, or sale of electric current, without first procuring from the board of railroad commissioners, or from the board of supervisors in the county or counties in which such transmission line is to be constructed or operated, a franchise granting authority so to do as in this chapter provided."

2. Amend section 2 of the bill by inserting in line 2 immediately after the word "state" the following:

"including cities and towns".

Also amend section 2 of the bill by striking therefrom the words "with the board of railroad commissioners" contained in lines 2 and 3 of said section.

Also amend section 2 of the bill by adding at the end thereof the following:

"Where the application is made to a board of supervisors the applicant shall file a copy of such petition with the board of railroad commissioners at least ten days before the time of the hearing thereon. The board of railroad commissioners must furnish the applicant with a certificate showing the fact with reference to the filing of such copy."

3. Amend section 3 of the bill by inserting a period instead of a comma after the word "pass" in line 7 and by striking therefrom the words "accompanied with a map or plat showing such details" in line 8.

Also amend section 3 of the bill by striking the period at the end of line 5 and by inserting in lieu thereof a comma and by inserting immediately thereafter the words "accompanied with a map or plat showing such details."

4. Amend section 4 of the bill by inserting the words "one of" immediately after the word "in" in line 4.

Also amend section 4 of the bill by striking the word "and" where it occurs for the second time in line 6 and by inserting a comma in lieu thereof.

Also amend section 4 of the bill by striking the word "and" where it appears for the second time in line 7, and by inserting the word "and place" after the word "date" in line 8.

Also amend section 4 of the bill by inserting a comma in lieu of the period in line 8 and by adding immediately thereafter the following:

"and that all objections thereto must be filed at least five days before said date".

Also amend section 4 of the bill by striking the words "of railroad commissioners" in line 10 and by inserting in lieu thereof the words "before which said matter is pending".

5. Amend and revise section 5 of the bill so as to read as follows:

"Sec. 5. Objections—hearing.

Any person, company, city, town or corporation whose rights or interests may be affected, shall have the right to file written objections to the proposed improvement or to the granting of such franchise, but all such objections shall be on file with the board at least five days before the date fixed for said hearing. The board may allow objections to be filed later in which event the applicant must be given reasonable time to meet such late objections. The board may examine the proposed route or cause any engineer selected by it to do so. It shall consider said petition and any objections filed thereto, and may hear such testimony as may aid it in determining the propriety of granting such franchise. It may grant such franchise in whole or in part upon such terms, conditions and restrictions, and with such modifications as to location and route, as may seem to it just and proper. The petitioners

shall pay all costs and expenses of said proceeding including cost of publishing notice, before such franchise shall become effective."

6. Amend and revise section 6 of the bill so as to read as follows:

"Sec. 6. Form of franchise.

The commerce counsel shall prepare a blank form of franchise for such purposes, which shall provide space for a general description of the improvement authorized thereby, the name and address of the person or corporation to whom granted, the general terms and conditions upon which it is granted and such other things as may be necessary. This blank form shall be filled out and signed by the chairman of the board which grants the franchise, and the official seal shall be attached. Such franchise shall be subject to such regulations and restrictions as the general assembly from time to time may prescribe, and to such rules, not inconsistent with statutes, as the board of railroad commissioners may establish from time to time."

7. Amend the bill by inserting as new sections at the end of section 6 the following:

"Sec. 6-a1. Valuation of franchise.

No financial consideration shall be charged for such franchise. In fixing the value for rate making purposes of the property of any person, company or corporation owning it or operating under it no account shall be taken of, and no increased value shall be allowed for, any such franchise, except that the reasonable cost to the petitioners of obtaining said franchise may be included in the cost of constructing said line."

"Sec. 6-a2. No exclusive rights; duration of franchise.

No exclusive right shall ever be given by franchise or otherwise to any person, company, corporation, town or city to conduct electrical energy, or to place electric wires, along or over or across any public highway or public place or ground; and no franchise or privilege shall ever be granted for any such purpose for a longer period than twenty-five years; provided that the board of railroad commissioners, in its discretion, for a trunk line transmitting electrical energy at more than 13,000 volts pressure, built principally upon private right-of-way, may grant a franchise for the life of such line as estimated by the board of railroad commissioners, but not to exceed fifty (50) years."

8. Amend section 7 of the bill by striking from line 8 thereof the words "of railroad commissioners" and by inserting in lieu thereof the words "granting the franchise".

9. Amend section 8 of the bill by striking therefrom the words "of railroad commissioners" in line 1 and by inserting in lieu thereof the words "granting the franchise".

10. Amend section 8 of the bill by adding at the close thereof the following:

"Every person, company or corporation which secures a franchise for transmission lines from any board of supervisors must file with the board of railroad commissioners a copy of the order or resolution granting the franchise, certified by the county auditor. The franchise shall

be effective when such copy is filed. When so filed the board of railroad commissioners shall issue a statement showing that fact."

11. Amend section 9 of the bill by inserting in line 2 after the word "provided" the following:

"or owning or operating under one".

Also amend by adding at the close of said section 9 the following:

"The provisions of this act shall apply equally to assignees as well as to original owners."

12. Amend section 10 of the bill by striking therefrom lines 6, 7, 8, 9 and 10 and by inserting in lieu thereof the following:

"by the written consent of the applicant that the provisions of all laws relating to public utilities, franchises and transmission lines, or to the regulation, supervision or control thereof which are then in force or which may be thereafter enacted shall apply to its existing line or lines, franchises and rights with the same force and effect as if such franchise had been granted or such lines had been constructed or rights had been obtained under the provisions of this chapter".

13. Amend the bill by inserting as a new section at the end of section 10 the following:

"Sec. 10-a1. Furnishing service.

Any city or town which owns or operates a system for the distribution of electric light or power, and which has obtained electric energy for such distribution from any person or firm or corporation owning or operating an electric light and power plant or transmission line, shall be entitled to have the service reasonably needed by such municipality and its patrons continued at and for a reasonable rate and charge and under reasonable rules of service.

It shall be unlawful for the owner or operator of such light and power plant or transmission line to disconnect or discontinue such service (except during non-payment of reasonable charges) so long as such operator holds or enjoys any franchise to go upon or use any public streets, highways or grounds.

And until the municipality and the operator shall agree upon a rate or charge for such service the municipality shall pay and the operator shall accept the rate provided in the expired contract if any existed, and if none existed then the rate before paid. This shall be without prejudice, however, to the right of either party to test in court or before any lawfully constituted rate making tribunal the reasonableness of such rate.

This section shall not apply if the original service to the municipality was given in case of emergency or for any other temporary purpose."

14. Amend section 11 of the bill by striking the words and figures "twenty-five (25)" in line four and inserting in lieu thereof the words and figures "one hundred (100)".

15. Amend section 14 of the bill by inserting after the word "board" in line 1 the words "of railroad commissioners".

16. Amend section 17 of the bill by inserting after the word "board" in line 12 the words "of railroad commissioners".

17. Amend section 16 of the bill by inserting the words "of railroad commissioners" immediately following the word "board" in line 7 thereof.

18. Amend section 18 of the bill by striking the word and figure "three (3)" from line 2 and by inserting in lieu thereof the word "two".

Also amend section 18 of the bill by inserting immediately after the word "board" in line 3 thereof the words "which granted the franchise".

19. Amend section 19 of the bill by adding thereto at the close thereof the following:

"Provided, however, that if proceedings are commenced within said ninety days in any court of competent jurisdiction to determine whether the provisions of this chapter, or whether any rule established for the construction or maintenance or operation of an electrical transmission line, have been violated, or are legal and enforceable rules or provisions, no forfeiture shall be declared or become effective if within sixty days from the date of the final decree or judgment in such proceedings the said rule or provisions have been fully complied with and the cause of forfeiture removed."

20. Amend the bill by striking therefrom all of section 20.

21. Amend section 22 of the bill by adding thereto immediately after the word "of" where it appears for the second time in line 4 the words "not less than one hundred dollars nor more than".

Also amend section 22 of the bill by adding after the word "board" in line 7 the words "of railroad commissioners".

22. Amend section 23 of the bill by adding after the word "board" in line 1 thereof the words "of railroad commissioners".

Also amend section 23 of the bill by adding in line 4 after the word "board" the words "of railroad commissioners".

23. Amend section 24 of the bill by adding after the word "board" in line 1 the words "of railroad commissioners".

24. Amend section 25 of the bill by striking the period at the end thereof and by inserting the words "of railroad commissioners."

25. Amend section 26 of the bill by inserting after the word "board" in line 1 thereof the words "of railroad commissioners".

26. Amend section 27 of the bill by inserting after the word "board" in line 3 thereof the words "of railroad commissioners".

27. Also amend section 27 of the bill by striking the period at the end thereof and by inserting in lieu thereof the following: "of railroad commissioners."

28. Amend the bill by adding an additional section at the end thereof to be numbered section 28 as follows:

"Nothing in this act shall prevent any such individual or corporation having its high tension line on its own private right-of-way on both sides of any highway, from crossing such public highway under such rules and regulations as the board of railroad commissioners may prescribe."

J. K. HALE, *Chairman.*

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 319, a bill for an act to amend section six (6) of chapter two hundred forty-six (246) of the acts of the Fortieth (40th) General Assembly (S. C. C. 3000-a1) relating to persons subject to poll tax in townships, 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.

MESSAGES FROM 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. 183, a bill for an act relating to taxation.

Also: That the House has concurred in Senate amendments to House File No. 289, a bill for an act relating to the preparation, publication, use, custody, sale, and distribution of the laws of the state and of other publications of a legal nature, and to the powers and duties of the reporter of the supreme court, state printing board, superintendent of printing, and other public officers, with reference to such laws and publications, establishing a code supervising committee and making appropriation therefor.

Also: That the House refuses to concur in Senate amendments to section five (5) but concurs in all other Senate amendments to House File No. 8, a bill for an act relating to auditor of state—uniform system of accounts.

Also: That the House has adopted the conference committee report and the amendments proposed therein on Senate File No. 247, a bill for an act relating to carrying dangerous weapons.

Also: That the House has adopted the conference committee report and the amendments proposed therein to the following bill:

Senate File No. 9, a bill for an act relating to the treasurer of state—appropriations.

A. C. GUSTAFSON, *Chief Clerk*

INTRODUCTION OF BILL

Senate File No. 318, by committee on agriculture, a bill for an act to legalize the establishment of the County Area Tuberculosis Eradication Plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture in the establishment of such areas, the levy, spreading, and collection of taxes therefor

as is provided in chapter forty-eight (48) of the laws of the Fortieth (40th) General Assembly of Iowa.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 84.

Senator Bowman offered the following amendment and moved its adoption:

Amend section 345 by striking from lines 4 and 5 of paragraph 3 the words and figures "eighteen hundred dollars (\$1800.00)" and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000.00)".

Also by striking from lines 5 and 6 of said paragraph the words "one deputy" and inserting in lieu thereof the words "two deputies".

Also by inserting the word "each" following the figures "(\$1500.00)" in the last line of said paragraph.

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

Ayes, 32.

Abben	Dutcher	Horchem	Reed
Adams	Fulton	Kimberly	Scott
Baird	Gilchrist	McIntosh	Shaff
Banta	Goodwin	Mantz	Shane
Bowman	Hale	Mead	Smith
Brookins	Hartman	Newberry	Stoddard
Caldwell	Haskell	Olson	White
Darting	Holdoegel	Perkins	Wichman

Nays, 12.

Brookhart	Campbell	Romkey	Snook
Browne	Johnston	Schmedika	Thurston
Buser	Nelson	Shinn	Tuck

Absent or not voting, 6.

Bergman	Ethell	Rees	Slosson
Cessna	Price		

The amendment was 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, 36.

Abben	Bowman	Brookins	Campbell
Baird	Brookhart	Browne	Darting

Dutcher	Holdoegel	Newberry	Shinn
Fulton	Horchem	Olson	Snook
Gilchrist	Kimberly	Perkins	Stoddard
Goodwin	McIntosh	Reed	Thurston
Hale	Mantz	Scott	Tuck
Hartman	Mead	Shaff	White
Haskell	Nelson	Shane	Wichman

Nays, 4.

Banta	Buser	Caldwell	Schmedika
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Absent or not voting, 10.

Adams	Ethell	Rees	Slosson
Bergman	Johnston	Romkey	Smith
Cessna	Price		

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.

SENATE FILES NOS. 84, 97 AND 98 WITHDRAWN

By unanimous consent Senator Perkins withdrew Senate Files No. 84, 97 and 98 from further consideration, the companion bills having passed.

By unanimous consent, on request of Senator Reed, the members of committee on judiciary No. 1 were excused from the call to hold a meeting.

By unanimous consent Senator Shane was excused from the call of the Senate for the rest of the day.

AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 191, by adding the following:

Sec. ... Whenever public convenience requires the same, every telephone company shall, for a reasonable compensation, permit a physical connection or connections to be made, and telephone service to be furnished between any telephone exchange system, operated by it and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system or another telephone company, or between its toll line and the toll line of another company, or between its toll line and the line of another telephone company whenever such physical connection or connections is practical and reasonable. The term "physical connection" as used in this section, shall mean such number of trunk lines or complete wire circuits and connections as may be re-

quired to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such physical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the railroad commission by any person, partnership, or corporation, operating a telephone line or telephone exchange, or by ten (10) residents of the county in which the connection is sought to be made, for an order requiring such connection and fixing the compensation, terms, and conditions thereof, and if after investigation and hearing the commission shall find that such physical connections are of public convenience and necessity, it shall by order direct that such connections be made, and prescribe reasonable conditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid. Whenever application is made to the railroad commission requesting physical connection it shall be presumed that such connection is necessary, and that the public convenience will be promoted thereby, and the burden of overcoming such presumption shall be upon the party resisting such application.

Sec. ... Any company required by order of the commission to provide for the physical connection of telephone lines and facilities, and to establish joint rates, tolls and charges, are hereby required to perform switching service for the transmission of conversations between the lines and facilities operated by such company or companies without favor or discrimination. The company on whose line or lines conversations originate shall be responsible to and make settlement with the company or companies owning or operating the connecting or terminal line or lines for the share of said company or companies in the joint toll rate or charge for such message.

Sec. ... Any order made by the railroad commissioners pursuant to the two preceding sections shall be enforced in the manner provided for the enforcement of the orders of the railroad commissioners. The right to appeal from any order made under the two preceding sections shall be the same as appeals taken from orders made by the railroad commissioners.

2. Amend the title by striking out the period after the word "exchange" and substituting a semicolon therefor, and by adding the following: "also, giving the railroad commissioners authority to require physical connections between telephone lines and to determine and fix the charges thereof, and providing for right of appeal."

LLOYD THURSTON.

MR. PRESIDENT: I move to amend Senate File No. 318 by striking therefrom section 3 thereof.

CHAS. M. DUTCHER.

MR. PRESIDENT: I move to amend the substitute bill for House File No. 185, as follows:

Amend by inserting after section one hundred ten (110) the following:

"Sec. 111. Land assessed in overlapping districts:

When land is embraced and assessed for drainage improvements in overlapping districts established at different periods, and the main ditch of one intervenes and runs between said land and the main ditch of the other so as to deprive said land from any drainage into the main ditch of the latter, or when land assessed in overlapping districts, is by reason of the construction of the improvements, topography, levees or other barriers cut off from or deprived of drainage into such main ditch of either of such districts, the owner of such land in writing may petition the board of supervisors to vacate, cancel and annul all unpaid assessments on such land in the district from which it is so cut off and deprived of drainage. Such petition shall set forth in detail the facts which entitle the petitioner to said relief.

Sec. 112. The board at its next meeting after such petition is filed shall fix a time for a hearing on said petition and shall then cause notice to be given addressed "To all whom it may concern," of the time and place of such hearing by publication in one of the official papers in the county for two consecutive weeks, the last of which shall be at least ten (10) days before the day set for hearing.

Sec. 113. At the time set for hearing, the board shall consider the said petition, and if the board finds the allegations are true and that the land described therein is no longer benefited by the drainage in such district, it shall, by resolution entered of record, vacate and cancel all assessments not due on said land made in and for the district from which such land is cut off and deprived of drainage. The auditor shall make notation of such cancellation on the proper drainage record and the date thereof. Such land shall not be liable for any expense for repairs or other improvements in such district after the date of such cancellation. Any and all persons interested in such district and assessed for benefits therein may appear and be heard at such hearing, either in person or by attorney, and any person or persons assessed for benefits therein shall have the same right of appeal from the boards decision as provided in other cases in this act."

B. M. STODDARD.

MR. PRESIDENT: I move to amend the House amendment to section 87 of House File No. 261 by striking the word "english" as it occurs in line 2 and substituting in lieu thereof the word "official".

Also amend House File No. 261 by striking the comma (,) as it occurs after the word "vegetation" in line 5 of section 130 and substituting a period (.) and striking the rest of the sentence.

FRANK SHANE.

MR. PRESIDENT: I move to amend Sec. 49 of House File No. 261 as amended by the House, by inserting after the word "milk" as it occurs in line 2 of said section, the following: "or cream or product thereof, unless such skim milk, cream or product thereof be the product of milk produced from cows that are known to be free from tuberculosis, as evidenced by a certificate issued within one year by an approved state veterinarian,".

Also amend Sec. 49 of House File No. 261 as amended by the committee amendment, by inserting after the word "buttermilk" in line 2 of said amendment, the following: "unless such skimmed milk or buttermilk be the product of milk that is produced from cows that are known to be free from tuberculosis, as evidenced by a certificate issued within one year by an approved state veterinarian,".

Also amend House File No. 261 by adding the following:

"Sec. 49-a1. No wholesaler or retailer of milk or cream shall offer or expose for sale any milk or cream unless the same is produced from cows known to be free from tuberculosis, as evidenced by a certificate issued within one year by an approved state veterinarian, or unless the same shall have been pasteurized according to the established regulations of the department of agriculture."

Also amend Sec. 87 of House File No. 261 as amended by the House, by inserting after the word "label" where it occurs in line 2 of said amendment, the following: "tag or insert in package".

Also amend the committee amendment to Sec. 90-a1 of Code Bill No. 261, by striking from line 7 of said amendment the words and figures "one hundred dollars (\$100.00)" and inserting the words and figures two dollars and fifty cents (\$2.50) per annum for each product manufactured".

J. O. SHAFF.

MR. PRESIDENT: I move to amend House Joint Resolution No. 4 by renumbering section 3, numbering it section 4 and adding this additional paragraph as section 3:

"The board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for a like service or its equivalent."

M. L. BOWMAN.

The Journal of April 9th was corrected and approved.

THIRD READING OF BILLS

On motion of Senator Caldwell, House File No. 185, a bill for an act to amend, revise, and codify chapters one (1), two (2), and two-a (2-a) of the compiled code of Iowa and of the supplement to said code, relating to levees, ditches, drains, and water-courses, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (found on page 1251 of the Senate Journal) were considered.

Amendment No. 1 was adopted.

Senator Buser offered the following amendment to amendment No. 2 and moved its adoption:

Amend by striking out the word "ten" and inserting the word "five" in lieu thereof.

The amendment to the amendment was adopted.

Amendment No. 2 was adopted.

Amendments Nos. 3, 4, 5, 6, 7, 9, 10, 11, 12 and 13 were adopted

Senator Abben was called to the chair at 2:55 p. m.

Amendments Nos. 14, 15, 16, 18, 19, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44 were adopted.

Senator Gilchrist offered the following amendment to amendment No. 45 and moved its adoption:

Amend amendment No. 45 by inserting the words "the work as is required for the strict repairs described in" after the words "then the cost of so much of" in the last paragraph of the proposed section 116-a2.

The amendment to the amendment was adopted, and further action on amendment No. 45 was deferred.

Amendments Nos. 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74 and 75 were adopted.

Senator Romkey offered the following amendment and moved its adoption:

Amend section one hundred eighty-five (185) by striking out of line one (1) of said section the word "completed" and inserting after the word "district" in line two (2) the words "in which the original construction has been completed and has been paid for by bond issue or otherwise,".

By unanimous consent, on request of Senator Buser, the words "has been" following the words "completed and" were stricken.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by inserting a period (.) after the word "elected" in line 7 of section 208 and striking out the remainder of the section.

The amendment was adopted.

Senator Brookhart moved that further action be deferred until 10:00 a. m. Friday.

Senator Shinn moved that the Senate adjourn until 9:30 a. m. Friday.

Senator Campbell moved to amend by making the hour 8:30 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 9:30 a. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1924.

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.

REPORTS OF COMMITTEES

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred Joint Resolution No. 4, a joint resolution authorizing the board of control of state institutions to enter into contracts for the employment of prisoners, 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 Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 317, a bill for an act relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established, 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. 230, a bill for an act to amend, revise, and codify sections seventy-three hundred sixty-two, seventy-three hundred ninety-two and seventy-three hundred ninety-eight of the compiled code of Iowa, relating to evidence, 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. 54-A, a bill for an act to amend substitute for House File No. 54, acts of the fortieth general assembly in special session, relating to fish and game.

Also: That the House refuses to concur in Senate amendments to House File No. 84, a bill for an act relating to charitable, correctional and penal institutions.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 54-A, a bill for an act to amend Substitute for House File No. 54, acts of the Fortieth General Assembly in special session, relating to fish and game.

Read first and second times and referred to committee on fish and game.

INTRODUCTION OF BILLS

Senate File No. 319, 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.

Senate File No. 320, by Senator Olson, a bill for an act legalizing the voting of bonds for the extension of the waterworks system in Ames, Iowa, at a special election held on April 30, 1923; and to legalize the issuance of such bonds.

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 on April 8, 1924, he had signed Senate File No. 283; also that on April 9, 1924, he had signed Senate File No. 307, and that on April 10, 1924, he had signed Senate Files Nos. 75 and 27.

PROOF OF PUBLICATION ON SENATE FILE NO. 316

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of Senate File No. 316, a proposed bill for an act to legalize a certain tax levy, assessment and transfer in Union township, Cass county, Iowa.

LEON W. AINSWORTH, *Secretary of the Senate.*

By unanimous consent, on request of Senator Bowman, Senator Hale was excused from the call of the Senate on account of illness.

THIRD READING OF BILLS

On motion of Senator Nelson, Senate File No. 316, a bill for an act to legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county, Iowa, from the schoolhouse fund to the general fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Nelson, the word "directors" was stricken from line 5 of section 1 and the word "supervisors" inserted in lieu thereof; and the words "Atlantic News-Telegraph" were stricken from the last section and the words "Cumberland Enterprise" inserted in lieu thereof and the word "Atlantic" was stricken from the next line of the same paragraph and the word "Cumberland" inserted in lieu thereof.

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, 41.

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

Nays, none.

Absent or not voting, 9.

Bergman	Hale	Olson	Shaff
Dutcher	Mantz	Price	Smith
Ethell			

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.

The Senate resumed consideration of House File No. 185.

Senator Mantz was called to the chair at 10:40 a. m.

The President resumed the chair at 11:30 a. m.

On the question "Shall amendment No. 1-a be adopted?" the vote was:

Ayes, 30.

Abben	Fulton	Newberry	Slosson
Adams	Gilchrist	Olson	Smith
Baird	Goodwin	Reed	Stoddard
Banta	Haskell	Rees	Thurston
Bowman	Holdoegel	Scott	Tuck
Brookins	Horchem	Shaff	White
Caldwell	Mantz	Shane	Wichman
Darting	Mead		

Nays, 13.

Brookhart	Hartman	McIntosh	Schmedika
Browne	Johnston	Nelson	Shinn
Buser	Kimberly	Romkey	Snook
Campbell			

Absent or not voting, 7.

Bergman	Dutcher	Hale	Price
Cessna	Ethell	Perkins	

The amendment was adopted.

Senator Gilchrist moved that the vote by which the amendment was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shinn moved that the Senate recess until 1:30 p. m., which motion prevailed.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 185.

The roll call revealed the presence of the following Senators:

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

By unanimous consent Senator White was excused from the call of the Senate for the afternoon.

Senator Goodwin appeared and the call was declared complete.

President pro tem. Price took the chair at 1:45 p. m.

On the question "Shall amendment No. 8 be adopted?" the vote was:

Ayes, 26.

Abben	Caldwell	Horchem	Reed
Adams	Dutcher	Mantz	Scott
Baird	Fulton	Mead	Shane
Banta	Gilchrist	Newberry	Smith
Bergman	Goodwin	Olson	Stoddard
Bowman	Haskell	Perkins	Wichman
Brookins	Holdoegel		

Nays, 22.

Brookhart	Ethell	Price	Shinn
Browne	Hartman	Rees	Slosson
Buser	Johnston	Romkey	Snook
Campbell	Kimberly	Schmedika	Thurston
Cessna	McIntosh	Shaff	Tuck
Darting	Nelson		

Absent or not voting, 2.

Hale White

Amendment No. 8 was adopted.

Senator Gilchrist moved that the vote by which the amendment was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORTS 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 File No. 289.

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 Nos. 287, 305, 307, 310, 311, 312, 314.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tem. of the Senate announced that, as President pro tem. of the Senate, he had signed in the presence of the Senate, House File No. 289, and House Files Nos. 287, 305, 307, 310, 311, 312 and 314.

The Senate resumed consideration of House File No. 185.

Amendment No. 17 was adopted.

Amendment No. 24 was adopted.

Amendment No. 25 was adopted.

Amendment No. 26 was adopted.

Amendment No. 27 was adopted.

Senator Buser offered the following amendment to amendment No. 45 and moved its adoption:

Amend by striking from line 3 of paragraph 3 of the proposed section 116 the word "shall" following the word "board" and inserting in lieu thereof the words "may for good reason".

The amendment to the amendment was adopted.

Senator Wichman offered the following amendment to amendment No. 45 and moved its adoption:

Amend the proposed section 116-a2 by striking from line 4 of the last paragraph the word "then" and inserting in lieu thereof the words "then such reclassification shall be made and".

The amendment to the amendment was adopted.

Amendment No. 45 was adopted.

Amendment No. 60 was adopted.

Senator Schmedika offered the following amendment and moved its adoption:

Amend by striking the period at the end of section 30 and by inserting in lieu thereof a comma and the following words: "but the engineer appointed to have charge of the construction shall not have been in any way interested in the making of the preliminary survey or report to the board of supervisors."

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend section 116-a4 (renumbered 116-a6) by striking out the following: "in sections fifty-four (54) and fifty-five (55) hereof" and inserting in lieu thereof the following: "for the original classification of a district".

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by inserting after section one hundred ten (110) the following:

"Sec. 111. Land assessed in overlapping districts.

When land is embraced and assessed for drainage improvements in overlapping districts established at different periods, and the main ditch of one intervenes and runs between said land and the main ditch of the other so as to deprive said land from any drainage into the main ditch of the latter, or when land assessed in overlapping districts, is by reason of the construction of the improvements, topography, levees or other barriers cut off from or deprived of drainage into such main ditch of either of such districts, the owner of such land in writing may petition the board of supervisors to vacate, cancel and annul all unpaid assessments on such land in the district from which it is so cut off and deprived of drainage. Such petition shall set forth in detail the facts which entitle the petitioner to said relief.

Sec. 112. The board at its next meeting after such petition is filed shall fix a time for a hearing on said petition and shall then cause notice to be given addressed "To all whom it may concern," of the time and place

of such hearing by publication in one of the official papers in the county for two consecutive weeks, the last of which shall be at least ten (10) days before the day set for hearing.

Sec. 113. At the time set for hearing, the board shall consider the said petition, and if the board finds the allegations are true and that the land described therein is no longer benefited by the drainage in such district, it shall, by resolution entered of record, vacate and cancel all assessments not due on said land made in and for the district from which such land is cut off and deprived of drainage. The auditor shall make notation of such cancellation on the proper drainage record and the date thereof. Such land shall not be liable for any expense for repairs or other improvements in such district after the date of such cancellation. Any and all persons interested in such district and assessed for benefits therein may appear and be heard at such hearing, either in person or by attorney, and any person or persons assessed for benefits therein shall have the same right of appeal from the board's decision as provided in other cases in this act."

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

Ayes, 14.

Adams	Goodwin	Newberry	Shaff
Baird	Haskell	Olson	Stoddard
Banta	Holdoegel	Perkins	Wichman
Gilchrist	Mantz		

Nays, 31.

Abben	Cessna	Kimberly	Schmedika
Bergman	Darting	McIntosh	Shane
Brookhart	Dutcher	Mead	Shinn
Brookins	Ethell	Nelson	Slosson
Browne	Fulton	Price	Snook
Buser	Hartman	Reed	Thurston
Caldwell	Horchem	Rees	Tuck
Campbell	Johnston	Romkey	

Absent or not voting, 5.

Bowman	Scott	Smith	White
Hale			

The amendment was lost.

President Hammill resumed the chair at 3:15 p. m.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out section 3.

The amendment was adopted.

Senator Wichman offered the following amendment and moved its adoption:

Amend section 116-a2 as amended by striking out the last sentence and substituting the following: "If, however, it shall appear that the original assessment or apportionment did not designate separately the amount each tract should pay for the main ditch or drain and the amount it should pay for the lateral drain, then the board shall make such reclassification whenever a new assessment is necessary for repairs or changes according to the principles and rules set forth in sections forty and forty-one of this act."

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, 48.

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

Nays, none.

Absent or not voting, 2.

Campbell Hale

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.

HOUSE AMENDMENTS CONSIDERED

Senator Smith called up for consideration Senate File No. 183, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title as follows:

By adding after the figures in parentheses "(4567)," the following:

"four thousand five hundred seventy-seven (4577), four thousand five hundred eighty-four (4584)."

(2) Amend section 1 as follows:

Amend paragraph (d) of subsection 1 by striking out of the second line thereof the words "grounds and buildings" and inserting in lieu thereof the following: "publicly owned buildings and grounds".

Amend subsection 11 by striking from said subsection the sentence immediately preceding line 95 thereof, which sentence reads as follows: "No such suspended taxes shall be collectible or be a lien at a date two years later than the death of the person for whose benefit such suspension was made."

(3) Amend the subenacting clause preceding section 12 by adding the letter "s" to the word "section" in the first line thereof; also amend by adding after the figures in parentheses "(4510)" the words and figures: "and four thousand five hundred eleven (4511)".

Also amend line 2 by changing the word "is" to "are".

(4) Amend section 16 by inserting in line 3 after the word "title" the following "and except as provided in section seventeen-a one (17-a1) hereof".

(5) Amend by adding after section 17 the following:

"That section four thousand five hundred seventy-seven (4577) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 17-a1. Company defined—verification of statement.

The word "company" as used in this chapter and section four thousand four hundred eighty-six (4486) shall be deemed and considered to mean and include any person, copartnership, association, corporation, or syndicate (except cooperative corporations or associations which are not organized or operated for profit) that shall own or operate transmission line or lines for the conducting of electric energy located within the state and wholly or partly outside cities and towns, whether formed or organized under the laws of this state or elsewhere; and the verification of any statement required by law shall, in the case of a person, be made by such person; in case of a corporation, by the president or secretary thereof; and in the case of a copartnership, association, or syndicate, by some member, officer, or agent thereof having knowledge of the facts. The value of the interests of members in such cooperative corporations or associations which are not organized or operated for profit shall, for the purpose of taxation, be deemed real estate, and be assessed as part of the real estate served by such transmission line or lines.

(6) Amend section 20 by striking out of said section all after the word "the" at the end of line five (5), down to the word "acres" at the beginning of line ten (10), and inserting in lieu thereof the following: "county auditor shall transcribe the assessments of the several townships, towns and cities into the book, to be known as the tax list, properly ruled and headed with separate columns, in which shall be entered the names of the taxpayers, descriptions of lands, number of".

(7) Amend section 22 by adding after the word "credits" in line 7 the following: "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code".

(8) Amend section 23 as follows:

By adding after the word "credits" in line 6 thereof the following: "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code".

By striking the period at the end of said section and adding the following: "and other monied capital taxed at a flat rate as provided in section four thousand five hundred four (4504) of the compiled code."

(9) Amend section 26 by striking out all of said section.

(11) Amend section 10-a, lines 5 and 6, by changing the words and figures "four thousand five hundred and five (4505)" to "four thousand five hundred four (4504)".

(12) Amend section 29 by striking from lines one and two the following words: "for the city council of any city or town, including cities under special charter, or".

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Abben	Darting	Kimberly	Romkey
Adams	Dutcher	McIntosh	Scott
Baird	Ethell	Mantz	Shaff
Banta	Fulton	Mead	Shane
Bergman	Gilchrist	Newberry	Slosson
Bowman	Goodwin	Olson	Smith
Brookhart	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Tuck
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Rees	Wichman
Cessna	Johnston		

Nays, 7.

Browne	Nelson	Shinn	Thurston
Buser	Schmedika	Snook	

Absent or not voting, 1.

Hale

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Smith moved that the Senate refuse to concur in the following amendment to Senate File No. 183:

(10) Amend by adding after section 29 the following:

"That section four thousand five hundred eighty-four (4584) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 30. Actual value as basis of taxation—how determined.

All property subject to taxation shall be valued at its actual value which shall be entered opposite each item, and, except as otherwise provided, shall be assessed at twenty-five per cent (25%) of such actual value.

Such assessed value shall be taken and considered as the taxable value of such property upon which the levy shall be made.

In arriving at said actual value the assessor shall take into consideration its productive and earning capacity, if any, past, present, and prospective; its market value, if any, and all other matters that affect the actual value of the property; and the burden of proof shall be upon any complainant attacking such valuation as excessive, inadequate and inequitable."

On the question "Shall the Senate concur?" the vote was:

Ayes, 13.

Brookhart	Cessna	Price	Schmedika
Browne	Johnston	Rees	Snook
Buser	Nelson	Romkey	Thurston
Campbell			

Nays, 34.

Abben	Dutcher	Mantz	Shane
Adams	Fulton	Mead	Shinn
Baird	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Smiff
Bergman	Haskell	Perkins	Stoddard
Bowman	Holdoegel	Reed	Tuck
Brookins	Horchem	Scott	White
Caldwell	Kimberly	Shaff	Wichman
Darting	McIntosh		

Absent or not voting, 3.

Ethell Hale Hartman

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

REPORT OF COMMITTEE

Senator O. L. Mead submitted the following report:

MR. PRESIDENT: Your committee on fish and game to whom was referred House File No. 54-A, a bill for an act to amend Substitute for House File No. 54, acts of the Fortieth General Assembly in special session, relating to fish and game, 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.

MESSAGES FROM 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. 310, a bill for an act legalizing the transfer by concurrent resolution by the 38th G. A. of \$519,287.76 from the general revenue fund of the state to the support fund of various state institutions under the board of control.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 182, a bill for an act relating to municipal corporations—special charter cities.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 207, a bill for an act 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. 311, a bill for an act legalizing the transfer by concurrent resolution by the 39th general assembly of \$199,839.39 from the general revenue fund of the state to support of various state institutions 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. 315, a bill for an act authorizing the executive council to sell certain property of the state and buy other property.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 322, a bill for an act making an emergency appropriation for 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. 320, a bill for an act relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 315, a bill for an act to authorize the executive council to sell certain property of the state.

Read first and second times and referred to committee on public buildings and lands.

House File No. 320, a bill for an act relating to jurisdiction in juvenile court cases in cities wherein a municipal court is established.

Read first and second times and placed on the calendar.

House File No. 322, a bill for an act to make emergency appropriations for the Iowa School for the Deaf.

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

PROOF OF PUBLICATION ON S. F. 313

I hereby certify, that as Secretary of Senate I have received the proof of publication on Senate File No. 313, a proposed bill for an act to legalize a certain warrant issued by the board of supervisors of Monroe County, Iowa.

LEON W. AINSWORTH, *Secretary of the Senate.*

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: We, your second conference committee on House File No. 213, file the following amendment to their report on said bill:

We move to strike out the words "notary public" at the end of the oath and insert in lieu thereof the words "(Add here the official title of the person administering oath, together with his seal if any.)"

P. C. HOLDOEGEL,
GEO. S. HARTMAN,
BYRON W. NEWBERRY,
BEN C. ABBEN, JR.,

Conferees on the part of the Senate.

E. J. COLE,
G. W. PATTERSON,
C. A. KNUTSON,
T. L. WOLFE,

Conferees on the part of the House.

Senator Brookins moved that the rules of the Senate be so amended as to give the principal ten minutes to debate on any amendment or on any bill and ten minutes to close, and limit all others to ten minutes for debate.

Senator Adams moved that the motion be laid on the table, which motion prevailed.

Senator Shinn moved that the call of the Senate be raised until 1:30 p. m. Monday, which motion prevailed.

The Journal of April 10th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 12, 1924.

The Senate met in regular session, President Hammill presiding.

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Holdoegel rule 33 was suspended for the day.

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 65 relating to the department of agriculture beg leave to report that they have had the same under consideration and beg leave to submit the following:

That the House concur in the Senate amendment to subsection one (1) section three (3) and that the following sentence be added to said subsection one (1): "Nothing herein contained shall be construed to subordinate either the department or the college in their several spheres of action."

P. C. HOLDOEGEL,
O. L. MEAD,
J. M. SLOSSON,
GEO. S. HARTMAN,
Conferees on part of Senate.

W. C. CHILDREN,
T. W. NAPIER,
HOWARD A. MATHEWS,
BREDE WAMSTAD,
Conferees on part of House.

MR. PRESIDENT: Your conference committee on Senate File No. 125 beg leave to submit the following recommendations:

1. That the House recede from its amendments to the title.
2. That section 1 of the bill be stricken and the following be inserted in lieu thereof:

"Section 1. Duty to enforce.

The provisions of this chapter shall be enforced:

2. That section 1 of the bill be stricken and the following be inserted in lieu thereof:

"Section 1. Duty to enforce.

The provisions of this chapter shall be enforced:

1. By the board of supervisors as to all county and primary roads.
2. By the councils and commissioners of all cities and towns, irrespective of their local form of government, as to all roads, streets, and other lands within said cities and towns.
3. By the township trustees as to all township roads and as to all other lands, including railroad lands, within the township not embraced in paragraphs one (1) and two (2) hereof."
3. That the Senate concur in House amendment to Sec. 2.
4. That section 3 be amended by inserting after the word "lands" in line 2, a comma (,) and the words "including railroad lands,".

Also by striking out of lines 11, 12 and 13 of subsection 2 of section 3 the words "near the surface of the ground, between July first and August first of each year, or sooner if necessary to prevent the maturity of said weeds" and insert in lieu thereof the words "or destroyed in the manner and at the time prescribed by the board of supervisors".

5. That the words "or private lands" be stricken from the House amendment to section 5 and that the Senate concur in the House amendments to sections 5, 6 and 6-a1.

6. That the House recede from its amendment to line 3 of section 7.

7. That the Senate concur in the other House amendments to section 7.

8. That the House recede from its amendments to section 9 and that sections 9 and 9-a1 be stricken and the following inserted in lieu thereof:

"Sec. 9. Notice of assessment.

Before making said assessment, thirty (30) days notice shall be given such owner of the time and place of meeting of the trustees, council, commissioners, or board of supervisors, which notice shall also contain a statement of the work done and the expense thereof with costs, and shall be given by posting a copy thereof on the premises affected and by mailing a copy thereof by registered mail to the last known address of the person owning or controlling the same. At such time and place such owner may appear with the same rights given by law before boards of review upon increase in assessments."

9. That the bill be amended by inserting as sections 10, 10-a1 and 10-a2 the following:

"Sec. 10. Duty to make complaint.

It shall be the duty of all officers directly responsible for the care of public highways to make complaint to the proper township trustees or town councils or commissioners or board of supervisors, as the case may be, whenever it shall appear that the provisions of section 3 hereof may not be complied with in time to prevent the blooming and maturity of noxious weeds or the unlawful growth of weeds, whether in the streets or

supervisors of the county in which his township is situated as to the presence and location of noxious weeds that have been reported or found within the township and the steps taken to bring about the destruction thereof, a copy of which report shall be forwarded to the board of supervisors to be kept on file and a copy of the same to be forwarded by them to the secretary of agriculture not later than the first day of December following.

Sec. 10-a2. Complaint—duty of county attorney.

It shall be the duty of the county attorney, upon complaint of any citizen that any officer charged with the enforcement of the provisions of this chapter has neglected or failed to perform his duty, to enforce the performance of such duty."

W. J. GOODWIN,
H. C. WHITE,
JAS. F. JOHNSON,
O. L. MEAD,

Conferees on part of the Senate.

J. A. KING,
W. C. CHILDREN,
FRANCIS JOHNSON,
G. L. VENARD,

Conferees on part of the House.

CONCURRENT RESOLUTION NO. 18

Senator Stoddard offered the following resolution:

Resolved by the Senate, the House concurring: That the Secretary of the Senate and the Chief Clerk of the House, be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the recess adjournment of the special session of the fortieth general assembly, and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of reading, correcting and certifying the records of the session; the shipping of books and supplies to the homes of the members and otherwise closing up the business of their respective offices: That the Secretary of the Senate and the Chief Clerk of the House are hereby authorized to correct the Journal of the Senate and House respectively for the last day preceding said recess adjournment; that each of said employes shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the auditor of state upon certification by the president and secretary of the Senate and the speaker and chief clerk of the House.

The resolution was laid over under the rules.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Senate failed to concur in House amendment No. 10 to Senate File No. 183.

A. J. SHINN

The conference committee report 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 Buser, House File No. 261, a bill for an act to amend, revise, and codify chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), chapter forty-six (46) of title thirty-three (33), and sections nine hundred (900) to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundred seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hundred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, and eighty-eight hundred fifty-two (8852), of the compiled code of Iowa; chapters seven (7) and twelve (12) of title (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), chapter fourteen-A (14-A) of title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one (1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-

two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods, drugs, and other articles, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Further action was deferred.

On motion of Senator Buser, House File No. 68, a bill for an act to amend, revise, and codify chapters twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19), of title eight (VIII) of the compiled code of Iowa and of the supplement to said code, relating to animal industry, 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 Sec. 64 by striking from line two after the word "tuberculin" the words "and other equipment" and insert in lieu thereof the words "and other material not including instruments and utensils".

Amend Sec. 74 by striking all of lines nine (9), ten (10) and eleven (11) following the word "dollars" in line nine (9) down to the period following the word "imprisonment" in line eleven (11). Also by inserting after the word "the" in line twelve (12) the word "breeding" and strike out of line thirteen (13) the word "his" and insert in lieu thereof the word "said".

Amend Sec. 76 by striking out the word "every" in line one (1) and inserting in lieu thereof the words "on or before November first of each".

Amend Sec. 77 by striking out of lines 2 and 3 following the comma after the word "department" the words "whenever it deems it necessary for the welfare of the state or".

Amend Sec. 116 by striking all of lines 6 and 7.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking out sections 1 to 26 inclusive of chapter 3.

The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out all of section 77.

Senator Stoddard invoked rule 8.

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

Ayes, 28.

Abben	Ethell	Nelson	Slosson
Baird	Haskell	Perkins	Smith
Bowman	Holdoegel	Price	Snook
Browne	Horchem	Reed	Stoddard
Caldwell	Johnston	Romkey	Thurston
Campbell	McIntosh	Scott	White
Dutcher	Mantz	Shaff	Wichman

Nays, 11.

Brookhart	Darting	Newberry	Shinn
Brookins	Fulton	Rees	Tuck
Buser	Mead	Shane	

Absent or not voting, 11.

Adams	Cessna	Hale	Olson
Banta	Gilchrist	Hartman	Schmedika
Bergman	Goodwin	Kimberly	

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, 31.

Abben	Ethell	Perkins	Smith
Baird	Holdoegel	Reed	Snook
Brookins	Horchem	Romkey	Stoddard
Browne	McIntosh	Scott	Thurston
Buser	Mantz	Shaff	Tuck
Caldwell	Mead	Shane	White
Campbell	Nelson	Shinn	Wichman
Darting	Newberry	Slosson	

Nays, none.

Absent or not voting, 19.

Adams	Cessna	Hale	Olson
Banta	Dutcher	Hartman	Price
Bergman	Fulton	Haskell	Rees
Bowman	Gilchrist	Johnston	Schmedika
Brookhart	Goodwin	Kimberly	

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

HOUSE FILE NO. 320 RECONSIDERED

Senator Brookhart moved that the motion to reconsider the vote by which House File No. 320 passed the Senate be taken from the table, which motion prevailed.

Senator Brookhart withdrew his motion to lay on the table.

On motion of Senator Brookhart the Senate reconsidered the vote by which House File No. 320 passed the Senate.

On motion of Senator Brookhart the vote by which House File No. 320 passed to its third reading was reconsidered.

On motion of Senator Brookhart the vote by which his amendments were adopted was reconsidered.

Senator Brookhart withdrew his amendments.

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, 32.

Abben	Campbell	Horchem	Shinn
Baird	Cessna	Johnston	Slosson
Bowman	Darting	McIntosh	Snook
Brookhart	Dutcher	Mantz	Stoddard
Brookins	Ethell	Mead	Thurston
Browne	Fulton	Reed	Tuck
Buser	Haskell	Romkey	White
Caldwell	Holdoegel	Shane	Wichman

Nays, none.

Absent or not voting, 18.

Adams	Hale	Olson	Schmedika
Banta	Hartman	Perkins	Scott
Bergman	Kimberly	Price	Shaff
Gilchrist	Nelson	Rees	Smith
Goodwin	Newberry		

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

HOUSE AMENDMENTS CONSIDERED

Senator Haskell called up for consideration Senate File No. 182, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking therefrom section twenty-five (25) and the five (5) lines preceding said section.

On the question "Shall the Senate concur?" the vote was:

Ayes, 35..

Abben	Darting	Mead	Shinn
Baird	Ethell	Nelson	Slosson
Bowman	Fulton	Perkins	Smith
Brookhart	Haskell	Price	Snook
Brookins	Holdoegel	Reed	Stoddard
Browne	Horchem	Rees	Thurston
Buser	Johnston	Romkey	White
Caldwell	McIntosh	Scott	Wichman
Campbell	Mantz	Shane	

Nays, none.

Absent or not voting, 15

Adams	Dutcher	Hartman	Schmedika
Banta	Gilchrist	Kimberly	Shaff
Bergman	Goodwin	Newberry	Tuck
Cessna	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 Buser, Senate File No. 318, a bill for an act to legalize the establishment of the County Area Tuberculosis Eradication Plan in the several counties of the state and the proceedings of boards of supervisors, county auditors, county treasurers, and the secretary of agriculture in the establishment of such areas, the levy, spreading, and collection of taxes therefor as is provided in chapter forty-eight (48) of the laws of the Fortieth (40th) General Assembly of Iowa, a bill by the committee on agriculture, was taken up and considered.

Senator Dutcher offered the following amendment and moved its adoption:

Amend by striking out section 3 and renumbering section 4 as section 3.

Senator Dutcher invoked rule 8.

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

Ayes, 24.

Abben	Dutcher	Mantz	Slosson
Baird	Fulton	Newberry	Smith
Bowman	Hartman	Perkins	Stoddard
Brookhart	Haskell	Reed	Tuck
Brookins	Holdoegel	Scott	White
Caldwell	Horchem	Shaff	Wichman

Nays, 16.

Browne	Darting	Mead	Shane
Buser	Ethell	Nelson	Shinn
Campbell	Johnston	Price	Snook
Cessna	McIntosh	Romkey	Thurston

Absent or not voting, 10.

Adams	Gilchrist	Kimberly	Rees
Banta	Goodwin	Olson	Schmedika
Bergman	Hale		

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by inserting the following before the last paragraph of the preamble:

"Whereas, it is the interpretation of the legislature of said chapter 48 of the laws of the Fortieth General Assembly that the establishment of such areas, the levy, spreading and collecting of taxes therefor are in conformity with the intention of the legislature in passing such act; and".

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

INTRODUCTION OF BILL

Senate File No. 321, by Senator Newberry, a bill for an act to amend, revise, and codify section twenty-five hundred forty-six (2546) of the compiled code, relating to the qualifications of school officers.

Read first and second times, and placed on the calendar.

REPORT OF COMMITTEE

Senator Shaff, submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which

was referred House File No. 315, a bill for an act to authorize the executive council to sell certain property of the state, 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.

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. 54-A, 69, 158, 230, 319.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 318.

Senator Brookhart withdrew his amendment.

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, 28.

Abben	Cessna	Holdoegel	Perkins
Adams	Dutcher	Horchem	Shaff
Baird	Ethell	Kimberly	Shane
Bowman	Fulton	McIntosh	Slosson
Brookhart	Gilchrist	Mantz	Tuck
Brookins	Hartman	Newberry	White
Caldwell	Haskell	Olson	Wichman

Nays, 10.

Buser	Price	Romkey	Snook
Darting	Reed	Shinn	Thurston
Johnston	Rees		

Absent or not voting, 12.

Banta	Campbell	Mead	Scott
Bergman	Goodwin	Nelson	Smith
Browne	Hale	Schmedika	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, Senators Bergman and Hale were excused from the call of the Senate.

On motion of Senator Stoddard, Senate File No. 309, a bill for an act authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase of said lands, at one hundred thousand dollars (\$100,000), a bill by the committee on appropriations, was taken up, considered, and the report of the committee adopted.

Senator Stoddard withdrew the following amendment:

Strike out all of section two (2) and insert in lieu thereof the following:

"The executive council is hereby authorized and directed to pay not more than one hundred thousand dollars (\$100,000) for said land, and, an amount of money necessary therefor is hereby appropriated from any unappropriated funds in the state treasury."

Senator Caldwell offered the following amendment and moved its adoption:

Amend by striking out section 2 thereof and substituting in lieu thereof the following:

"Section 2. Said council is authorized to pay not to exceed the sum of \$63,525.00 for said land and such sum as necessary is hereby appropriated from any unappropriated funds in the state treasury to pay for said land."

Senator Holdoegel offered the following amendment as a substitute for the amendment offered by Senator Caldwell and moved its adoption:

Strike out section 2 and substitute the following in lieu thereof:

"Section 2. Said council is authorized to pay not to exceed the sum of eighty-one thousand dollars for said land, and said sum, or so much thereof as may be necessary, is hereby appropriated from any unappropriated funds in the state treasury to pay for said land."

On the question "Shall the substitution be made?" the vote was:

Ayes, 21.

Adams	Goodwin	Kimberly	Romkey
Baird	Hartman	Nelson	Shaff
Banta	Haskell	Perkins	Slosson
Brookhart	Holdoegel	Price	Tuck
Browne	Horchem	Reed	White
Fulton			

Nays, 26.

Abben	Darting	Mead	Shinn
Bowman	Dutcher	Newberry	Smith
Brookins	Ethell	Olson	Snook
Buser	Gilchrist	Rees	Stoddard
Caldwell	Johnston	Scott	Thurston
Campbell	McIntosh	Shane	Wichman
Cessna	Mantz		

Absent or not voting, 3.

Bergman **Hale** **Schmedika**

The substitute amendment was lost.

On the question "Shall the amendment offered by Senator Caldwell be adopted?" the vote was:

Ayes, 28.

Abben	Cessna	Newberry	Shinn
Banta	Darting	Olson	Smith
Bowmnn	Ethell	Perkins	Snook
Brookins	Horchem	Reed	Stoddard
Buser	McIntosh	Rees	Thurston
Caldwell	Mantz	Scott	Tuck
Campbell	Nelson	Shane	Wichman

Nays, 19.

Adams	Fulton	Holdoegel	Romkey
Baird	Gilchrist	Johnston	Shaff
Brookhart	Goodwin	Kimberly	Slosson
Browne	Hartman	Mead	White
Dutcher	Haskell	Price	

Absent or not voting, 3.

Bergman **Hale** **Schmedika**

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, 29.

Abben	Ethell	Newberry	Shane
Baird	Gilchrist	Olson	Shinn
Banta	Goodwin	Perkins	Smith
Brookins	Horchem	Price	Snook
Caldwell	McIntosh	Reed	Stoddard
Campbell	Mantz	Scott	Thurston
Cessna	Mead	Shaff	Tuck
Darting			

Nays, 13

Adams
Brookhart
Browne
Buser

Fulton
Haskell
Holdoegel

Johnston
Kimberly
Rees

Slosson,
White
Wichman

Absent or not voting, 8.

Bergman
Bowman

Dutcher
Hale

Hartman
Nelson

Romkey
Schmedika

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Caldwell offered the following amendment to the title and moved its adoption:

Amend the title by striking out the words and figures "at one hundred thousand dollars (\$100,000)."

The amendment to the title was adopted.

The title, as amended, 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.

HOUSE AMENDMENTS CONSIDERED

Senator Shane called up for consideration House File No. 260, and moved that the Senate concur in the following amendments:

1. Strike out all of Senate amendment to section 1 and insert in lieu the following: "amend section 1 by striking out all of subsections 5 and 5-a1 and inserting in lieu the following:

5. "Physician" shall mean a person licensed to practice medicine and surgery, osteopathy and surgery, osteopathy, or chiropractic under the laws of this state, but a person licensed as a physician and surgeon shall be designated as a "physician" or "surgeon", a person licensed as an osteopath and surgeon shall be designated as an "osteopathic physician" or "osteopathic surgeon", a person licensed as an osteopath shall be designated as an "osteopathic physician", and a person licensed as a chiropractor shall be designated as a "chiropractor".

2. Amend senate amendment to line 5 of section 2 by striking the words "or practitioner".

3. Strike out Senate amendments to section 14.

4. Strike out of the Senate amendment which adds section 27-a1, the words "and not more than one member shall be appointed from any one congressional district," and insert in lieu the following: ". Not more than one of such health officers shall be appointed from any one congressional district."

5. Strike out all of Senate amendment to section 35 and insert in lieu thereof the following: Amend section 35 by striking out all after the word "from" in line 2 and insert in lieu thereof the following: "any funds in the state treasury not otherwise appropriated."

6. Strike out all of Senate amendment to section 242-a2.

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Abben	Cessna	McIntosh	Shinn
Adams	Darting	Mead	Slosson
Brookhart	Ethell	Nelson	Smith
Brookins	Fulton	Olson	Snook
Browne	Goodwin	Perkins	Stoddard
Buser	Hartman	Reed	Thurston
Caldwell	Haskell	Romkey	Tuck
Campbell	Johnston	Shane	White

Nays, 12.

Baird	Dutcher	Horchem	Scott
Banta	Gilchrist	Mantz	Shaff
Bowman	Holdoegel	Newberry	Wichman

Absent or not voting, 6.

Bergman	Kimberly	Rees	Schmedika
Hale	Price		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

SECOND CONFERENCE COMMITTEE REPORT ON HOUSE FILE 213 CONSIDERED

Senator Holdoegel withdrew the conference committee report previously filed on House File No. 213 and offered the following report:

MR. PRESIDENT: We, your conference committee on House File No. 213, move to substitute the following for the conference report on said bill filed April 9 (S. J. 1281, H. J. 1402):

We, your second conference committee appointed to consider the differences between the House and Senate in regard to certain amendments on House File No. 213, a bill relating to marriage and incest, beg leave to report that we have had said differences under consideration and have unanimously agreed upon the following report as a substitute for the House amendments to the Senate amendments to the bill designated as sections 2-a1, 2-a2, 2-a3, 2-a4 and 2-a5, and the House amendment to the Senate amendment to section 2-a1, by adding certain provisions thereto:

Amend the bill by inserting as subsection 5 of section 1 thereof the following:

"5. Where either of the parties to the proposed marriage contract is an idiot or an imbecile or under guardianship on account of being an incompetent."

Amend the bill by inserting as subsection 6 of section 1 thereof the following:

"6. Unless each party to the proposed marriage contract sign and file with the clerk an affidavit in the following form:

State of Iowa, County of, ss:

That, for the purpose of obtaining a marriage license, in conformity with law, I, being first duly sworn on oath, state:

That I am of the age of years, and a resident of County of State of

That I am about to enter into a contract of marriage with, a resident of, County of, State of

That, according to the best of my knowledge and belief, I am free from venereal disease.

.....
Subscribed and sworn to before me this day of, 19...
.....

(Add here the official title of the person administering oath, together with his seal, if any.)"

Amend the bill by inserting after section 2 as section 2-a1 of the bill the following:

"Sec. 2-a1. The clerk of the district court of each county shall furnish all blanks necessary for the use of applicants for marriage licenses."

Amend section 6 of the bill by inserting as subsection 5 the following:

"5. Between persons one of whom is an idiot or an imbecile or is under guardianship as an incompetent."

Amend the title by striking out the period (.) at the end of same and adding thereto the following: "and prescribing the qualifications for entering into a marriage contract and prohibiting the issuance of licenses to marry in certain cases."

P. C. HOLDOEGEL,
BYRON W. NEWBERRY,
GEO. S. HARTMAN,
BEN C. ABBEN, JR.,
Conferees on the part of Senate.

E. J. COLE,
CLARENCE KNUTSON,
T. L. WOLFE,
G. W. PATTERSON,
Conferees on the part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 29.

Abben	Fulton	Kimberly	Shaff
Adams	Gilchrist	Mead	Smith
Baird	Goodwin	Nelson	Snook
Banta	Hartman	Newberry	Stoddard
Brookins	Haskell	Perkins	Tuck
Browne	Holdoegel	Rees	White
Campbell	Horchem	Scott	Wichman
Darting			

Nays, 18.

Bowman	Dutcher	Olson	Shane
Brookhart	Ethell	Price	Shinn
Buser	Johnston	Reed	Slosson
Caldwell	McIntosh	Romkey	Thurston
Cessna	Mantz		

Absent or not voting, 3.

Bergman	Hale	Schmedika
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The conference committee report 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 conference committee report was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MOTION TO RECONSIDER CONSIDERED

Senator Shinn called up his motion to reconsider the vote by which the Senate failed to concur in House Amendment No. 10 to Senate File No. 183.

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

Ayes, 31.

Abben	Campbell	McIntosh	Shinn
Adams	Cessna	Nelson	Slosson
Banta	Darting	Olson	Snook
Bowman	Ethell	Price	Thurston
Brookhart	Gilchrist	Reed	Tuck
Browne	Hartman	Rees	White
Buser	Johnston	Romkey	Wichman
Caldwell	Kimberly	Shaff	

Nays, 16.

Baird	Goodwin	Mantz	Scott
Brookins	Haskell	Mead	Shane
Dutcher	Holdoegel	Newberry	Smith
Fulton	Horchem	Perkins	Stoddard

Absent or not voting, 3.

Bergman Hale Schmedika

The motion prevailed.

On the question "Shall the Senate concur in amendment No. 10 to Senate File No. 183?" the vote was:

Ayes, 31.

Abben	Campbell	McIntosh	Shinn
Adams	Cessna	Nelson	Slosson
Banta	Darting	Olson	Snook
Bowman	Ethell	Price	Thurston
Brookhart	Gilchrist	Reed	Tuck
Browne	Hartman	Rees	White
Buser	Johnston	Romkey	Wichman
Caldwell	Kimberly	Shaff	

Nays, 15.

Baird	Goodwin	Mead	Shane
Brookins	Haskell	Newberry	Smith
Dutcher	Horchem	Perkins	Stoddard
Fulton	Mantz	Scott	

Absent or not voting, 4.

Bergman Hale Holdoegel Schmedika

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

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Holdoegel called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 65 relating to the department of agriculture beg leave to report that they have had the same under consideration and beg leave to submit the following:

That the House concur in the Senate amendment to subsection one (1) section three (3) and that the following sentence be added to said subsection one (1): "Nothing herein contained shall be construed to subordinate either the department or the college in their several spheres of action."

P. C. HOLDOEGEL,

O. L. MEAD,

J. M. SLOSSON,

GEO. S. HARTMAN,

Conferees on part of Senate.

W. C. CHILDREN,

T. W. NAPIER,

HOWARD A. MATHEWS,

BREDE WAMSTAD,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 41.

Abben	Darting	McIntosh	Shane
Adams	Ethell	Mantz	Shinn
Baird	Fulton	Mead	Slosson
Banta	Gilchrist	Nelson	Smith
Bowman	Goodwin	Newberry	Snook
Brookhart	Hartman	Olson	Stoddard
Brookins	Haskell	Perkins	Thurston
Browne	Holdoegel	Reed	Tuck
Buser	Horchem	Scott	White
Caldwell	Kimberly	Shaff	Wichman
Cessna			

Nays, 1.

Johnston

Absent or not voting, 8.

Bergman	Dutcher	Price	Romkey
Campbell	Hale	Rees	Schmedika

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

CONFERENCE COMMITTEES APPOINTED

The President appointed as members of a conference committee on Senate File No. 169, Senators Haskell, Smith, Baird, and Fulton.

The President appointed as members of a conference committee on House File No. 262, Senators Newberry, Dutcher, Price and Shane.

SENATE FILE NO. 68 WITHDRAWN

By unanimous consent Senator Buser withdrew Senate File No. 68 from further consideration, the companion bill having passed.

The Journal of April 12th was corrected and approved.

Senator Ethell moved that the Senate adjourn until 9:30 a. m. Tuesday.

Senator Shaff moved to amend the motion by making the hour 9:00 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 9:30 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 15, 1924.

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 Shaff rule 33 was suspended for the day.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 31, 1924, he had signed Senate Files Nos. 304, 301, 305, 303, 203, 299, 179 and 91.

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 fifteenth day of April, sent to the Governor for his approval, Senate Files Nos. 9 and 247.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate, he had signed House Files Nos. 54-A, 69, 158, 230 and 319.

MESSAGES FROM 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. 121, a bill for an act relating to county road, bridge, and culvert system, and taxation therefor.

Also, that the House returns herewith without further action substitute for Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Schmedika moved that when the Senate adjourn today it be until 9:00 a. m. tomorrow.

Senator Brookhart moved to amend the motion by making the hour 9:30 a. m.

The amendment was lost.

The motion prevailed.

SENATE INSISTS ON AMENDMENTS

Senator Slosson moved that the Senate insist on its amendments to House File No. 277.

On the question "Shall the Senate insist?" the vote was:

Ayes, 38.

Abben	Fulton	Mead	Shane
Baird	Gilchrist	Nelson	Shinn
Bowman	Goodwin	Newberry	Slosson
Brookhart	Hartman	Perkins	Smith
Browne	Haskell	Reed	Snook
Caldwell	Holdoegel	Rees	Stoddard
Campbell	Horchem	Romkey	Thurston
Cessna	Johnston	Schmedika	White
Darting	McIntosh	Shaff	Wichman
Ethell	Mantz		

Nays, none.

Absent or not voting, 12.

Adams	Brookins	Hale	Price
Banta	Buser	Kimberly	Scott
Bergman	Dutcher	Olson	Tuck

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on House File No. 277, on the part of the Senate, Senators Slosson, Buser, Stoddard and Mead.

SENATE RECEDES FROM AMENDMENT

Senator Cessna moved that the Senate recede from its amendment to section 5 of House File No. 8.

On the question "Shall the Senate recede?" the vote was:

Ayes, 42.

Abben	Dutcher	Mead	Shane
Baird	Ethell	Nelson	Shinn
Bergman	Fulton	Newberry	Slosson
Bowman	Gilchrist	Olson	Smith
Brookins	Goodwin	Perkins	Snook
Browne	Hartman	Reed	Stoddard
Buser	Haskell	Rees	Thurston
Caldwell	Holdoegel	Schmedika	Tuck
Campbell	Horchem	Scott	White
Cessna	McIntosh	Shaff	Wichman
Darting	Mantz		

Nays, 4.

Brookhart	Johnston	Kimberly	Romkey
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Absent or not voting, 4.

Adams	Banta	Hale	Price
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The motion prevailed and the Senate receded from its amendment.

THIRD READING OF BILLS

On motion of Senator Buser, House File No. 261, a bill for an act to amend, revise, and codify chapters four (4), nine (9), ten (10), eleven (11), and fourteen (14) of title seven (7), chapter forty-six (46) of title thirty-three (33), and sections nine hundred (900) to nine hundred two (902), inclusive, nine hundred four (904) to nine hundred six (906), inclusive, nine hundred eight (908) to nine hundred thirteen (913), inclusive, fourteen hundred twenty-four (1424), fourteen hundred twenty-seven (1427) to fourteen hundred twenty-nine (1429), inclusive, fourteen hundred thirty-three (1433) to fourteen hundred thirty-nine (1439), inclusive, fourteen hundred forty-one (1441), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446) to fourteen hundred fifty-one (1451), inclusive, fourteen hundred fifty-three (1453) to fourteen hundred sixty-eight (1468), inclusive, fourteen hundred seventy (1470), fourteen hundred seventy-one (1471), fourteen hundred seventy-three (1473) to fourteen hundred seventy-seven (1477), inclusive, fourteen hundred seventy-nine (1479), fourteen hundred eighty (1480), fifteen hundred thirty-three (1533) to fifteen hundred thirty-five (1535), inclusive, fifteen hundred sixty-eight (1568) to fifteen hundred seventy-one (1571), inclusive, fifteen hundred seventy-three (1573) to fifteen hundred eighty-five (1585), inclusive, fifteen hun-

dred eighty-seven (1587) to fifteen hundred ninety-one (1591), inclusive, fifteen hundred ninety-three (1593) to sixteen hundred six (1606), inclusive, and eighty-eight hundred fifty-two (8852), of the compiled code of Iowa; chapters seven (7) and twelve (12) of title (7) of the compiled code and of the supplement to said code; chapter twenty-four (24) of title five (5), chapter fourteen-A (14-A) of title six (6), and sections fourteen hundred thirty (1430), fourteen hundred thirty-a one (1430-a1), fourteen hundred thirty-one (1431), fourteen hundred thirty-two (1432), fourteen hundred forty-five (1445), fourteen hundred forty-five-a one (1445-a1) to fourteen hundred forty-five-a three (1445-a3), inclusive, fourteen hundred seventy-eight (1478), fifteen hundred thirty-two-a one (1532-a1) to fifteen hundred thirty-two-a fourteen (1532-a14), inclusive, fifteen hundred thirty-two-a sixteen (1532-a16), fifteen hundred seventy-two (1572), and fifteen hundred eighty-six (1586) of the supplement to the compiled code of Iowa, relating to regulation and inspection of foods and other articles, was taken up and considered, the report of the committee having been previously adopted.

The committee amendments (found on page 1262 of the Senate Journal) were considered:

The amendments to sections 27-a1, 32, 42, and 49 were adopted.

Amendments to sections 67, 85 and 90 were adopted.

Senator Shaff offered the following amendment to the proposed section 90-a1 and moved its adoption:

Amend by striking from line 7 of said amendment the words and figures "one hundred dollars (\$100.00)" and inserting the words and figures "two dollars and fifty cents (\$2.50) per annum for each product manufactured."

By unanimous consent Senator Price was excused from the call of the Senate until 3:00 p. m. today.

Senator Ethell moved the previous question on the amendment to the amendment and the amendment, which motion was lost.

Senator Shinn was called to the chair at 11:15 a. m.

On the question "Shall the amendment offered by Senator Shaff to the proposed section 90-a1 be adopted?" the vote was:

Ayes, 25.

Abben	Darting	Haskell	Shaff
Baird	Dutcher	Holdoegel	Shane
Bergman	Ethell	Horchem	Smith
Bowman	Gilchrist	Mead	Stoddard
Brookins	Goodwin	Perkins	Thurston
Caldwell	Hartman	Scott	Tuck
Cessna			

Nays, 23.

Adams	Fulton	Newberry	Shinn
Banta	Johnston	Olson	Slosson
Brookhart	Kimberly	Reed	Snook
Browne	McIntosh	Rees	White
Buser	Mantz	Romkey	Wichman
Campbell	Nelson	Schmedika	

Absent or not voting, 2.

Hale Price

The amendment to the amendment was adopted.

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

Ayes, 33.

Abben	Dutcher	McIntosh	Shane
Baird	Ethell	Mead	Shinn
Banta	Gilchrist	Olson	Slosson
Bergman	Goodwin	Perkins	Smith
Bowman	Hartman	Reed	Stoddard
Brookins	Haskell	Rees	Thurston
Caldwell	Holdoegel	Scott	Tuck
Cessna	Horchem	Shaff	Wichman
Darting			

Nays, 15.

Adams	Campbell	Mantz	Schmedika
Brookhart	Fulton	Nelson	Snook
Browne	Johnston	Newberry	White
Buser	Kimberly	Romkey	

Absent or not voting, 2.

Hale Price

The amendment was adopted.

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

Amendments to sections 91 and 92 were adopted.

By unanimous consent on request of Senator Gilchrist the words and figures "ninety-a one (90-a1)" were inserted after the figures "(90)" in the first amendment to section 93.

Amendments to section 93 were adopted.

Amendments to sections 95, 101, 132 and 141 were adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend section 92, by inserting after the word "feed" in line 2 the words, "or stock tonic"; also by striking the word "feed." at the end of line three (3) and inserting in lieu thereof the word "products."

The amendment was adopted.

Senator Shaff withdrew the following amendment:

Amend by inserting after the word "milk" as it occurs in line 2 of said section, the following: "or cream or product thereof, unless such skim milk, cream or product thereof be the product of milk produced from cows that are known to be free from tuberculosis, as evidenced by a certificate issued within one year by an approved state veterinarian,".

Senator Shaff offered the following amendment and moved its adoption:

Amend the committee amendment to Sec. 49 by striking out the word "same" where it occurs in line 2, and inserting the following: "cream or milk from which the same is derived."

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend Sec. 49 as amended by the committee amendment, by inserting after the word "buttermilk" in line 2 of said amendment, the following: "unless such skimmed milk or buttermilk be the product of milk that is produced from cows that are known to be free from tuberculosis, as evidenced by a certificate issued within one year by an approved state veterinarian."

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Amend by striking the words "an approved state" from the last line and inserting the words "a registered" in lieu thereof.

Senator Shaff withdrew his amendment.

On motion of Senator Abben the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President John Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of House File No. 261.

Senator Shaff offered the following amendment and moved its adoption:

Amend by adding the following:

"Sec. 49-a1. No wholesaler or retailer of milk or cream shall offer or expose for sale any milk or cream unless the same is produced from cows known to be free from tuberculosis, as evidenced by a certificate issued within one year by an approved state veterinarian, or unless the same shall have been pasteurized according to the established regulations of the department of agriculture."

Senator Bowman offered the following amendment to the amendment and moved its adoption:

Amend by striking the word "cream" from line 2 and inserting in lieu thereof the words "its products."

Senator Brookhart offered the following amendment to the amendment and moved its adoption:

Amend by striking the words "approved state" from line 4 and inserting in lieu thereof the word "accredited".

The amendment offered by Senator Brookhart to the amendment was adopted.

Senator Smith moved the previous question on the amendment to the amendment and the amendment, which motion prevailed.

On the question "Shall the amendment offered by Senator Bowman to the amendment be adopted?" the vote was:

Ayes, 9.

Baird	Caldwell	Holdoegel	McIntosh
Bowman	Haskell	Horchem	Shaff
Brookins			

Nays, 35.

Abben	Ethell	Nelson	Shane
Adams	Fulton	Newberry	Shinn
Brookhart	Gilchrist	Olson	Slosson
Browne	Goodwin	Perkins	Snook
Buser	Hartman	Reed	Thurston
Campbell	Johnston	Rees	Tuck
Cessna	Kimberly	Romkey	White
Darting	Mantz	Schmedika	Wichman
Dutcher	Mead	Scott	

Absent or not voting, 6.

Banta	Hale	Smith	Stoddard
Bergman	Price		

The amendment to the amendment was lost.

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

Ayes, 31.

Abben	Cessna	Kimberly	Shaff
Adams	Darting	McIntosh	Shane
Baird	Dutcher	Mead	Smith
Banta	Goodwin	Newberry	Stoddard
Bowman	Hartman	Olson	Tuck
Brookhart	Haskell	Perkins	White
Brookins	Holdoegel	Reed	Wichman
Caldwell	Horchem	Scott	

Nays, 16.

Browne	Fulton	Nelson	Shinn
Buser	Gilchrist	Rees	Slosson
Campbell	Johnston	Romkey	Snook
Ethell	Mantz	Schmedika	Thurston

Absent or not voting, 3.

Bergman	Hale	Price
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The amendment was adopted.

By unanimous consent, on request of Senator Newberry, Senator Buser was excused from the call of the Senate for one hour.

Senator Shaff offered the following amendment and moved its adoption:

Amend Sec. 87 by inserting after the word "label" where it occurs in line 2 of said amendment, the following: "tag or insert in package".

By unanimous consent, on request of Senator Shaff the words "tag or insert in package" were stricken and the words "or tag" were inserted in lieu thereof.

The amendment was adopted.

Senator Cessna moved to reconsider the vote by which the committee amendment to section 32 was adopted, which motion prevailed.

Senator Cessna withdrew the amendment to section 32.

Senator Shane offered the following amendments and moved their adoption:

Amend section 87 by striking the word "english" as it occurs in line 3 and substituting in lieu thereof the word "official".

Also amend House File No. 261 by striking the comma (,) as it occurs after the word "vegetation" in line 5 of section 130 and substituting a period (.) and striking the rest of the sentence.

The first amendment offered by Senator Shane was lost.

Senator Shane withdrew the second amendment.

Senator Romkey offered the following amendment and moved its adoption:

Amend section 215 by adding thereto the following:

"5. If such person buy any commodity which is greater in weight or measure than that which is paid for by him and the weighing or measuring is done by the buyer."

The amendment was adopted.

Senator Bowman offered the following amendment and moved its adoption:

Amend section 49 by adding the following as section 49-a2:

"Sec. 49-a2. Failure to conform with the two preceding sections will upon conviction be punishable by a fine of not less than \$50.00 nor more than \$100.00."

The amendment was lost.

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking out sections 20, 21 and 22.

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

Ayes, 37.

Abben	Darting	Mead	Shane
Baird	Ethell	Nelson	Shinn
Banta	Goodwin	Newberry	Slosson
Bergman	Hartman	Perkins	Smith
Brokkhart	Haskell	Rees	Snook
Brookins	Horchem	Romkey	Stoddard
Browne	Johnston	Schmedika	Thurston
Caldwell	Kimberly	Scott	White
Campbell	Mantz	Shaff	Wichman
Cessna			

Nays, 4.

Bowman	Holdoegel	McIntosh	Reed
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Absent or not voting, 9.

Adams	Fulton	Hale	Price
Buser	Gilchrist	Olson	Tuck
Dutcher			

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, 35.

Abben	Dutcher	Mantz	Shaff
Adams	Fulton	Mead	Shane
Baird	Gilchrist	Nelson	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hartman	Olson	Snook
Brookins	Haskell	Perkins	Stoddard
Caldwell	Holdoegell	Reed	White
Cessna	Horchem	Rees	Wichman
Darting	Kimberly	Scott	

Nays, 3.

Johnston	Schmedika	Shinn
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Absent or not voting, 12.

Bowman	Buser	Hale	Romkey
Brookhart	Campbell	McIntosh	Thurston
Browne	Ethell	Price	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, on request of Senator Cessna, Senate File No. 261 was withdrawn from further consideration.

On motion of Senator Newberry, the rules were suspended and Senate File No. 321, a bill for an act to amend, revise, and codify section twenty-five hundred forty-six (2546) of the compiled code, relating to the qualifications of school officers, was 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, 41.

Abben	Banta	Brookins	Campbell
Adams	Bowman	Browne	Darting
Baird	Brookhart	Caldwell	Dutcher

Ethell	Johnston	Olson	Shinn
Fulton	Kimberly	Perkins	Slosson
Gilchrist	McIntosh	Reed	Smith
Goodwin	Mantz	Schmedika	Stoddard
Hartman	Mead	Scott	Thurston
Haskell	Nelson	Shaff	White
Holdoegel	Newberry	Shane	Wichman
Horchem			

Nays, none.

Absent or not voting, 9.

Bergman	Hale	Rees	Snook
Buser	Price	Romkey	Tuck
Cessna			

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 NO. 18 CONSIDERED

Senator Stoddard called up the following resolution for consideration:

Resolved by the Senate, the House concurring: That the Secretary of the Senate and the Chief Clerk of the House, be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the recess adjournment of the special session of the fortieth general assembly, and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of reading, correcting and certifying the records of the session; the shipping of books and supplies to the homes of the members and otherwise closing up the business of their respective offices: That the Secretary of the Senate and the Chief Clerk of the House are hereby authorized to correct the Journal of the Senate and House respectively for the last day preceding said recess adjournment; that each of said employes shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the auditor of state upon certification by the president and secretary of the Senate and the speaker and chief clerk of the House.

Senator Stoddard moved that the resolution be considered at this time.

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

Ayes, 22.

Abben	Adams	Baird	Banta
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Bergman	Holdoegel	Olson	Slosson
Darting	Horchem	Perkins	Stoddard
Dutcher	Mantz	Scott	White
Goodwin	Mead	Shaff	Wichman
Haskell	Newberry		

Nays, 23.

Bowman	Ethell	McIntosh	Shane
Brookhart	Fulton	Nelson	Shinn
Brookins	Gilchrist	Reed	Smith
Browne	Hartman	Rees	Thurston
Caldwell	Johnston	Romkey	Tuck
Cessna	Kimberly	Schmedika	

Absent or not voting, 5.

Buser	Hale	Price	Snook
Campbell			

The motion was lost.

THIRD READING OF BILLS

On motion of Senator Mantz, House File No. 114, a bill for an act to amend, revise, and codify sections two thousand seven hundred twenty-eight (2728) to two thousand seven hundred thirty-eight (2738), 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, 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, 42.

Abben	Bowman	Cessna	Gilchrist
Adams	Brookhart	Darting	Goodwin
Baird	Brookins	Dutcher	Hartman
Banta	Browne	Ethell	Haskell
Bergman	Caldwell	Fulton	Holdoegel

Horchem	Olson	Shaff	Stoddard
Kimberly	Perkins	Shane	Thurston
McIntosh	Reed	Shinn	Tuck
Mantz	Rees	Slosson	White
Mead	Schmedika	Smith	Wichman
Newberry	Scott		

Nays, none.

Absent or not voting, 8.

Buser	Hale	Nelson	Romkey
Campbell	Johnston	Price	Snook

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.

By unanimous consent, on request of Senator Mantz, Senate File No. 114 was withdrawn from further consideration.

On motion of Senator Goodwin, the rules were suspended and House File No. 315, a bill for an act to authorize the executive council to sell certain property of 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 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	Cessna	Mantz	Shane
Adams	Darting	Mead	Shinn
Baird	Ethell	Nelson	Slosson
Banta	Gilchrist	Newberry	Snook
Bergman	Goodwin	Olson	Stoddard
Brookhart	Hartman	Perkins	Thurston
Brookins	Haskell	Reed	Tuck
Browne	Holdoegel	Romkey	White
Caldwell	Horchem	Shaff	Wichman
Campbell	Kimberly		

Nays, none.

Absent or not voting, 12.

Bowman	Fulton	McIntosh	Schmedika
Buser	Hale	Price	Scott
Dutcher	Johnston	Rees	Smith

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.

The Senate resumed consideration of concurrent resolution No. 18.

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

Ayes, 45.

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

Nays, none.

Absent or not voting, 5.

Browne	McIntosh	Rees	Romkey
Hale			

The resolution was adopted.

SENATE INSISTS ON AMENDMENTS

Senator Perkins moved that the Senate recede from its amendments to House File No. 84.

On the question "Shall the Senate recede?" the vote was:

Ayes, 22.

Abben	Fulton	Newberry	Rees
Adams	Holdoegel	Olson	Shaff
Banta	Kimberly	Perkins	Slosson
Bergman	Mantz	Price	Smith
Darting	Mead	Reed	Snook
Dutcher	Nelson		

Nays, 27.

Baird	Brookhart	Browne	Caldwell
Bowman	Brookins	Buser	Campbell

Cessna	Haskell	Schmedika	Thurston
Ethell	Horchem	Scott	Tuck
Gilchrist	Johnston	Shane	White
Goodwin	McIntosh	Shinn	Wichman
Hartman	Romkey	Stoddard	

Absent or not voting, 1.

Hale

The Senate refused to recede from its amendments.

Senator Bowman moved that the Senate insist on its amendments to House File No. 84.

On the question "Shall the Senate insist?" the vote was:

Ayes, 30.

Baird	Cessna	Price	Shinn
Bowman	Ethell	Rees	Slosson
Brookhart	Gilchrist	Romkey	Snook
Brookins	Goodwin	Schmedika	Stoddard
Browne	Haskell	Scott	Tuck
Buser	Horchem	Shaff	White
Caldwell	Johnston	Shane	Wichman
Campbell	McIntosh		

Nays, 18.

Abben	Dutcher	Mantz	Olson
Adams	Fulton	Mead	Perkins
Banta	Hartman	Nelson	Reed
Bergman	Holdoegel	Newberry	Smith
Darting	Kimberly		

Absent or not voting, 2.

Hale Thurston

The motion prevailed and the Senate insisted on its amendments.

MOTION TO RECONSIDER CONSIDERED

Senator Shaff moved that the vote by which the Senate failed to adopt and concur in the conference committee report on House File No. 66 be reconsidered.

On the question "Shall the motion prevail and the vote be reconsidered?" the vote was:

Ayes, 27.

Abben	Dutcher	Kimberly	Scott
Adams	Gilchrist	Mantz	Shaff
Baird	Goodwin	Mead	Slosson
Banta	Hartman	Newberry	Smith
Bergman	Haskell	Olson	Stoddard
Campbell	Holdoegel	Perkins	Wichman
Darting	Horchem	Reed	

Nays, 22.

Bowman	Cessna	Price	Shinn
Brookhart	Ethell	Rees	Snook
Brookins	Fulton	Romkey	Thurston
Browne	Johnston	Schmedika	Tuck
Buser	McIntosh	Shane	White
Caldwell	Nelson		

Absent or not voting, 1.

Hale

The motion prevailed.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 28.

Abben	Darting	Horchem	Reed
Adams	Dutcher	Kimberly	Scott
Baird	Gilchrist	Mantz	Shaff
Banta	Goodwin	Mead	Slosson
Bergman	Hartman	Newberry	Smith
Bowman	Haskell	Olson	Stoddard
Campbell	Holdoegel	Perkins	Wichman

Nays, 21.

Brookhart	Ethell	Price	Shinn
Brookins	Fulton	Rees	Snook
Browne	Johnston	Romkey	Thurston
Buser	McIntosh	Schmedika	Tuck
Caldwell	Nelson	Shane	White
Cessna			

Absent or not voting, 1.

Hale

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Brookhart called up for consideration Senate File No. 309, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out the figures "\$63,525" in line two (2) of section two (2) and inserting in lieu thereof the figures "72,000".

On the question "Shall the Senate concur?" the vote was:

Ayes, 28.

Abben	Caldwell	Johnston	Scott
Adams	Dutcher	Kimberly	Shaff
Baird	Fulton	Nelson	Slosson
Banta	Gilchrist	Perkins	Smith
Bergman	Goodwin	Price	Stoddard
Brookhart	Holdoegel	Reed	Tuck
Browne	Horchem	Romkey	White

Nays, 21.

Bowman	Ethell	Mead	Shane
Brookins	Hartman	Newberry	Shinn
Buser	Haskell	Olson	Snook
Campbell	McIntosh	Rees	Thurston
Cessna	Mantz	Schmedika	Wichman
Darting			

Absent or not voting, 1.

Hale

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

Senator Brookhart moved that the vote by which the amendment was concurred in be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Fulton called up for consideration Senate File No. 186, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend by striking the letter "s" at the end of the word "chapters" in line one of the title and by striking from line one of the title the words and figure "and four (4)".
2. Amend by striking the letter "s" at the end of the word "chapters" in line one following the enacting clause, and by striking from said line the words and figure "and four (4)".
3. Amend by inserting after the word "data" in line five of section twenty-one the following: "and payment of fees".
4. Amend by adding at the end of section twenty the following: "upon payment of the required fees."
5. Amend section five by inserting in line five following the word "inspection" the words "and license". Also amend line eight by inserting after the word "inspection" the words "and license". Amend by striking from line nine the words "permit fees and inspection".
6. Amend section four by striking the words "state board" as they appear in lines three and six, and inserting in lieu thereof the word "department".
7. Amend section seven, line eight, by inserting after the word "inspection" appearing twice in said line the following: "and license".

President pro tem. Price took the chair at 4:45 p. m.

Senator Brookins asked as a matter of personal privilege that the following remarks be printed in the Journal:

"As far as the chairman of the committee on conservation is concerned, the idea of the Senator from Taylor in sending this bill to a conference committee with the idea of excepting the small dams, say possibly from forty to fifty horse power, and also the proposition as brought up by the Senator from Muscatine, will not be objected to."

On the question "Shall the Senate concur?" the vote was:

Ayes, 6.

Banta	Brookins	Newberry	Price
Bowman	Campbell		

Nays, 39.

Abben	Fulton	Nelson	Shinn
Adams	Gilchrist	Olson	Slosson
Baird	Goodwin	Perkins	Smith
Bergman	Hartman	Reed	Snook
Browne	Haskell	Rees	Stoddard
Buser	Johnston	Romkey	Thurston
Cessna	Kimberly	Schmedika	Tuck
Darting	McIntosh	Scott	White
Dutcher	Mantz	Shaff	Wichman
Ethell	Mead	Shane	

Absent or not voting, 5.

Brookhart	Hale	Holdoegel	Horchem
Caldwell			

The House amendments having failed to receive a constitutional majority were declared to have failed to be 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. 316, a bill for an act legalizing a school election held in the independent school district of Indianola, in the county of Warren, on the 10th day of March, 1924.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 309, a bill for an act authorizing the purchase by the state of Iowa of certain lands and making an appropriation for the purchase of said lands.

Also, that the Speaker has appointed as conference committee on the part of the House on House File No. 262, a bill for an act relating to the practice of certain professions affecting the public health, Representatives Buifington, Gilbertson, Dewar and Weber.

Also, that the Speaker has appointed as conference committee on the part of the House on House File No. 277, a bill for an act relating to motor vehicles, travel upon the public highways, and criminal offenses relative to said subject matters, Representatives Garber of Adair, Criswell, McClune and Dewar.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 316, a bill for an act to legalize a school election held in the independent school district of Indianola, in the county of Warren on the tenth (10th) day of March, nineteen hundred twenty-four (1924), whereat there was submitted to the voters of said independent school district, pursuant to a resolution adopted by the board of directors thereof, a proposition to issue bonds of said district in the sum of one hundred seventy-five thousand dollars (\$175,000.00), the funds arising from the sale thereof, to be used for the purpose of construction and equipping a school building and procuring a site therefor.

Read first and second times and referred to committee on judiciary No. 1.

REPORTS OF COMMITTEES

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 211, 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 commodity or article of commerce and penalties for violation of said provisions, beg leave to report it has had the same under consideration and recommends the adoption and passage of the following substitute:

A bill for an act to amend, revise and codify chapter twelve (12) of title twenty-one (XXI), sections six thousand two hundred nineteen (6219) to six thousand two hundred twenty-nine (6229), inclusive, and six thousand two hundred thirty-four (6234) to six thousand two hundred thirty-six (6236), inclusive, of the compiled code of Iowa, relating to unlawful discrimination, combinations, pools and trusts in buying, selling, handling, storing and transporting commodities and articles of commerce and prescribing punishment and penalties for violations, and means and methods

of enforcement thereof, and defining the duties of certain officers in respect thereto.

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 322, a bill for an act to make emergency appropriation for the Iowa School for the Deaf, 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. 325, a bill for an act making an appropriation for the Iowa State College of Agriculture and Mechanic Arts, 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.

CONFERENCE COMMITTEE REPORTS FILED

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House 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, beg leave to report that we have had these differences under consideration and have been unable to agree on any compromise on the differences existing between the Senate and House on said bill.

R. P. SCOTT,
GEO. B. PERKINS,
B. J. HORCHEM,
J. L. BROOKHART,
Senate conferees.

OSCAR ULSTAD,
WARD B. SMITH,
W. L. LONG,
W. R. BLAKE,
House conferees.

MR. PRESIDENT: Your conference committee on Senate File No. 153 beg leave to submit the following recommendations:

Amend the title by striking out all thereof and substituting the following:

An act to amend, revise, and codify sections three thousand four hundred seventy-one (3471) to three thousand four hundred seventy-three

(3473) inclusive, and three thousand five hundred nineteen (3519), also three thousand four hundred seventy-nine (3479) to three thousand four hundred eighty-one (3481) inclusive, three thousand four hundred eighty-four (3484), and three thousand four hundred eighty-six (3486) to three thousand four hundred ninety-seven (3497) inclusive, and three thousand five hundred four (3504) of the compiled code of Iowa, relating to municipal corporations.

Amend the bill by striking out the three lines preceding section 5-a1 and secs. 5-a1 to 5-a4 inclusive, and insert the following:

"That section three thousand four hundred eighty-one (3481) of the compiled code of Iowa is amended, revised, and codified to read as follows:"

Also amend the bill by striking out section 8 and the two lines preceding same and insert the following:

"That sections three thousand four hundred seventy-nine (3479), three thousand four hundred eighty (3480), three thousand four hundred eighty-four (3484), and three thousand four hundred eighty-six (3486) to three thousand four hundred ninety-six (3496) inclusive, of the compiled code of Iowa are amended, revised, and codified to read as follows:

"Sec. 8. Platted territory adjoining any city or town may be annexed thereto and become a part thereof by proceeding as follows:

1. The council of the city or town desiring to annex adjoining territory may so provide by resolution, therein describing the territory proposed to be annexed and directing the mayor to institute therefor a suit in equity against the owners of such property.

2. The petition shall contain:

(a) A description of the entire property proposed to be annexed and of that portion thereof owned by each defendant.

(b) The facts constituting the desirability of such annexation.

(c) A plat of such territory showing its relation to the corporate limits.

3. If the court finds in favor of the annexation it shall enter a decree accordingly, and if not the petition shall be dismissed. No costs shall be taxed against any defendant who fails to make defense.

Sec. 8-a1. Annexation of territory not platted—procedure.

Territory, not platted, adjoining any city or town may be annexed thereto and become a part thereof by proceeding as follows :

1. The council may provide by resolution adopted at least one month before any regular election, for the annexation of territory described therein.

2. The proposition shall be submitted to the voters at said election in the following form:

"Shall the proposition to annex the territory described in the resolution adopted by the council of the city or town of on the day of be approved?"

Notice of the submission of said proposition shall be given by publication in a newspaper of general circulation in said city or town once each week for four consecutive weeks preceding said election.

3. If the proposition is adopted by a majority of those voting thereon, the council shall cause to be filed in the district court a suit in equity against the owners of the property proposed to be annexed describing in the petition such property and attaching thereto a plat thereof showing its location in reference to the limits of such city or town.

4. Like proceedings shall be had as provided in section eight (8) hereof.

Sec. 8-a2. In case any territory adjoining any city or town has been platted into tracts of less than ten acres and has been substantially built up and the inhabitants thereof are enabled to secure the benefits of the city or town government in the way of police and fire protection, or may be furnished with light and water by said city or town or under a franchise granted thereby the council of the city or town may by resolution incorporate such territory into the city or town.

Sec. 8-a3. Application for annexation.

All the owners of any territory adjoining any city or town may make application, in writing, to the council of such city or town, attaching thereto a plat of such territory showing the situation thereof with reference to the existing limits of such city or town, and if the council thereof, by resolution, assent thereto, such territory shall thereafter be and become a part of such city or town.

Sec. 8-a4. Ten per cent (10%) of the inhabitants of any platted territory adjoining any city or town may petition the council thereof to have such territory annexed thereto. The council may consent to such annexation or submit the matter to the voters of said city or town, and if the council consent or the proposition carries at the election the proceedings shall be the same as provided in section eight (8) hereof, except that the petitioners shall be plaintiffs and the city or town and all the owners of property in the territory, other than the petitioners, shall be defendants.

Sec. 8-a5. Severance of territory.

Territory may be severed from any city or town by proceeding as follows:

1. A majority of the resident property owners of such territory or the city or town may bring suit in equity in the district court therefor and the proceedings shall so far as applicable be the same as provided in section eight (8) hereof. Notice of suit shall be such as the court may direct.

2. If the court finds that such territory, or any part thereof, shall be severed from any city or town, it shall thereupon appoint three disinterested persons as commissioners to examine into the matter and the equitable distribution of the assets, and equitable distribution and assumption of the liabilities of such city or town which have accrued during the time such territory has been a part thereof, as between such city or town and the severed territory.

3. The commissioners shall receive evidence on the question from the parties interested and submit their findings to the court at the next term thereof and any interested party may file objections thereto and the court shall determine the matter by trial de novo and enter a decree in accordance with the very right of the matter.

Sec. 8-a6. Filing of records.

When any territory has been annexed to or severed from any city or town the clerk thereof shall make and certify a transcript of such part of the records of such city or town as shows the final action of the council and shall file the same for record in the office of the recorder of the county in which the city or town is located and also in the office of the secretary of state. And in like manner the clerk of the district court shall make and file a certified copy of the record of the final action of the court on such proceedings and when such certified copies have been filed the annexation or severance, as the case may be, shall be complete and all persons shall be bound to take notice thereof."

W. S. BAIRD,
C. J. FULTON,
E. W. ROMKEY,
B. J. HORCHEM,

Conferees on part of Senate.

L. B. FORSLING,
W. R. BLAKE,
S. L. GRAHAM,
A. C. NOBLE,

Conferees on part of House.

REPORT OF INSURANCE INVESTIGATION COMMITTEE

MR. PRESIDENT: Your special committee appointed under the resolution of the Senator from Jackson found on page 602 of the Senate Journal to investigate matters connected with the insurance department and the insurance business of the state, after a thorough investigation of the department and the insurance business, including the examination of many witnesses and the admission and examination of much documentary evidence make the following report.

"First. The resolution introduced by the Senator from Jackson found on page 563 of the Senate Journal asked for investigation of three specific items:

a. *Whereas*, The insurance department has recently appeared in court and defended irregular proceedings in one fire insurance company; and

b. *Whereas*, There is reason to believe that some companies have paid illegal dividends; and

c. *Whereas*, The fire insurance companies of Iowa do not come under the blue sky provisions of the law and the people have no protection in these companies except that afforded by the report of the insurance commissioner."

We have investigated these matters very carefully and our findings as to the same are as follows:

1st. The insurance department did appear and answer or intervene in the case of John A. Thompson & Co. vs. The North American National Fire Insurance Company tried in the District Court of Polk county, Iowa,

in which the court was asked to appoint a receiver for said company. Your committee finds however, that the law required the service of notice upon the commissioner of insurance and the attorney general in such cases; that no attempt was made by them in said cause to condone or excuse mismanagement or improper acts on the part of the officers of said company but that the department and the attorney general resisted the claim for the appointment of a receiver for said company because they deemed such appointment would not be for the best interest of the policy holders and stock holders; that the court sustained the contention of the department and the attorney general in that respect, and that all parties concerned including the stockholders involved in the case concede that such refusal was for the best interest of all persons interested in said company.

In connection with this case some criticism was made, by certain brokers in Des Moines, of the department of insurance for sending out a questionnaire to the stockholders of this and some ten other companies to ascertain what influences were being brought to bear upon the stockholders to sell their stock and what representations were made to them to induce them to sell. This questionnaire named no particular companies, and referred to no particular brokers, but hundreds of answers were received thereto, nearly all referring to the stock of this one company and to one firm of brokers, and practically all persons answering claimed gross fraud and misrepresentation on the part of the agents trying to buy such stock, and showed that a strenuous campaign was being made by such brokerage firm to induce the sale of the stock at values much less than the book or actual value and for the purpose of obtaining control of the company and then liquidating the same, thereby realizing large profits on the stock so purchased.

Your committee finds the department was only trying to protect the stockholders in these companies from selling their stock at much less than its true value and that the action taken by them in sending out said questionnaire was proper and they should be commended instead of criticised therefor.

Second. So far as the payment of illegal dividends is concerned during the term of the present insurance commissioner or his predecessor, your committee find and report that no illegal dividends were so paid, and that the commissioner under existing law has no power to prevent or interfere with the payment of dividends.

Dividends were paid by several companies out of surplus, in some cases contributed surplus, but your committee is advised by their legal advisor, the attorney general of the state, that such payments were not a violation of existing law and could not have been prosecuted by the insurance commissioner nor did he have any power to punish such companies by cancellation of their authority so long as such payments did not infringe upon the insurance reserve or impair the capital required by law for the protection of policyholders or reduce the surplus below 25 per cent of the capital.

Your committee is of the opinion and recommends that much more authority should be given the insurance department than it now has in

the matter of the payment of dividends. Some relief has already been afforded by the passage of Senate File No. 207.

Third. It is true as a matter of law, that the organization of insurance companies in the state of Iowa do not come under the supervision of the secretary of state so far as the sale of their stock is concerned, but a very similar law was enacted at about the same time that the existing blue sky laws were enacted which gives the insurance commissioner the same power over the sale of these stocks that the secretary of state has over other stocks and such companies as have been organized since that law went into effect in 1921, have been so supervised by the insurance commissioner and no criticism as to promotion of such companies or stock sales by them has been presented to your committee. It is our opinion that such supervision should remain with the insurance department and should not be transferred to the secretary of state.

It is common knowledge that the practice of promoters of speculative stocks are reprehensible. It is not common knowledge that the arts and artifices of those who depreciate the stock of a corporation in order to purchase it cheap with a view to dissolving the corporation and to profit from the assets are equally reprehensible. This conscienceless class even have the hardihood to throw over their dealings the mantle of probity and honor.

These strictures apply mainly to organizations whose officers on account of their piratical instincts must be controlled by regulatory and penal statutes. They are not meant to express a universal condemnation. Most of our insurance companies, particularly those of life and fire, are conducted by men with a strong sense of their responsibility to their policyholders and stockholders. Their successful development and high standing cannot otherwise be accounted for. Their growth in every proper way should be encouraged.

We therefore find, so far as the insurance department is concerned that the charges made in the resolution have not been proven and your committee is firmly convinced by the evidence submitted to them that the insurance commissioner is doing all in his power to enforce the insurance laws of the state and to protect policyholders and stockholders in all kinds of companies from loss so far as the law has given him authority so to do.

SECOND

Your committee make further report under the authority of the McIntosh resolution which reads as follows:

"Whereas, A special committee has been appointed to consider charges reflecting upon the conduct of the insurance department; and

Whereas, This committee has not been directed by said resolution to inquire into the manner in which certain fire and life insurance companies have recently consolidated or are now attempting to consolidate; and

Whereas, It is alleged that fraternal insurance companies are seeking to call in current policies and to issue new ones therefor and in so doing are altering both conditions and rates; now, therefore,

Be It Resolved: That this special committee be instructed to widen the scope of its examinations sufficiently to learn, if possible, what practices obtain in these to acquire stock, what inducements in the way of commissions, official position and salaries enter into such agreement, whether a surplus has been created by the cancellation of stock and, if so, what representations were made to the stockholders, what the desirability is for calling in current policies and issuing new, whether this is in any respect harmful to the policyholder, whether any of such have been carried on contrary to law and if not, whether any certain legislation should be enacted affecting these conditions.

While we have not had time to go into this matter as thoroughly as should be done, we have examined into the operations of several of our domestic companies and also availed ourselves of the hearty cooperation offered by the state legal department and many of the suggestions of the attorney general are embodied into this report.

The magnitude of the insurance business of Iowa is unknown to the great bulk of our people. This business has in the past few years been developing by leaps and bounds and today Iowa ranks third in the United States in the number of home companies. Iowa's companies transact business in nearly every state in the nation and the total business in force approximates six billion dollars. The assets of the companies aggregate more than one-fourth of a billion dollars. More than one hundred million dollars of the insurance money of Iowa companies is loaned on Iowa farms. The amount of securities deposited under the Iowa deposit laws has been increased at a rate of twenty million dollars per year.

While your committee has discovered many irregularities and improper and exceedingly extravagant practices of some officials, it should not be understood that these irregularities are prevalent to any great extent among our companies. There is, in fact, much to commend; some having self imposed restrictions in the way of expenditures of salaries and commissions, much more stringent than those imposed by law and in consequence they are now enjoying the merited confidence of the public in every state of the union. But we are very desirous of seeing written into our statutes laws which would prevent a recurrence of any unbusinesslike and extravagant methods, thereby protecting the policyholder and the stockholder. Our good companies are entitled to protection from the unfair competition of any company organized under the laws of this or any other state which does not measure up to the proper high standard.

The matter of fraternal insurance has frequently been called to our attention. On account of the misconception so many have of the fundamental principles of life insurance, it is a somewhat delicate and difficult question to handle. Hundreds of thousands have secured these certificates with the belief that they were procuring permanent life insurance, when the clearly inadequate rates they were paying doomed their organization, sooner or later, to readjustment or dissolution; and while the government of these associations is theoretically vested in the entire membership, in actual practice, it is not, as about all who attend their councils are the officers, sub-officers and deputies, consequently they are able to perpetuate themselves in office, regardless of service rendered. Yet these societies

supply a need that could hardly be obtained in any other way. Their lodge system reaches many who would hardly think of insurance in any other form and they at least offer cheap protection to the young and those early in middle life, during the period of the establishment of the home, when protection is needed more than in any other period of life. So it is doubtful if the state should interfere to any great extent with these societies, even though the rates are not sufficient. Rather, it would seem that any number of persons should have the right to associate themselves together under the agreement to pay the estate of the deceased member, a certain specified sum. The protection from day to day, being sufficient compensation for the amount contributed. The state, should, however, regulate the official conduct of officers, and where the rate charged is clearly inadequate, enforce policy or certificate forms that would leave no doubt in the minds of the members as to the nature of the protection carried.

Of the legal reserve or level premium life companies we have made practically no investigation, consequently, our observations and recommendations are more general than specific. Our law requiring deposits of securities representing the legal reserve on life policies with the insurance commissioner is a splendid law and inspires confidence in our companies in this and all other states. But we should bear in mind that the reserve is not all of the premium to which the policyholder under normal conditions has a right. In level premium life insurance we are looking a considerable distance into the future. The net premiums being based on two uncertainties, interest rates, and mortality hence the amount collected must of necessity be considerable in excess of the amount actually needed under normal conditions. The excess interest earning and mortality savings all rightfully belong to the policyholder and can be so conserved, by statutory regulations of expenditure. Many of our companies are returning to their policyholders, annually, in the form of dividends, the excess interest earning and mortality savings, which is evidence that the company which renders the greatest service to the policyholders eventually enjoys the greatest prosperity.

We wish to call brief attention to the mutual hail companies of which there are several, organized under our laws. Unfortunately, our laws governing this class of insurance, impose very little restrictions in the way of assessments and its expenditure, and our examination into the financial operations of these companies reveals extravagance of a startling nature. A company which expends far in excess of one-half of the amounts collected from its members in salaries and commissions, should not be allowed to masquerade in the guise of a mutual, and we urgently advise a speedy revision of our laws governing this class of insurance.

Your committee finds under the provisions of the McIntosh resolution:

- 1st. That while a number of consolidations of both fire and life insurance companies have been recently made, in our opinion it was to the best interest of the policyholders in the companies so consolidating, to make the same.

Such consolidations in the case of life companies must be approved by the Governor, Attorney General and Insurance Commissioner, who constitute the insurance commission, and in the case of companies other than

life by the Attorney Genreal and Insurance Commissioner.

We find that these officials investigate the details of the consolidation carefully and particularly as to how it will affect the policyholders and stockholders therein, and that in many cases they have refused approval of such consolidations until the terms were modified in such respects as to better protect policyholders and investors.

We find however, that in some cases, secret side agreements were made which would not have been approved had they been known to said commission. Such agreements were later discovered in examination of the consolidated company.

We make some recommendations herein for changes in the law which would prohibit such side agreements, making them void, and perhaps authorize the commissioner to prevent the non-resident company, absorbing a local company, from doing business in Iowa until such agreements have been cancelled.

2nd. That more complaints were received by your committee from parties holding fraternal insurance certificates than from any other source, and your committee is convinced that much hardship and suffering has been caused by the attempted forced change in rates on such certificates. This matter is referred to more fully in another part of this report, but we desire to say here that we find the overhead expense in many fraternal associations is much larger than it should be; that extravagant salaries are paid, such as \$6,000 a year to directors who give but a small portion of their time to the business of the association, and that careful, economical management would reduce materially the cost of this class of insurance.

We find further that the rates charged, up to a few years ago, in most of these companies was an inadequate rate so far as protection for the future was concerned and that the only value of insurance based on such inadequate rates would be the protection received from day to day while the association is in a solvent condition.

We are of the opinion and recommend that these associations should be permitted to operate with at least two classes of rates, the first applying to those who do not care for the future security and the second to those who are willing to pay an adequate level premium rate, but that the members should be fully advised by the associations advertising and certificates which class of insurance they are buying and just what protection they are getting; that the funds of the one class should never be used to pay losses in the other and all expenses of management should be carefully apportioned between the two classes according to the cost of obtaining the same.

THIRD

In insurance matters the first consideration always is the protection of the policyholders. In recent years the increase in the business and its spread in new lines have been enormous. New relations and new conditions, unforeseen a generation ago, have arisen. With this progress our laws have not kept pace and in our judgment need a general and careful

revision to make them effective and bring them in harmony with the times. We would suggest there should be specific legislation as follows:

1st. That the law in reference to fraternal insurance associations be amended so as to require that all bylaws be approved by the Insurance Commissioner, the present law being uncertain in that respect.

2nd. That the law as to fraternal insurance rates be made more certain and definite and that their authority to write more than one class of risks with a different rate for each class be made more definite.

3rd. That without interfering too much with the details of the management, the commissioner be given more authority to supervise the management of fraternal insurance associations so as to be able to curb extravagance and to prevent misappropriations.

4th. The Commissioner of Insurance should be appointed receiver of insurance companies in all cases when an appointment is ordered by a court and should act without additional compensation.

5th. Enact a uniform law applicable to all companies authorizing the insurance commissioner to institute action to remove officers for misconduct or mismanagement. The same power should be vested in the court in all receivership proceedings.

6th. The statute providing for loans to officers and directors should be made more stringent and extended to dealings with companies in which the officer or directors are interested.

7th. Laws as to consolidation should be amended.

(a) So as to give commissioner supervision of kind of notice given stockholders to meetings called to consolidate.

(b) Require examination by commissioner prior to consolidation.

(c) Same requirements should apply to all companies.

(d) All side agreements should be prohibited.

8th. The insurance commission should have supervision over all companies in the matter of reinsurance.

9th. No dividends should be paid that will impair reserves, reduce surplus below 25% of capital or out of contributed surplus. Payment of dividends at all times should be under supervision of the commissioner.

10th. Capital stock should not be reduced except by three-fourths vote of stockholders and then only with approval of commissioner of insurance and attorney general.

11th. The insurance commissioner should have more control over the sale and purchase of insurance stocks. Brokers in these stocks should obtain license and be under the supervision of the insurance commissioner.

12th. The commissioner should have the authority to make a physical examination of all property described in securities filed with him and funds should be furnished him for that purpose.

13th. The laws as to assessment companies should be revised so as to prevent extravagance and to limit assessment to losses and necessary expenses.

Your committee further report that the time at our command, without

neglecting the other work in the Senate, has not permitted us to make a complete and thorough investigation of what changes should be made in the existing insurance laws to make them more workable, and so as to more effectively protect both the policyholder and stockholder.

We further report that we deem it inadvisable to attempt to draft bills, curing the matters herein recommended, for submission to this special session of the Fortieth General Assembly for the reason that such laws should not only be carefully drafted but time should be taken to carefully consider them and we therefore recommend that a committee be appointed to further investigate the necessity for revision of our insurance laws, with authority to examine the laws of other states and the manner in which they are working as compared with our own laws and that such committee be instructed to draft such bills as they may deem advisable covering this subject and submit the same to the Forty-first General Assembly for its consideration.

We submit herewith a transcript of all the evidence taken in this investigation for the consideration of the Senate.

Respectfully submitted,

J. E. WICHMAN,
H. C. WHITE,
H. A. DARTING,
F. C. GILCHRIST,
C. J. FULTON,

Special Committee on Insurance Investigation.

INTRODUCTION OF BILLS

Senate File No. 322, by Senator Goodwin, a bill for an act to legalize a special election held on the 31st day of March, 1924, in the city of Valley Junction, Iowa, whereat there was submitted to the voters the proposition of the issuance of bonds of said city of Valley Junction in the sum of twenty thousand dollars (\$20,000.00), for the purpose of extending the waterworks system owned and operated by said city; and to legalize all acts and proceedings in respect to said election and said bonds and to authorize the issuance of twenty thousand dollars (\$20,000.00) waterworks bonds of said city.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 323, by Senator Bergman, a bill for an act authorizing the issuance of a patent to certain lands in Jasper county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senator Brookhart moved that six hundred copies of the Substitute for Senate File No. 211, be printed, which motion prevailed.

RESIGNATION OF PAGE

Louis J. King offered his resignation as page, which was accepted.

The Journal of April 14th was corrected and approved.

On motion of Senator Haskell the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 16, 1924.

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

Prayer was offered by Rev. Elmer Nelson Owen, pastor of St. Paul's church, Des Moines, Iowa.

On motion of Senator Shane, rule 33 was suspended for the day.

The roll call revealed the presence of the following Senators:

Abben	Darting	McIntosh	Shinn
Banta	Dutcher	Nelson	Slosson
Baird	Ethell	Newberry	Stook
Brookins	Fulton	Perkins	Stoddard
Browne	Gilchrist	Romkey	Thurston
Buser	Goodwin	Schmedika	Tuck
Caldwell	Hartman	Scott	White
Campbell	Johnston	Shaff	Wichman
Cessna	Kimberly	Shane	

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and House File No. 325, a bill for an act to make an appropriation for the Iowa State College of Agriculture and Mechanic Arts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, 33.

Abben	Brookhart	Darting	Goodwin
Adams	Brookins	Dutcher	Hartman
Baird	Caldwell	Ethell	Holdoegel
Bergman	Campbell	Fulton	Horchem
Bowman	Cessna	Gilchrist	Kimberly

Mantz	Reed	Stoddard	Wichman
Newberry	Romkey	Thurston	
Olson	Shane	Tuck	
Perkins	Slosson	White	

Nays, 6.

Browne	Nelson	Shinn	Snook
Johnston	Schmedika		

Absent or not voting, 11.

Banta	Haskell	Price	Shaff
Buser	McIntosh	Rees	Smith
Hale	Mead	Scott	

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, the rules were suspended and House File No. 322, a bill for an act to make emergency appropriations for the Iowa School for the Deaf, 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, 42.

Abben	Darting	McIntosh	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Newberry	Slosson
Bergman	Goodwin	Olson	Snook
Bowman	Hartman	Perkins	Stoddard
Brookhart	Haskell	Reed	Thurston
Brookins	Holdoegel	Rees	Tuck
Caldwell	Horchem	Schmedika	White
Campbell	Johnston	Scott	Wichman
Cessna	Kimberly		

Nays, 6.

Browne	Ethell	Price	Romkey
Buser	Nelson		

Absent or not voting, 2.

Hale	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 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 Gilchrist, Senate File No. 191, a bill for an act to amend, revise, and codify sections thirty hundred thirty-nine (3039), fifty hundred twenty-seven (5027) 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

The committee amendments (found on page 1287 of the Senate Journal) were considered.

Amendments Nos. 1, 2, 3, 5, 6, 8, 9, 15, 16, 17, 22, 23, 24, 25, 26, 27, 10, 11, 12, 18 and 19 were adopted.

By unanimous consent Senators Perkins, Reed and Holdoegel were excused until 1:30 p. m.

Amendments Nos. 20 and 21 were adopted.

Further action was deferred.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Scott called up the following conference committee report for consideration, and moved its adoption:

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House 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, beg leave to report that we have had these differences under consideration and have been unable to

agree on any compromise on the differences existing between the Senate and House on said bill.

R. P. SCOTT,
GEO. B. PERKINS,
B. J. HORCHEM,
J. L. BROOKHART,
Senate conferees.

OSCAR ULSTAD,
WARD B. SMITH,
W. L. LONG,
W. R. BLAKE,
House Conferees.

The report was adopted. ●

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 318, a bill for an act legalizing the establishment of the county area tuberculosis eradication plan in the several counties of the state, etc., as provided in chapter 48 of the laws of the Fortieth General Assembly.

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 legalizing the collection and transfer of school funds of Cass county.

Also: That the House has adopted the conference committee report and the amendments proposed therein on Senate File No. 125, a bill for an act relating to destruction of weeds.

Also: That the House insists on its amendments to Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements, and requests a conference committee and the Speaker has appointed as such conference committee on the part of the House, Representatives Saunders, Schirmer, Doolittle and Garber of Adair.

Also: That the Speaker has appointed as a second conference committee on the part of the House on House File No. 34, a bill for an act relating to removal from office, Representatives Rassler, Matthews, Aiken and Scott of Appanoose.

Also: That the House concurs in Senate amendments to sections 64, 74, 76 and 116 and amends and concurs in Senate amendment to section 77 to House File No. 68, a bill for an act relating to animal industry.

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

House Joint Resolution No. 7, providing for the publication of House

File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 177, a bill for an act relating to municipal corporations—taxation.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 7, a joint resolution providing for the publication of House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds.

Read first and second times and referred to committee on public schools.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee, on the part of the Senate, on Senate File No. 186, Senators Brookins, Fulton, Dutcher and Tuck.

The President appointed as members of a conference committee on the part of the Senate on House File No. 34, Senators Thurston, Rees, White and Wichman.

HOUSE AMENDMENTS CONSIDERED

Senator Tuck called up for consideration House File No. 68, and moved that the Senate concur in the following amendments:

Amend Senate amendment to section seventy-seven (77) by substituting therefor the following:

Amend Sec. 77 by striking out of lines 2 and 3 following the comma after the word "department" the words "whenever it deems it necessary for the welfare of the state or".

On the question "Shall the Senate concur?" the vote was:

Ayes, 9.

Abben
Adams
Banta

Goodwin
Newberry

Shaff
Smith

Tuck
White

Nays, 26.

Baird	Ethell	McIntosh	Shinn
Bergman	Fulton	Nelson	Slosson
Browne	Gilchrist	Olson	Snook
Buser	Hartman	Price	Stoddard
Caldwell	Haskell	Romkey	Thurston
Campbell	Horchem	Schmedika	Wichman
Cessna	Johnston		

Absent or not voting, 15.

Bowman	Dutcher	Mantz	Rees
Brookhart	Hale	Mead	Scott
Brookins	Holdoegel	Perkins	Shane
Darting	Kimberly	Reed	

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

Senator Fulton called up for consideration Senate File No. 177, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend subsection 22 of section 5 by striking from line 4 thereof the word and figures "forty (40)" and insert in lieu thereof the word and figures "twenty (20)".

(2) Amend subsection 23 of section 5 by striking the word "With" in line 2 and by inserting in lieu thereof the word "Within".

(3) Strike all of subsection 26 of section 5, and insert in lieu thereof the following:

"26. Hospital fund. When a municipal hospital has been established, not exceeding three (3) mills in cities having a population of more than twenty-two thousand (22,000) and in other cities not exceeding five (5) mills. Such levies shall not extend for a longer period than twenty (20) years and shall be used only for the purpose of constructing hospitals or purchasing sites therefor and for the retirement of bonds issued in payment thereof."

(4) Amend by inserting between the words "shall" and "power" in line 1 of section 7 the word "have".

(5) Amend section 12 by striking from line 3 thereof the words "fifteenth day of August" and insert in lieu thereof the words "first day of September".

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Abben	Bergman	Browne	Darting
Adams	Bowman	Buser	Dutcher
Baird	Brookhart	Caldwell	Ethell
Banta	Brookins	Campbell	Fulton

Gilchrist	Mead	Schmedika	Stoddard
Goodwin	Nelson	Scott	Thurston
Hartman	Newberry	Shaff	Tuck
Haskell	Olson	Shane	White
Horchem	Price	Shinn	Wichman
Kimberly	Rees	Smith	
McIntosh	Romkey	Snook	

Nays, none.

Absent or not voting, 8.

Cessna	Holdoegel	Mantz	Reed
Hale	Johnston	Perkins	Slosson

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. 182, 207, 310, 311 and 309.

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. 182, 207, 310, 311 and 309.

INTRODUCTION OF JOINT RESOLUTION

Senate Joint Resolution No. 2, by Senator Shane, a joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly, relating to insurance.

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

Senator Price moved that Senator Romkey be excused next Monday and Tuesday, which motion prevailed.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 191.

Amendment No. 4 was adopted.

The first section of amendment No. 7 was adopted.

Senator Brookhart offered the following amendment to the second section of amendment No. 7 and moved its adoption:

Amend by changing the semicolon (;) after the word "years" in line 6 to a period (.) and striking out all following:

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

Ayes, 25.

Baird	Darting	Kimberly	Schmedika
Bowman	Ethell	McIntosh	Shinn
Brookhart	Gilchrist	Nelson	Slosson
Browne	Goodwin	Reed	Snook
Buser	Hartman	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna			

Nays, 24.

Abben	Dutcher	Mead	Shaff
Adams	Fulton	Newberry	Shane
Banta	Haskell	Olson	Smith
Bergman	Holdoegel	Perkins	Stoddard
Brookins	Horchem	Price	White
Caldwell	Mantz	Scott	Wichman

Absent or not voting, 1.

Hale

The amendment to the amendment was adopted.

The second section of amendment No. 7, as amended, was adopted.

Amendment No. 13 was adopted.

By unanimous consent, on request of Senator Gilchrist, the period (.) at the end of amendment No. 28 was stricken and

the following added thereto: “, and subject from time to time to legislative control as to duration and use.”

Amendment No. 28 was adopted.

Amendment No. 14 was adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by adding the following:

“Sec. ... Whenever public convenience requires the same, every telephone company shall, for a reasonable compensation, permit a physical connection or connections to be made, and telephone service to be furnished between any telephone exchange system, operated by it and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system or another telephone company, or between its toll line and the toll line of another company, or between its toll line and the line of another telephone company whenever such physical connection or connections is practical and reasonable. The term “physical connection” as used in this section, shall mean such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such physical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the railroad commission by any person, partnership, or corporation, operating a telephone line or telephone exchange, or by ten (10) residents of the county in which the connection is sought to be made, for an order requiring such connection and fixing the compensation, terms, and conditions thereof, and if after investigation and hearing the commission shall find that such physical connections are of public convenience and necessity, it shall by order direct that such connections be made, and prescribe reasonable conditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid. Whenever application is made to the railroad commission requesting physical connection it shall be presumed that such connection is necessary, and that the public convenience will be promoted thereby, and the burden of overcoming such presumption shall be upon the party resisting such application.

Sec. ... Any company required by order of the commission to provide for the physical connection of telephone lines and facilities, and to establish joint rates, tolls and charges, are hereby required to perform switching service for the transmission of conversations between the lines and facilities operated by such company or companies without favor or discrimination. The company on whose line or lines conversations originate

shall be responsible to and make settlement with the company or companies owning or operating the connecting or terminal line or lines for the share of said company or companies in the joint toll rate or charge for such message.

Sec. ... Any order made by the railroad commissioners pursuant to the two preceding sections shall be enforced in the manner provided for the enforcement of the orders of the railroad commissioners. The right to appeal from any order made under the two preceding sections shall be the same as appeals taken from orders made by the railroad commissioners."

2. Amend the title by striking out the period after the word "exchange" and substituting a semicolon therefor, and by adding the following: "also, giving the railroad commissioners authority to require physical connections between telephone lines and to determine and fix the charges thereof, and providing for right of appeal."

Senator Ethell offered the following amendment to the amendment and moved its adoption:

Amend by striking out the last sentence of the first section.

The amendment to the amendment was adopted:

By unanimous consent, on request of Senator Thurston, the word "exchange" was stricken from the amendment to the title and the word "franchise" inserted in lieu thereof.

On the question "Shall the amendments offered by Senator Thurston be adopted?" the vote was:

Ayes, 24.

Bowman	Darting	McIntosh	Shinn
Brookhart	Ethell	Nelson	Slosson
Browne	Gilchrist	Olson	Snook
Buser	Goodwin	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna	Kimberly	Schmedika	White

Nays, 25.

Abben	Dutcher	Mantz	Scott
Adams	Fulton	Mead	Shaff
Baird	Hartman	Newberry	Shane
Banta	Haskell	Perkins	Smith
Bergman	Holdoegel	Price	Stoddard
Brookins	Horchem	Reed	Wichman
Caldwell			

Absent or not voting, 1.

Hale

The amendment was lost.

On motion of Senator Gilchrist the vote by which committee amendment No. 1 was adopted was reconsidered.

Senator Gilchrist offered the following amendment to committee amendment No. 1 and moved its adoption:

Amend by inserting immediately after the word "or" and immediately before the word "counties" as these words appear in such amendment the following words: "each of the respective".

The amendment to the amendment was adopted.

Amendment No. 1 was adopted.

Senator Darting moved that the vote by which the amendment by Senator Brookhart was adopted be reconsidered.

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

Ayes, 21.

Adams	Dutcher	Mead	Shaff
Banta	Fulton	Perkins	Shane
Bergman	Haskell	Price	Smith
Brookins	Holdoegel	Reed	Stoddard
Caldwell	Mantz	Scott	Wichman
Darting			

Nays, 27.

Abben	Cessna	Kimberly	Shinn
Baird	Ethell	McIntosh	Slosson
Bowman	Gilchrist	Nelson	Snook
Brookhart	Goodwin	Newberry	Thurston
Browne	Hartman	Rees	Tuck
Buser	Horchem	Romkey	White
Campbell	Johnston	Schmedika	

Absent or not voting, 2.

Hale Olson

The motion to reconsider was lost.

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

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

Ayes, 40.

Abben	Campbell	Goodwin	Mantz
Adams	Cessna	Hartman	Mead
Baird	Darting	Haskell	Newberry
Banta	Dutcher	Holdoegel	Olson
Bergman	Ethell	Horchem	Perkins
Brookins	Fulton	Johnston	Price
Caldwell	Gilchrist	Kimberly	Reed

Rees	Shane	Smith	Tuck
Scott	Shinn	Snook	White
Shaff	Slosson	Stoddard	Wichman

Nays, 9.

Bowman	Buser	Nelson	Schmedika
Brookhart	McIntosh	Romkey	Thurston
Browne			

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 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.

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 sixteenth day of April, sent to the Governor for his approval, Senate Files Nos. 182, 207, 310, 311 and 309.

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: House Files Nos. 8, 190 and 320.

F. C. GILCHRIST, *Chairman Senate Committee*.

C. F. LETTS, *Chairman House Committee*.

Report adopted.

REPORTS OF COMMITTEES

Senator Price submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 316, a bill for an act to legalize a school election held in the independent school district of Indianola, in the county of Warren on the 10th day of March, 1924, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN R. PRICE, *Acting Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 320, a bill for an act to legalize the voting of bonds for the extension of the water works system in Ames, Iowa, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN R. PRICE, *Acting Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 323, a bill for an act authorizing the issuance of a patent to certain lands in Jasper county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN R. PRICE, *Acting Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 308, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district No. 4, Wapello county, Iowa, 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 substituting the following therefor:

"Section 1. That all proceedings and acts of the board of supervisors and other officers of the County of Wapello, in the State of Iowa, in relation to Cedar Creek Drainage District Number Four (4) within said county be and the same are hereby legalized in all respects as if all of the provisions of the Laws of the State of Iowa with regard to such proceedings had been fully and strictly complied with.

Sec. 2. Nothing in this act shall in any manner affect pending litigation.

Sec. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Capital, a newspaper published at Des Moines, Iowa, and the Ottumwa Daily Courier, published at Ottumwa, Iowa, all without expense to the state."

Amend the title and preamble by striking all of each, and substituting therefor the following:

"AN ACT to legalize the acts and proceedings in relation to Cedar Creek Drainage District Number Four (4), Wapello County, Iowa.

Whereas, pursuant to proper petition of land owners, the recommenda-

tion of a competent engineer, and due and timely notice of the hearing on the establishment of Cedar Creek Drainage District Number Four (4) of Wapello County, Iowa, and upon a full and complete hearing duly granted to the owner of each tract of land within said Drainage District and to all lien holders or incumbrancers of any land located therein, the Board of Supervisors of said County, did, by resolution duly passed and entered upon the records of said Board, grant the prayer of said petition for the establishment of said Drainage District and declare the same to be duly established and located according to the recommendations of said engineer, but prior, nevertheless, to the final determination of said Board as to the amount of damages to be awarded for or on account of the construction of the drainage improvements, and

Whereas, after the establishment of said District and before the completion of the drainage improvements therein, said Board of Supervisors did, upon recommendation of said engineer, authorize sundry changes in said improvements involving the taking of additional lands and the increase of the assessments to be levied in said District, and did thereafter cause due and timely notice of such changes to be given in the manner prescribed by law, and did grant a full and complete hearing thereon and afford due opportunity to file claims for damages or to file objections to such assessments and did likewise grant due opportunity to appeal from the action of said Board, and

Whereas, doubts have arisen as to the legal sufficiency of the proceedings of said Board by reason of its failure to determine the amount of damages to be awarded for or on account of the construction of said drainage improvements prior to the passage of the resolution establishing said District and by reason of the failure of said Board to cause notice of the changes in said improvements to have been first published as prescribed by law; and

Whereas, it is deemed advisable to put said doubts and all other doubts regarding the legality of said proceedings and acts forever at rest; now therefore"

JOHN R. PRICE, *Acting Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred joint resolution No. 2, providing for a committee to investigate and make recommendations to the Forty-first General Assembly, 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 House was asked:

Senate File No. 312, a bill for an act relating to shares of stock in cooperative associations.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 321, a bill for an act relating to qualification of school officers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 326, a bill for an act amending chapter 108 of the laws of the Fortieth General Assembly relating to the rate of interest on bonds.

Also: That the House concurs in Senate amendments to House File No. 90, a bill for an act relating to education.

Also: That the House concurs in Senate amendments Nos. 1, 4, 5, 6, 7, 9, 11, 12, 14, 15, 16, 18, 20, 21, 30, 31, 32, 33, 34, 35, 38, 39, 41, 42, 43, 47, 48, 51, 52, 56, 57, 58, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77 and 78; amends and concurs in Senate amendments Nos. 23, 50 and 54 and refuses to concur in Senate amendments Nos. 2, 3, 8, 10, 13, 17, 19, 22, 24, 25, 26, 27, 28, 29, 36, 37, 40, 44, 45, 46, 49, 53, 55, 59, 60, 61 and 64 to substitute for House File No. 185, a bill for an act relating to drainage of highways and highway drainage districts.

Also: That the House has adopted the supplementary report of the conference committee on House File No. 65 a bill for an act relating to the department of agriculture and fruit tree and forest reservations.

Also: That the House has refused to adopt conference committee report on House File No. 213, a bill for an act relating to marriage and incest, and the Speaker appoints as a third conference committee Representatives Forsling, Stock, Saunders and Gilbertson.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 326, a bill for an act to amend chapter one hundred eight (108) of the laws of the Fortieth General Assembly relating to the rate of interest on bonds.

Read first and second times and referred to committee on judiciary No. 2.

By unanimous consent Senator Brookins was excused for the remainder of the day.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and House on House File No. 65 relating to the department of agriculture, beg leave to submit the following supple-

mentary report in addition to the report previously submitted:

That the Senate concur in the House amendment to the Senate amendment to section six (6) subsection ten (10).

J. M. SLOSSON,
P. C. HOLDOEGEL,
O. L. MEAD,
GEO. S. HARTMAN,
Conferees on part of Senate.

W. C. CHILDREN,
HOWARD A. MATHEWS,
BREDE WAMSTAD,
T. W. NAPIER,
Conferees on part of House.

The report was taken up for consideration.

On the question "Shall the supplementary report of the conference committee on House File No. 65 be adopted and concurred in?" the vote was:

Ayes, 38.

Abben	Ethell	Mead	Shaff
Adams	Fulton	Nelson	Shane
Banta	Gilchrist	Newberry	Slosson
Bergman	Hartman	Olson	Smith
Bowman	Haskell	Perkins	Snook
Brookhart	Holdoegel	Reed	Stoddard
Caldwell	Horchem	Romkey	Tuck
Campbell	Kimberly	Schmedika	White
Darting	McIntosh	Scott	Wichman
Dutcher	Mantz		

Nays, none:

Absent or not voting, 12.

Baird	Buser	Hale	Rees
Brookins	Cessna	Johnston	Shinn
Browne	Goodwin	Price	Thurston

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 185

Senator Gilchrist moved that the Senate insist on its amendments to House File No. 185.

On the question "Shall the Senate insist on its amendments?" the vote was:

Ayes, 33.

Abben	Darting	McIntosh	Shinn
Adams	Ethell	Mantz	Slosson
Baard	Gilchrist	Mead	Smith
Canta	Goodwin	Newberry	Snook
Bergman	Hartman	Reed	Stoddard
Bowman	Haskell	Romkey	Thurston
Brookhart	Holdoegel	Shaff	Tuck
Browne	Kimberly	Shane	Wichman
Caldwell			

Nays, 3.

Campbell	Nelson	Olson
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Absent or not voting, 14.

Brookins	Fulton	Perkins	Schmedika
Buser	Hale	Price	Scott
Cessna	Horchem	Rees	White
Dutcher	Johnston		

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on House File No. 185, on the part of the Senate, Senators Gilchrist, Buser, Adams and Slosson.

On motion of Senator Holdoegel the following House amendments to Senate File No. 121 were ordered printed in the Journal:

HOUSE AMENDMENTS TO SENATE FILE NO. 121

1. Amend section 1 by striking out subsection 1 and substituting in lieu thereof the following:

"1. A county road tax of not more than one mill on all of the taxable property in the county.

One-half of the county road fund arising from the property within a municipality shall be paid over by the county treasurer to the treasurer of the municipality in the same manner as other municipal taxes and shall be expended only on the roads and streets within such municipality, which are continuations of such roads as are main arteries of travel leading to such municipalities, by and under the direction of the council or commission.

1-a1. A county road building tax of not less than one mill nor more than two mills on all of the taxable property in the county.

The proceeds of such levies, except such amount thereof as is paid to the municipalities, shall be kept as a county road fund and shall be used, except as otherwise provided, solely for the purchase of road tools, ma-

chinery and equipment for the drainage of roads, for filling over culverts and bridge approaches, for the elimination of dangerous railroad crossings in both county and township roads, and for work on the county system."

2. Strike from Senate File No. 121 all of section 1-a1.

3. Amend by striking all of section 2 and inserting in lieu thereof the following: "The county road system shall not embrace any highway which is a part of the primary road system, nor any highway within the limits of cities and towns, except that highways which are located along the corporate limits of cities and towns and which are partly within and partly without such limits, may be embraced in whole or in part within said system. Subject to the foregoing, said county road system shall embrace the highways which are now designated as county roads by the plans and records now on file in the county auditor's office of each county and as the same may hereafter exist by legal modifications or additions."

4. Amend section 3 by striking from lines 1 and 2 the words "application to the state highway commission for a"; also amend section 3 by striking out of lines 5 and 6 the words ", and in such case the commission may authorize such change as may seem advisable".

5. Amend by striking out all of section 4 and substitute in lieu thereof the following: "Whenever all the roads in the county road system have been improved according to the plans herein provided, the board of supervisors may add such roads from the township road system as have been improved by the township in accordance with the general plan and specifications furnished by the engineer and in accordance with the requirements of this chapter, and if the township roads so improved be not sufficient to use all county funds available for that purpose, the board of supervisors may select such additional county roads, but no increase shall be made in the mileage of the county road system until that system is completed, except that the board of supervisors may at any time add such roads from the township road system as will materially shorten the direct lines of travel between market towns."

6. Amend section 6 by striking from lines 3 and 4 the following words: "and the state highway commission."

7. Amend section 7 by striking therefrom, beginning in line 4 the following words: "Provided, however, that whenever any county road or bridge construction or work other than repairs and maintenance work is undertaken, the Board shall employ an engineer."

8. Amend section 10 by adding thereto at the end of the section the following: "The engineer shall designate on said plans and profiles all existing permanent bridges, culverts and grades."

9. Amend section 23 by striking from line 6 the word "equally"; also amend by striking out the word "and" following the word "primary" in said line 6 and inserting in lieu thereof the word "or".

10. Amend by inserting after the word "use" in line six (6) of section 24 the words "or for the board of supervisors to dispose of."

11. Amend section 27 by striking from the end of said section the words "Should either county fail or refuse to comply with said order, the said commission may by suitable court action compel a compliance therewith."

12. Amend section 30 by inserting in line 5 before the word "Culverts" the word "Temporary."

13. Amend section 34 by striking from line 2 thereof the words "out of the bridge fund," and by adding at the end of said section the following: "The provision requiring authorization from the voters shall not apply to bridges on the primary road system built entirely of the primary road fund where there are sufficient funds on hand to complete the construction of said bridge and costing not to exceed seventy thousand dollars (\$70,000.00)."

14. Amend section 35 by striking from line 2 thereof the words "out of the bridge fund,"

15. Amend by inserting after section 50 the following:

"Sec. 50-a1. That section twenty-nine hundred fourteen (2914) of the supplement to the compiled code of Iowa is amended by adding thereto the following: Authorization voted by the electors and not acted upon by the board of supervisors within four (4) years after said authorization or where four (4) years have elapsed since contracts have been let thereunder shall be deemed null and void.

That section twenty-nine hundred fifty-nine (2959) of the compiled code is amended, revised, and codified to read as follows:

Sec. 50-a2. Payment for county road improvements.

The total cost of improving a county road in said secondary system within said district, by oiling, graveling or other suitable surfacing, shall be apportioned and paid in the proportion of seventy-five per cent from the county road cash fund and twenty-five per cent from assessments on benefited lands, or may, by agreement between the board of supervisors and all of the trustees of the township in which the road is located when the petition requests such method of payment be paid as provided in the next succeeding section.

Sec. 50-a3. Payment for township secondary roads—maintenance.

The total cost of so improving a township road within said district shall be apportioned and paid in the proportion of twenty-five per cent from the county road cash fund, fifty per cent from the township road funds of the township or townships embracing said township-road (according to their relative mileage) and twenty-five per cent from the special assessments on benefited lands.

A county road, after it is so improved, shall be maintained by the board of supervisors from the county road cash fund. A township road, after it is so improved, shall be maintained by the township trustees from township funds, unless the improvement is of so substantial and permanent a nature, as that the board of supervisors shall by resolution add such road to the county road system, to be maintained as such."

16. Amend section 51 by inserting after the word "county" in line 2 thereof, the words "having a population of more than seventy thousand (70,000)".

17. Strike out all of sections 53 and 54.

18. Strike from lines 4 and 5 of section 56 the words "which will not conflict with the federal aid law".

19. Amend by adding after section 60 the following:

"Sec. 60-a1. The maximum aggregate amount of bonds to be issued serially which any county shall be authorized to issue for improving the roads in the county road system shall not be, including interest, more than one-half of the sum which might be realized by the levies allowed by law in that county for the county road, county drainage, county bridge and culvert funds during the period of years over which said bonds extend. Such maximum amount shall be determined from the millage allowed by law computed upon the assessed valuation of the real and personal property (exclusive of moneys and credits) in the county for the year last preceding the issuance of such bonds. The total sum of bonds issued for the purpose of improving primary roads by grading, draining, completing construction and graveling, shall not exceed one-half of the estimated receipts from the primary road fund for the period for which such bonds are issued. Such estimate shall be based upon the receipts of such fund in the county for the year last preceding the issuance of such bonds.

Sec. 60-a2. If the funds so set apart for the payment of said bonds and interest are at the time of the maturity thereof insufficient to pay the same, refunding bonds may be issued for the payment of such deficiency. Such refunding bonds shall be issued on the same terms and conditions and be payable in the same manner as the original bonds."

20. Amend by adding after section 66 the following:

"Sec. 66-a1. Any county having a population of seventy thousand (70,000) or less may adopt the additional method herein provided for the improvement of the roads of such county, but in any such county separate ballot boxes must be provided for the voters residing in cities and towns, and for the voters residing outside of cities and towns. The proposition submitted shall not be deemed to be carried in any such county unless a majority vote cast is in favor thereof both in the incorporated and unincorporated territory."

21. Amend the title by adding thereto the following: "; and to amend section twenty-nine hundred fourteen (2914) of the supplement to the compiled code of Iowa, relating to the improvement of primary roads. Also amend the title by inserting after the figures (11) the following: "and section twenty-nine hundred fifty-nine (2959)".

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Senate failed to concur in the House amendment to the Senate amendment to section 77 of House File No. 68.

W. G. HASKELL.

The Journal of April 15th was corrected and approved.

Senator Romkey moved that the Senate adjourn until 9:00 a. m. Thursday.

Senator Stoddard moved to amend the motion by making the hour 9:30 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 17, 1924.

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

Prayer was offered by Rev. F. O. Hanson, superintendent of the Iowa Lutheran hospital, Des Moines.

On motion of Senator Shaff rule 33 was suspended for the day.

PROOF OF PUBLICATION ON SENATE FILE NO. 322.

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of Senate File No. 322, a proposed bill for an act to legalize the proceedings of the city of Valley Junction, Polk county, Iowa, and \$20,000.00 water works bonds.

LEON W. AINSWORTH, *Secretary of the Senate.*

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor, announcing that on April 15, 1924, he had signed Senate Files Nos. 9 and 247.

BILLS SIGNED BY PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate, he had signed House Files Nos. 8, 190 and 320.

INTRODUCTION OF BILLS

Senate File No. 324, by committee on retrenchment and reform, a bill for an act to make an emergency appropriation for the department of agriculture.

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. 323, a bill for an act legalizing the voting of bonds for the extension of the water works system in Ames, Iowa, at a special election held on April 30, 1923, and legalizing the issuance of such bonds.

Also: 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 legalizing certain acts of the Waterville Independent Consolidated School District of Allamakee county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 324, a bill for an act legalizing the transfer of funds 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. 313, a bill for an act legalizing a certain warrant issued by the board of supervisors of Monroe county, Iowa.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 18 authorizing certain officers and assistants to remain after the close of the special session to complete their work.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 306, a bill for an act to legalize certain acts of the Waterville independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors, in relation to the reimbursement of Ray C. Robey, a taxpayer of said district, of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6,880).

Read first and second times and referred to committee on judiciary No. 1.

House File No. 324, a bill for an act to legalize the transfer of funds by the board of supervisors of Wapello county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Fulton called up for consideration the conference committee report on Senate File No. 153 (found on page 1366 of the Senate Journal).

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 40.

Abben	Ethell	Nelson	Shane
Baird	Fulton	Newberry	Shinn
Banta	Gilchrist	Olson	Slosson
Brookins	Hartman	Perkins	Smith
Buser	Haskell	Reed	Snook
Caldwell	Holdoegel	Rees	Stoddard
Campbell	Horchem	Romkey	Thurston
Cessna	Johnston	Schmedika	Tuck
Darting	McIntosh	Scott	White
Dutcher	Mead	Shaff	Wichman

Nays, none.

•

Absent or not voting, 10.

Adams	Brookhart	Hale	Mantz
Bergman	Browne	Kimberly	Price
Bowman	Goodwin		

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Holdoegel called up for consideration Senate File No. 121, amended by the House, and moved that the Senate refuse to concur in the House amendments (found on page 1394 of the Senate Journal).

Senator Buser moved as a substitute motion that the Senate concur in amendments Nos. 17, 18, 19 and 20.

Senator Smith asked that the conference committee on Senate File No. 7 be excused from the call for a short time.

Senator Holdoegel raised the point of order that the call of the Senate was meant especially for matters such as under discussion at present.

The President held the point well taken.

Further action was deferred.

By unanimous consent the conference committee on Senate File No. 7 was excused.

THIRD READING OF BILLS

On motion of Senator Thurston, the rules were suspended, and House File No. 316, a bill for an act to legalize a school election held in the independent school district of Indianola, in the county of Warren on the tenth (10th) day of March, nineteen hundred twenty-four (1924), whereat there was submitted to the voters of said independent school district, pursuant to a resolution adopted by the board of directors thereof, a proposition to issue bonds of said district in the sum of one hundred seventy-five thousand dollars (\$175,000.00), the funds arising from the sale thereof, to be used for the purpose of construction and equipping a school building and procuring a site 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 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, 39.

Baird	Cessna	Mead	Shane
Banta	Darting	Newberry	Shinn
Bergman	Fulton	Olson	Slosson
Bowman	Gilchrist	Perkins	Smith
Brookhart	Goodwin	Price	Snook
Brookins	Hartman	Reed	Stoddard
Browne	Holdoegel	Romkey	Thurston
Buser	Horchem	Schmedika	White
Caldwell	McIntosh	Scott	Wichman
Campbell	Mantz	Shaff	

Nays, 1.

Abben

Absent or not voting, 10.

Adams	Hale	Kimberly	Rees
Dutcher	Haskell	Nelson	Tuck
Ethell	Johnston		

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 Thurston withdrew Senate File No. 315 from further consideration, the companion bill having passed.

By unanimous consent on request of Senator Brookhart, Senator Kimberly was excused from the call of the Senate for the day.

THIRD CONFERENCE COMMITTEE APPOINTED ON HOUSE FILE NO. 213

The President appointed as a third conference committee on House File No. 213, on the part of the Senate, Senators Goodwin, Romkey, Banta and Adams.

THIRD READING OF BILLS

On motion of Senator Reed, the rules were suspended and House File No. 308, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district No. 4, Wapello county, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments (found on page 1390 of the Senate Journal) were 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, 41.

Abben	Campbell	Horchem	Shaff
Adams	Cessna	McIntosh	Shane
Baird	Darting	Mead	Shinn
Banta	Dutcher	Newberry	Slosson
Bergman	Ethell	Olson	Smith
Bowman	Fulton	Perkins	Snook
Brookhart	Gilchrist	Reed	Stoddard
Brookins	Goodwin	Rees	Tuck
Browne	Hartman	Romkey	White
Buser	Holdoegel	Scott	Wichman
Caldwell			

Nays, none.

Absent or not voting, 9.

Hale	Kimberly	Nelson	Schmedika
Haskell	Mantz	Price	Thurston
Johnston			

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 Bergman, the rules were suspended, and Senate File No. 323, a bill for an act authorizing the issuance of a patent to certain lands in Jasper 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 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, 41.

Abben	Cessna	Mantz	Scott
Adams	Darting	Mead	Shaff
Baird	Ethell	Nelson	Shane
Banta	Fulton	Newberry	Shinn
Bergman	Goodwin	Olson	Slosson
Bowman	Hartman	Perkins	Snook
Brookhart	Haskell	Reed	Thurston
Browne	Holdoegel	Rees	Tuck
Buser	Horchem	Romkey	White
Caldwell	McIntosh	Schmedika	Wichman
Campbell			

Nays, none.

Absent or not voting, 9.

Brookins	Hale	Kimberly	Smith
Dutcher	Johnston	Price	Stoddard
Gilchrist			

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, the rules were suspended, and Senate Joint Resolution No. 2, joint resolution providing for a

committee to investigate and make recommendations to the Forty-first General Assembly, relating to insurance, 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 the following as section 3:

Sec. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa Forum, a newspaper published in Des Moines, Iowa, and the Ottumwa Daily Courier, a newspaper published in Ottumwa, Iowa.

The amendment was adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking from lines 5 and 6 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)".

The amendment was adopted.

The resolution 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 resolution be adopted?" the vote was:

Ayes, 27.

Abben	Ethel	Mantz	Shane
Adams	Goodwin	Mead	Slosson
Baird	Hartman	Newberry	Snook
Bowman	Haskell	Olson	Stoddard
Brookins	Holdoegel	Perkins	Thurston
Caldwell	Horchem	Price	Tuck
Cessna	McIntosh	Reed	

Nays, 8.

Browne	Campbell	Nelson	Schmedika
Buser	Johnston	Romkey	Shinn

Absent or not voting, 15.

Banta	Dutcher	Kimberly	Smith
Bergman	Fulton	Rees	White
Brookhart	Gilchrist	Scott	Wichman
Darting	Hale	Shaff	

The resolution 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 Reed, the rules were suspended, and Senate File No. 324, a bill for an act to make an emergency appropriation for the department of agriculture, a bill by the committee on retrenchment and reform, 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, 32.

Abben	Ethell	Mead	Shaff
Adams	Fulton	Newberry	Shane
Baird	Gilchrist	Olson	Slosson
Bowman	Hartman	Perkins	Snook
Brookhart	Haskell	Price	Stoddard
Brookins	Holdoegel	Reed	Thurston
Caldwell	Horchem	Romkey	White
Campbell	Mantz	Schmedika	Wichman

Nays, 1.

Shinn

Absent or not voting, 17.

Banta	Darting	Johnston	Rees
Bergman	Dutcher	Kimberly	Scott
Browne	Goodwin	McIntosh	Smith
Buser	Hale	Nelson	Tuck
Cessna			

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 Olson, the rules were suspended, and House File No. 323, a bill for an act to legalize the voting of bonds for the extension of the water works system in Ames, Iowa,

at a special election held on April 30th, 1923, and to legalize the issuance of such bonds, was substituted for Senate File No. 320, was taken up and considered.

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, 40.

Abben	Campbell	Horchem	Shaff
Adams	Darting	McIntosh	Shane
Baird	Dutcher	Mantz	Slosson
Banta	Ethell	Mead	Smith
Bergman	Fulton	Newberry	Snook
Bowman	Gilchrist	Olson	Stoddard
Brookhart	Goodwin	Perkins	Thurston
Brookins	Hartman	Reed	Tuck
Browne	Haskell	Rees	White
Caldwell	Holdoegel	Scott	Wichman

Nays, 8.

Buser	Johnston	Price	Schmedika
Cessna	Nelson	Romkey	Shinn

Absent or not voting, 2.

Hale	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 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.

By unanimous consent, on request of Senator Olson, Senate File No. 320 was withdrawn from further consideration.

HOUSE AMENDMENTS CONSIDERED

The Senate resumed consideration of the House amendments to Senate File No. 121 (page 1394 Senate Journal).

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker has appointed as conference committee on the part of the House on House File No. 185, a bill for an act relating to drainage of highways and highway drainage districts; Representatives Parsons, Edson, Wamstad and Patterson.

Also: That the House has adopted the conference committee report and the amendments proposed therein on Senate File No. 153, a bill for an act relating to municipal corporations—incorporations.

A. C. GUSTAFSON, *Chief Clerk.*

The Senate resumed consideration of the House amendments to Senate File No. 121 (page 1394 Senate Journal).

Senator Buser withdrew his motion.

Senator Holdoegel withdrew his motion.

Senator Reed moved that the Senate concur in amendments Nos. 1, 2, 8, 9, 10, 12, 16 and 21.

Senator Buser asked that amendment No. 12 be taken up separately.

On the question "Shall the Senate concur in amendments Nos. 1, 2, 8, 9, 10, 16 and 21?" the vote was:

Ayes, 32.

Abben	Campbell	Horchem	Romkey
Adams	Cessna	Johnston	Schmedika
Baird	Darting	McIntosh	Shinn
Bowman	Fulton	Mantz	Slosson
Brookhast	Gilchrist	Mead	Snook
Brookins	Hartman	Olson	Tuck
Buser	Haskell	Perkins	White
Caldwell	Holdoegel	Reed	Wichman

Nays, none.

Absent or not voting, 18.

Banta	Goodwin	Price	Shane
Bergman	Hale	Rees	Smith
Browne	Kimberly	Scott	Stoddard
Dutcher	Nelson	Shaff	Thurston
Ethell	Newberry		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On the question "Shall the Senate concur in amendment No. 12?" the vote was:

Ayes, 32.

Abben	Ethell	McIntosh	Romkey
Bowman	Fulton	Mantz	Schmedika
Brookhart	Gilchrist	Mead	Shinn
Browne	Hartman	Nelson	Slosson
Buser	Haskell	Olson	Snook
Caldwell	Holdoegel	Perkins	Tuck
Cessna	Horchem	Reed	White
Darting	Johnston	Rees	Wichman

Nays, 1.

Baird

Absent or not voting, 17.

Adams	Dutcher	Newberry	Shane
Banta	Goodwin	Price	Smith
Bergman	Hale	Scott	Stoddard
Brookins	Kimberly	Shaff	Thurston
Campbell			

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 Senate refuse to concur in the remainder of the amendments.

Senator Buser moved as a substitute motion that the Senate concur in amendments Nos. 17, 18, 19 and 20.

Senator White moved the previous question, which motion prevailed.

On the question "Shall the substitution be made?" the vote was:

Ayes, 21.

Baird	Ethell	Price	Shinn
Brookhart	Hartman	Rees	Snook
Browne	Johnston	Romkey	Thurston
Buser	McIntosh	Schmedika	Tuck
Campbell	Nelson	Shane	White
Cessna			

Nays, 26.

Abben	Dutcher	Mantz	Scott
Adams	Fulton	Mead	Shaff
Banta	Gilchrist	Newberry	Slosson
Bowman	Goodwin	Olson	Smith
Brookins	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Reed	Wichman
Darting	Horchem		

Absent or not voting, 3.

Bergman Hale Kimberly

The substitute motion was lost.

Senator Price asked that amendments Nos. 19 and 20 be taken up separately.

On the question "Shall the Senate concur in amendments Nos. 3, 4, 5, 6, 7, 11, 13, 14, 15, 17 and 18?" the vote was:

Ayes, 21.

Baird	Ethell	Price	Shinn
Brookhart	Hartman	Rees	Snook
Browne	Johnson	Romkey	Thurston
Buser	McIntosh	Schmedika	Tuck
Campbell	Nelson	Shane	White
Cessna			

Nays, 26

Abben	Dutcher	Mantz	Scott
Adams	Fulton	Mead	Shaff
Banta	Gilchrist	Newberry	Slosson
Bowman	Goodwin	Olson	Smith
Brookins	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Reed	Wichman
Darting	Horchem		

Absent or not voting, 3.

Bergman Hale Kimberly

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 the question "Shall amendment No. 19 be concurred in?" the vote was:

Ayes, 20.

Baird	Cessna	Nelson	Shinn
Brookhart	Ethell	Price	Snook
Browne	Hartman	Romkey	Thurston
Buser	Johnston	Schmedika	Tuck
Campbell	McIntosh	Shane	White

Nays, 25.

Abben	Fulton	Mantz	Scott
Adams	Gilchrist	Mead	Shaff
Bowman	Goodwin	Newberry	Slosson
Brookins	Haskell	Olson	Smith
Caldwell	Holdoegel	Perkins	Stoddard
Darting	Horchem	Reed	Wichman
Dutcher			

Absent or not voting, 5.

Banta	Hale	Kimberly	Rees
Bergman			

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

On the question "Shall amendment No. 20 be concurred in?" the vote was:

Ayes, 21.

Brookhart	Hartman	Price	Shinn
Browne	Johnston	Rees	Snook
Buser	McIntosh	Romkey	Thurston
Campbell	Nelson	Schmedika	Tuck
Cessna	Olson	Shane	White
Ethell			

Nays, 24.

Adams	Dutcher	Horchem	Scott
Banta	Fulton	Mantz	Shaff
Bowman	Gilchrist	Mead	Slosson
Brookins	Goodwin	Newberry	Smith
Caldwell	Haskell	Perkins	Stoddard
Darting	Holdoegel	Reed	Wichman

Absent or not voting, 5.

Abben	Bergman	Hale	Kimberly
Baird			

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

MOTION TO RECONSIDER CONSIDERED

The following motion was taken up for consideration:

MR. PRESIDENT: I move to reconsider the vote by which the Senate failed to concur in the House amendment to the Senate amendment to section 77 of House File No. 68.

W. G. HASKELL.

The motion to reconsider prevailed.

On the question "Shall the Senate concur in the House amendment to the Senate amendment?" the vote was:

Ayes, 33.

Abben	Cessna	Mantz	Shane
Adams	Darting	Newberry	Slosson
Baird	Dutcher	Olson	Smith
Banta	Goodwin	Perkins	Stoddard
Bowman	Hartman	Reed	Thurston
Brookhart	Haskell	Rees	Tuck
Brookins	Holdoegel	Scott	White
Caldwell	Horchem	Shaff	Wichman
Campbell			

Nays, 12.

Browne	Fulton	McIntosh	Price
Buser	Gilchrist	Mead	Shinn
Ethell	Johnston	Nelson	Snook

Absent or not voting, 5.

Bergman	Kimberly	Romkey	Schmedika
Hale			

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

CONFERENCE COMMITTEE REPORTS FILED

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House 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, beg leave to report that we have had these differences under consideration and submit the following report:

- (1) That the Senate recede from its amendment to section one (1).

LLOYD THURSTON,
H. C. WHITE,
S. C. REES,
J. E. WICHMAN,
Conferees on part of Senate.

A. G. RASSLER,
HOWARD A. MATHEWS,
JOHN H. AIKEN,
C. H. SCOTT,
Conferees on part of House.

MR. PRESIDENT: We, your conference committee on Senate File No. 7, together with Senate and House amendments thereto, beg leave to report that we have had the same under consideration and recommend that the attached bill be substituted in lieu thereof.

ED. M. SMITH,
RAY P. SCOTT,
GEORGE S. BANTA,
J. O. SHAFF,

Senate Conferees.

T. E. MOEN,
A. O. HAUGE,
JNO. A. STOREY,
W. C. CHILDREN,

House Conferees.

A bill for an act creating the office of director of the budget, defining his powers, prescribing his duties, and providing for a state budget and examination of the accounts of the department of the state and review of public contracts and bond issues in certain cases, and for local budgets, and prescribing the methods for the appointment of the director of the budget and members of an appeal board in certain cases, defining their powers and duties and making an appropriation therefor, also amending, revising and codifying section ninety-four (94) of the compiled code of Iowa, relating to certain duties of the governor, section two hundred seventy-two (272) of the compiled code of Iowa, relating to settlements with state officers, also sections two hundred seventy-three (273), two hundred ninety-eight (298), three hundred thirty-eight (338), eight hundred seventy-two (872), twenty-three hundred seventeen (2317), twenty-three hundred fifty-one (2351), twenty-four hundred twenty-one (2421), twenty-six hundred eighteen (2618), twenty-seven hundred seventy-six (2776) to twenty-seven hundred eighty-one (2781), inclusive, twenty-nine hundred forty-eight (2948), sixty-four hundred seventy-three (6473), sixty-four hundred seventy-six (6476), ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa and sections thirty-nine-a six (39-a6), one hundred seventy-five-a sixteen (175-a16), two hundred forty-one-a thirty-two (241-a32), three hundred thirty-six (336), three hundred thirty-six-a one (336-a1), eleven hundred eighty-six (1186), twenty-three hundred forty-six-a one (2346-a1), twenty-three hundred seventy-four-a six (2374-a6), twenty-three hundred ninety-six-a one (2396-a1), twenty-four hundred thirty (2430), twenty-four hundred thirty-two-a one (2432-a1), twenty-four hundred forty-a one (2440-a1), twenty-five hundred one-a one (2501-a1), twenty-seven hundred seventy-five (2775), twenty-seven hundred eighty-one-a one (2781-a1), twenty-seven hundred eighty-one-a two (2781-a2), twenty-eight hundred sixty-four-a seven (2864-a7), thirty hundred eighty-one-a thirteen (3081-a13), fifty hundred forty-four-a one (5044-a1) and fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to said code, and sections five (5) and six (6) of House File No. ten (10) of the acts of the extra session of the Fortieth General Assembly, relating to the powers and duties of certain officers, boards and commissions, and to the State Historical Society and to various existing appropriations.

Be It Enacted by the General Assembly of the State of Iowa:

That sections ninety-four (94), two hundred seventy-two (272), two hundred seventy-three (273), and two hundred ninety-eight (298) of the compiled code of Iowa are amended, revised, and codified to read as follows:

CHAPTER 1.

DIRECTOR OF THE BUDGET.

Section 1. Director of the budget.

There is hereby created the office of director of the budget, which office shall be located at the seat of government.

Sec. 2. Appointment.

The governor shall, within sixty (60) days after the convening of the general assembly in nineteen hundred twenty-seven (1927) and every six (6) years thereafter, appoint, with the approval of two-thirds (2/3) of the members of the senate, a director of the budget, and wherever the word "director" appears in this act it shall mean "director of the budget."

Sec. 3. Confirmation.

No nomination shall be considered by the senate until the same has been referred to a committee of five (5), not more than (3) of whom shall belong to the same political party. Said committee shall be appointed by the president of the senate, without motion, and shall report to the senate in executive session. Such report shall be made at any time when called for by the senate. The consideration of nominations by the senate shall not be had on the same legislative day that nominations are so referred.

Sec. 4. Qualification and bond.

Said director shall qualify as other public officers and shall give a bond in the sum of ten thousand dollars (\$10,000), which bond shall be approved by the governor and be filed in the office of the secretary of state.

Sec. 5. Term of office.

The term of office of the director shall be for a period of six (6) years, beginning July first, nineteen hundred twenty-seven (1927), and his successors shall be appointed for like periods.

Sec. 6. Removal.

The governor, with the approval of a majority of the senate during a session of the general assembly, may remove the director for malfeasance in office, or for any cause which would render him ineligible for appointment or incapable or unfit to discharge the duties of his office, and his removal, when so made, shall be final.

Sec. 7. Suspension.

When the general assembly is not in session, the governor may suspend any director so disqualified and shall appoint another to fill the vacancy thus created, subject to the approval of the senate when next in session.

Sec. 8. Vacancies.

All vacancies in the office of director that may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days from the date on which the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its approval an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled before the end of said session and for the unexpired portion of the regular term, in the same manner in which regular appointments are required to be made.

Sec. 9. Temporary appointment.

After the taking effect of this act and on or before July first, nineteen hundred twenty-four (1924), the governor shall nominate and, with the approval of two-thirds ($\frac{2}{3}$) of the members of the senate, appoint a director, who shall serve until July first, nineteen hundred twenty-seven (1927). The procedure shall be the same as required in section three (3) hereof and any vacancy occurring in the appointment provided for in this section shall be filled as provided in section eight (8) hereof.

Sec. 10. Temporary salaries.

The executive council shall fix the salary of the director and such assistants as may be necessary from time to time, for the period ending June thirtieth, nineteen hundred twenty-five (1925).

Sec. 11. Employees.

The director, with the approval of the executive council, shall employ a state accountant and such assistants and other employees and agents as may be necessary from time to time to carry into effect the provisions of this act. Such state accountant, assistants, employees and agents shall be under the direction of the director and shall be subject to dismissal by him.

Sec. 12. Expenses.

The director, state accountant, and all assistants, employees and agents shall be allowed their actual and necessary traveling expenses while in the performance of their duties.

Sec. 13. General powers.

The director shall have power, and it is hereby made his duty, to carry out and enforce all the provisions of this act, and to conduct hearings on all matters within his jurisdiction and render decisions thereon; he shall adopt rules governing appeals, hearings, and all determinations of questions which shall come before him, and such other rules as he may deem necessary.

Sec. 14. Additional powers of the director.

The director shall have power to cause any of the hearings provided for in this act to be held by the state accountant or by any special agent appointed by him for that purpose.

Sec. 15. Power to compel production of evidence.

The director, the state accountant, or any other person appointed by the director to conduct any examination or hearing, shall have power to subpoena witnesses, administer oaths to them, and compel witnesses to produce books, letters, documents, papers, statistics and all other articles deemed essential to a full understanding of the matter under investigation.

Sec. 16. Refusal to obey subpoena.

Any witness failing to obey such subpoena shall be guilty of contempt and on report of such failure to the district court of the county in which such refusal occurs, such witness shall be punished for contempt by fine not exceeding one hundred dollars (\$100.00).

Sec. 17. Immunity of witness from prosecution.

No witness shall be exempt from testifying to any matter in any proceeding under the provisions of this act or from producing any books, papers, letters, or other documents or articles on the ground that the same would tend to render him criminally liable or to expose him to public ignominy, but such witness shall not be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury.

Sec. 18. Hearings.

When a hearing is held by the director, the state accountant, or a special agent, he shall file in the office of the director the petition and other documents and a written report of the facts submitted at such hearing and his recommendations in respect thereto. The director shall promptly determine all matters submitted to him directly, or on reports of persons conducting hearings. The decisions of the director shall be final.

CHAPTER 2.**STATE BUDGET.****Sec. 19. Reports to director of the budget by departments.**

On or before the first day of September, nineteen hundred twenty-four (1924), and on or before the first day of August biennially thereafter, every department of the state, except the legislative department, shall furnish the director with:

1. A detailed estimate of all receipts of such department for the ensuing biennium and a comparison of such receipts with all the receipts of such department for the last two preceding bienniums.

2. An estimate of the needs of such department for the ensuing biennium, together with a comparison of all the expenditures of such department for the last two preceding bienniums.

3. Any other information that the director may require.

Each department shall set out in detail the reasons for the askings contained in such reports.

Sec. 20. Blanks.

Blanks for such reports shall be furnished by the director not later than the first day of August, nineteen hundred twenty-four (1924), and not later than the first day of June of each even-numbered year thereafter.

Sec. 21. Examinations and investigations.

The director shall have authority to make, or cause to be made, such examinations and investigations into the operation of any department as in his discretion may be necessary.

Sec. 22. Assistance of departments.

Every department of the state government, when requested by the director, shall render assistance to him in connection with the preparation of the budget report, budget bill and auditing accounts.

Sec. 23. Hearings on reports of departments.

After the filing of said reports, the director shall hold public hearings at which the heads of departments, the heads of all institutions under the state board of education and state board of control, and all taxpayers or associations of taxpayers desiring to be heard, may be heard in relation to the matters referred to in said reports. A schedule of the time and place of hearings and due public notice thereof shall be given by the director.

Sec. 24. Duties of the director—budget report.

The director shall prepare and file in his office, on or before the first day of November of each even-numbered year, a state budget report, which shall show in detail the following:

1. Classified estimates in detail of the expenditures necessary, in his judgment, for the support of each department and each institution and department thereof for the ensuing biennium.

2. A schedule showing a comparison of such estimates with the askings of the several departments for the current biennium and with the expenditures of like character for the last two preceding bienniums.

3. A statement setting forth in detail his reasons for any recommended increases or decreases in the estimated requirements of the various departments, institutions and departments thereof.

4. Estimates of all receipts of the state other than from direct taxation and the sources thereof for the ensuing biennium.

5. A comparison of such estimates and askings with receipts of a like character for the last two preceding bienniums.

6. The expenditures and receipts of the state for the last completed fiscal year and estimates of the expenditures and receipts of the state for the current fiscal year.

7. A detailed statement of all appropriations made during the two preceding bienniums, also of unexpended balances of appropriations at the end of the last fiscal year and estimated balances at the end of the current fiscal year.

8. Estimates in detail of the appropriations necessary to meet the requirements of the several departments and institutions for the next biennium.

9. Statements showing

- (a) The condition of the treasury at the end of the last fiscal year.
- (b) The estimated condition of the treasury at the end of the current fiscal year.
- (c) The estimated condition of the treasury at the end of the next biennium, if his recommendations are adopted.
- (d) An estimate of the taxable value of all the property within the state.
- (e) The estimated aggregate amount necessary to be raised by a state levy.
- (f) The millage necessary to produce such amount.
- (g) Such other data or information as the director may deem advisable.

Sec. 25. Appropriation bill.

The director shall not later than the first day of December, nineteen hundred twenty-four (1924), and on the same date biennially thereafter, prepare a state appropriation bill and transmit the same to the governor, together with the state budget report and such other explanatory matter as in his judgment will be of value to him in making his recommendations to the general assembly, and to the general assembly on the consideration of said bill.

Sec. 26. Governor to transmit bill.

The governor shall, at the time of delivering his biennial message, transmit to the senate and house of the general assembly, the state appropriation bill prepared by the director.

Sec. 27. Data accompanying bill.

The governor shall transmit with the bill the following:

1. A statement of the taxable value of all the property of the state.
2. The amount, in dollars, necessary to be raised by a tax levy if the bill be enacted.
3. The estimated levy in mills necessary should the proposed appropriations be made.
4. All information, comparisons, evidence and documents placed before him by the director, together with the reasons for decreases or increases in the recommendations of the said director.

Sec. 28. Explanation accompanying bill.

Accompanying such bill shall be a report of the governor, setting out in detail the changes suggested by him in any of the recommendations submitted by the director.

Sec. 29. Status of bill.

Said appropriation bill, when so transmitted, together with all data accompanying the same, shall be referred to the committees on appropriations in the senate and the house, respectively.

Sec. 30. Departments must submit askings.

No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the state should be met, shall be submitted to the senate or house or any committee thereof by any officer or employee of any department, except the governor, unless at the request of either house of the general assembly or of any standing committee in either house.

CHAPTER 3.

EXAMINATION OF AND SETTLEMENTS WITH DEPARTMENTS.

Sec. 31. Annual settlements with departments.

The director shall annually, and oftener if deemed necessary, make a full settlement between the state and all state officers and departments and all persons receiving or expending state funds, and shall annually make a complete audit of the books and accounts of every department of the state.

Sec. 32. Duties of state accountant.

The state accountant shall, under the direction of the director, supervise and be responsible for the auditing of the books and accounts of all departments of the state.

Sec. 33. Report of audits.

The state accountant shall, in writing, make a report of all audits and examinations so made, to the director and in detail set out the following:

1. The actual condition of such department found to exist on every examination.

2. Whether, in his opinion,

- (a) All funds have been expended for the purpose for which appropriated.

- (b) The department so audited and examined is efficiently conducted, and if the maximum results for the money expended are obtained.

- (c) The work of the department so audited or examined needlessly conflicts with or duplicates the work done by any other department.

3. All illegal or unbusinesslike practices.

4. Any recommendations for greater simplicity, accuracy, efficiency, or economy in the operation of the business of the several departments and institutions.

5. Comparisons of prices paid and terms obtained by the various departments for goods and services of like character and reasons for differences therein, if any.

6. Any other information which, in his judgment, may be of value to the director.

All such reports shall be filed and kept in the office of the director.

Sec. 34. Method of accounting.

Each department and institution of the state shall keep its records and accounts in such form and by such methods as to be able to exhibit in its reports the matters required by the director, unless otherwise specifically prescribed by law. The failure of the head of any department of the state to comply with this provision shall be ground for his suspension from office.

Sec. 35. Certain powers reserved.

Except as herein otherwise specifically provided, nothing in this act shall interfere with the authority of the state board of education, the state fair board, or the state board of control, over, nor with their policies in respect to, the management of the institutions under their control.

Sec. 36. Transfer of appropriations denied.

No appropriation nor any part thereof shall be used for any other purpose than that for which it was made without specific authority of the general assembly.

Sec. 37. Definition.

The term "department" shall be construed to mean any authority charged by law with official responsibility for the expenditure of public money of the state and any agency receiving money from the general revenues of the state.

CHAPTER 3-A.**APPEAL BOARD TO ACT IN CERTAIN CASES.****Sec. 38.**

There shall be nominated by the governor and appointed in the manner required for the appointment of the director, two competent persons to act with the director as members of an appeal board in certain cases. Their terms of office shall be for four years, beginning on the first day of July, nineteen hundred twenty-seven (1927), at which time one shall be appointed for two years and one for four years and thereafter all appointments except to fill vacancies shall be for a term of four years.

Sec. 39.

Such members of the appeal board shall qualify in the same manner as the director except that the bond of each shall be five thousand dollars (\$5,000).

Sec. 40.

After the taking effect of this act and before July first, nineteen hundred twenty-four (1924), the governor shall in like manner appoint two persons as members of the appeal board, who shall hold office until July first, nineteen hundred twenty-seven (1927) and until their successors shall be appointed and qualified.

Sec. 41.

Vacancies in both the temporary and permanent appointments of such members of the appeal board shall be filled and the removal from office shall be accomplished in the same manner as provided for the director.

Sec. 42.

The said members of the appeal board and the director shall sit and act together as a board of appeal and the director shall be chairman of the board. Said board shall only consider and determine appeals from the action of the state board of education, the state board of control or the state fair board in respect to the letting of contracts for buildings or other improvements in which the amount involved is in excess of twenty-five thousand dollars (\$25,000). The hearings before the board shall be de novo and the evidence shall be preserved on file. The decision of the board shall be final and be entered of record in the office of the director.

Sec. 43.

The members of the appeal board, other than the director, shall be paid on a per diem basis and the amount of their compensation shall be fixed by the executive council. They shall be entitled to their actual and necessary expenses while engaged in the performance of their duties, to be allowed and paid in the same manner as those of the director.

CHAPTER 4.

PUBLIC CONTRACTS AND BONDS.

Sec. 44. Definition of terms.

The words "public improvement" as used in this chapter shall mean any building or other construction work to be paid for in whole or in part by the use of funds of any municipality.

The word "municipality" as used in this chapter shall mean county, except in the exercise of its power to make contracts for primary road improvements, city, including those acting under special charter, town, township, school district, state fair board, state board of education, and state board of control.

Sec. 45. Notice of hearing on public contracts.

Before any municipality shall enter into any contract for any public improvement to cost five thousand dollars (\$5,000.00) or more, the governing body proposing to make such contract shall adopt proposed plans and specifications and proposed form of contract therefor, fix a time and place for hearing thereon at such municipality affected thereby or other nearby convenient place, and give notice thereof by publication in at least one newspaper of general circulation in such municipality at least ten (10) days before said hearing.

Sec. 46. Objections filed—hearing—decision.

At such hearing, any person interested may appear and file objections to the proposed plans, specifications or contract for, or cost of such improvement. The governing body of the municipality proposing to enter into such contract shall hear said objections and any evidence for or against the same, and enter of record its decision thereon.

Sec. 47. Appeal—limitation.

As hereinafter provided, interested objectors may appeal from such

decision to the director by serving notice thereof on the clerk or secretary of such municipality within ten (10) days after such decision is entered of record, provided that

1. For all school districts, except independent school districts in cities and towns and consolidated school districts, and for towns and townships, the amount involved for the whole improvement is five thousand dollars (\$5,000.00) or more.

2. For counties, cities of the second class and for consolidated school districts and for independent school districts in whole or in part in cities of the second class, ten thousand dollars (\$10,000.00) or more.

3. For cities of the first class, including cities under special charter, and for school districts in whole or in part in cities of the first class and in cities under special charter, for state institutions and state fair board, twenty-five thousand dollars (\$25,000.00) or more.

4. The number of objectors required to perfect an appeal shall be as follows:

Under subsection 1—ten (10).

Under subsection 2—twenty-five (25).

Under subsection 3—fifty (50).

Sec. 48. Information certified to director.

In case an appeal is taken, such body shall forthwith certify and submit to the director for examination and review the following:

1. A copy of the plans and specifications for such improvement.
2. A copy of the proposed contract.
3. An estimate of the cost of such improvement.
4. A report of the kind and amount of security proposed to be given for the faithful performance of the contract and the cost of such security.
5. A copy of the objections, if any, which have been urged by any taxpayer against the proposed plans, specifications or contract, or the cost of such improvement.
6. A separate estimate of the architect's or engineer's fees and cost of supervision.
7. A statement of the taxable value of the property within the municipality proposing to make such improvement.
8. A statement of the several rates of levy of taxes in such municipality for each fund.
9. A detailed statement of the bonded and other indebtedness of such municipality.
10. In case of state institutions and state fair board, the last three requirements may be omitted.

Sec. 49. Notice of hearing on appeal.

The director shall forthwith fix a time and place in the municipality or nearby convenient place for hearing said appeal, and notice of such hearing shall be given by registered mail to the executive officer of the municipality, and to the first five (5) persons whose names appear upon

the notice of appeal, at least ten (10) days before the date fixed for such hearing. The hearing on contracts for the state institutions and state fair board shall be at the seat of government.

Sec. 50. Hearing and decision.

At such hearing, the appellants and any other interested person may appear and be heard. The director shall examine, with the aid of competent assistants, the entire record, and if the director shall find that the plans and specifications and form of contract are suitable for the improvement proposed and that it is for the best interests of the municipality and that such improvements can be made within the estimates therefor, the director shall approve the same. Otherwise the director shall recommend such modifications of the plans, specifications, or contract, as in his judgment shall be for the public benefit, and if such modifications are so made, the director shall approve the same. The director shall certify his decision to the body proposing to enter into such contract, whereupon the municipality shall advertise for bids and let the contract subject to the approval of the director who shall at once render his final decision thereon and transmit the same to the municipality.

Sec. 50-a1. Enforcement of performance of contract.

After any contract for any public improvement has been completed and any five persons interested request it, the director shall examine into the matter as to whether or not the contract has been performed in accordance with its terms, and if on such investigation the director finds that said contract has not been so performed, and so reports to the body letting such contract, it shall at once institute proceedings on the contractor's bond for the purpose of compelling compliance with the contract in all of its provisions.

Sec. 51. Contracts entered into without approval of director void.

If an appeal is taken, no contract for public improvements shall be valid unless the same is finally approved by the director. In no case shall any municipality expend for any public improvement any sum in excess of five per cent (5%) more than the contract price without the approval of the director.

Sec. 52. Appeal board to act in certain cases.

If the appeal is from the action of the state board of education, state board of control, or state fair board, the additional members of the appeal board shall sit with the director and they shall hear the appeal as an appeal board, and in such case the word "director" as used in this chapter shall, so far as applicable, be construed to mean such appeal board.

Sec. 53. Witness fees—costs.

Witness fees and mileage for witnesses on hearing appeals shall be the same as in the district court; but objectors or appellants shall not be allowed witness fees or mileage. Costs of hearings and appeals shall be paid by the municipality.

Sec. 54. Report on completion.

Upon the completion of the improvement the executive officer or gov-

erning board of the municipality shall file with the director a verified report showing:

1. The location and character of the improvement.
2. The total contract price for the completed improvement.
3. The total actual cost of the completed improvement.
4. By whom if any one, the construction was supervised.
5. By whom final inspection was made.
6. Whether or not the improvement complies with its contract, plans and specifications.
7. Any failure of the contractor to comply with the plans and specifications.

Sec. 55. Notice of meeting for issuance of bonds.

Before any municipality shall institute proceedings for the issuance of any bonds or other evidence of indebtedness, excepting such bonds or other evidence of indebtedness as have been authorized by a vote of the people of such municipality, and except such bonds or obligations as it may be by law compelled to issue, a notice of such action, including a statement of the amount and purpose of said bonds or other evidence of indebtedness shall be published at least once in a newspaper of general circulation within such municipality at least ten (10) days before the meeting at which it is proposed to issue such bonds.

Sec. 56. Objections may be filed.

At any time before the date fixed for the issuance of such bonds or other evidence of indebtedness, five (5) or more taxpayers may file a petition in the office of the clerk or secretary of the municipality setting forth their objections thereto.

Sec. 57. Notice of hearing on objections.

Upon the filing of any such petition, the clerk or secretary of such municipality shall immediately certify a copy thereof, together with such other data as may be necessary in order to present the questions involved, to the director, and upon receipt of such certificate, petition and information, the director shall fix a time and place for the hearing of such matter, which shall be not less than ten (10) or more than thirty (30) days thereafter, and said hearing shall be held in the municipality in which it is proposed to issue such bonds or other evidence of indebtedness, or in some other nearby convenient place fixed by the director. Notice of such hearing shall be given by registered mail to the executive officer of the municipality and to the five (5) persons whose names first appear on the petition at least ten (10) days before the date of such hearing.

Sec. 58. Appeal—decision.

The director shall determine the matter and his decision shall be final. The same shall be certified to the executive officer of the municipality affected. In case there is no appeal, the board of the municipality affected may issue such bonds or other evidence of indebtedness, if legally authorized so to do, in accordance with the proposition published, but in no greater amount. In case of an appeal, the municipality may issue such

bonds or other evidence of indebtedness in accordance with the decision of the director.

Sec. 59. Bonds issued or taxes levied contrary to this act void.

Any bonds or other evidence of indebtedness issued contrary to the provisions of this act, and any tax levied or attempted to be levied for the payment of any such bonds or interest thereon, shall be null and void.

Sec. 59-a1. Time of taking effect.

This chapter shall take effect and be in force from and after October first, nineteen hundred twenty-four (1924).

CHAPTER 5.

LOCAL BUDGET LAW.

Sec. 60. Definition of terms.

This chapter shall be known as the "local budget law".

As used in this chapter and unless otherwise required by the context:

1. The word "municipality" shall mean the county, city, town, township, school district, road district, drainage district, and all other public bodies or corporations that have power to levy a tax or certify a tax or sum of money to be collected by taxation.

2. The words "levying board" shall mean board of supervisors of the county and any other public body or corporation that has power to levy a tax.

3. The words "certifying board" shall mean any public body which has the power or duty to certify any tax to be levied or sum of money to be collected by taxation.

4. The words "fiscal year" shall mean the year ending on the thirtieth day of June, and any other period of twelve (12) months constituting a fiscal period, and ending at any other time.

5. The word "tax" shall mean any general or special tax or any special assessment levied against persons, property, or business, for public purposes as prescribed by law.

6. The words "current year" shall mean the year in progress.

Sec. 61. Requirements of local budget.

No municipality shall certify or levy in any year any tax or assessment on property subject to taxation unless and until the following estimates have been made, filed, and considered, as hereinafter provided:

1. The amount of income thereof for the several funds from sources other than taxation.

2. The amount proposed to be raised by taxation.

3. The amount proposed to be expended in each and every fund and for each and every general purpose during the fiscal year next ensuing.

4. A comparison of such amounts so proposed to be expended with the amounts expended for like purposes for the two (2) preceding years.

Sec. 62. Time of filing estimates.

All such estimates and any other estimates required by law shall be made and filed a sufficient length of time in advance of any regular or special meeting of the certifying board or levying board, as the case may be, at which tax levies are authorized to be made to permit publication, discussion, and consideration thereof and action thereon as hereinafter provided.

Sec. 63. Estimates itemized.

The estimates herein required shall be fully itemized and classified so as to show each particular class of proposed expenditure, showing under separate heads the amount required in such manner and form as shall be prescribed by the director.

Sec. 64. Estimate for emergencies.

Each municipality may include in the estimate herein required an estimate for emergency or other expenditure which amount cannot reasonably be foreseen at the time the estimates are made, and such emergency fund shall be used for no other purpose.

Sec. 65. Estimated amount to be raised by taxation.

The amount of the difference between the receipts estimated from all sources other than taxation and the estimated expenditures for all purposes, including the estimates for emergency expenditures, shall be the estimated amount to be raised by taxation upon the assessable property within the municipality for the next ensuing fiscal year. The estimate shall show the number of dollars of taxation for each thousand dollars of the assessed value of all property that is assessed.

Sec. 66. Filing estimates—notice of hearing.

Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the five preceding sections at least twenty (20) days before the date fixed by law for certifying the same to the levying board and shall forthwith fix a date for a hearing thereon, and shall publish such estimates with a notice of the time when and the place where such hearing shall be held at least ten (10) days before the hearing. For the county and any municipality embraced within the county seat, such publication shall be in an official newspaper published at the county seat. For a municipality outside the county seat in which one or more newspapers are published, such publication shall also be in one of such newspapers.

Sec. 67. Levies void unless notice of hearing given.

The verified proof of the publication of such notice shall be filed in the office of the county auditor and preserved by him. No levy shall be valid unless and until such notice is published and filed.

Sec. 68. Meeting for review of local budget.

The certifying board or the levying board, as the case may be, shall meet at the time and place designated in said notice, at which meeting any person who would be subject to such tax levy, shall be heard in favor of or against the same or any part thereof.

Sec. 69. Record by certifying board.

After the hearing has been concluded, the certifying board shall enter of record its decision, also the amount of the separate appropriations for each fund in the manner and form prescribed by the director and shall certify the same to the levying board, which board shall enter upon the current assessment and tax roll the amount of taxes which it finds shall be levied for the ensuing fiscal year in each municipality for which it makes the tax levy. Any board which has the power to levy a tax without the same first being certified to it, shall follow the same procedure for hearings as is hereinbefore required of certifying boards. .

Sec. 70. Tax limited.

No greater tax than that so entered upon the record shall be levied or collected for the municipality proposing such tax for the purpose or purposes indicated; and thereafter no greater expenditure of public money shall be made for any specific purpose than the amount estimated and appropriated therefor, except as provided in sections 64 and 71.

Sec. 71. Further tax limitation.

No tax shall be levied by any municipality in excess of the estimates published and five per cent (5%) additional, except such taxes as are approved by a vote of the people, but in no case shall any tax levy be in excess of any limitation imposed thereon now or hereafter by the constitution and laws of the state.

Sec. 72. Expenses—how paid.

The cost of publishing the notices and estimates required by this chapter, and the actual and necessary expenses of preparing the budget, shall be paid out of the general funds of each municipality respectively.

Sec. 73. Budgets to be certified.

The local budgets of the various municipalities shall be certified by the chairman of the certifying board or the levying board, as the case may be, in duplicate to the county auditor not later than the fifteenth (15th) day of August each year on blanks prescribed by the director, and according to rules and instructions which shall be furnished all certifying and levying boards in printed form by said director. One copy of said budget shall be retained on file in his office by the county auditor, and the other shall be certified by him to the director.

Sec. 74. Summary of budget.

Before forwarding copies of local budgets to the director, the county auditor shall prepare a summary of each budget, showing the condition of the various funds for the fiscal year, including the budgets adopted as herein provided. Said summary shall be printed as a part of the annual financial report of the county auditor, and one copy shall be certified by him to the director.

Sec. 75. Levying board to spread tax rates.

At the time required by law the levying board shall spread the tax rates necessary to produce the amount required for the various funds

of the municipality as certified by the certifying board, for the next succeeding year, as shown in the approved budget in the manner provided by law. One copy of said rates shall be certified to the director.

Sec. 76. Tax rates to stand.

The several tax rates and levies of the municipalities thus determined and certified in the manner provided in the preceding sections, except such as are authorized by a vote of the people, shall stand as the tax rates and levies of said municipality for the ensuing year for the purposes set out in the budget.

Sec. 77. Transfer of funds.

Subject to the provisions of any law relating to municipalities, when the necessity for maintaining any fund of the municipality has ceased to exist, and a balance remains in said fund, the certifying board or levying board, as the case may be, shall so declare by resolution, and upon such declaration, such balance shall forthwith be transferred to the general or contingent fund of the municipality, unless other provisions have been made in creating such fund in which such balance remains.

Sec. 78. Return of funds transferred.

Subject to the provisions of law relating to municipalities, and upon the approval of the director, it shall be lawful to transfer money from one fund of a municipality to another fund thereof, and the certifying board or levying board, as the case may be, shall provide that money so transferred must be returned to the fund from which it was transferred as soon as may be, provided, that it shall not be necessary to return to the emergency fund or to any other fund no longer required, any moneys transferred therefrom to any other fund.

Sec. 79. Director to supervise certifying and levying boards and prescribe rules.

The director shall exercise general supervision over the certifying boards and levying boards of all municipalities with respect to budgets and shall prescribe for them all necessary rules, instructions, forms, and schedules. The best methods of accountancy and statistical statements shall be used in compiling and tabulating all data required by this act.

Sec. 80. Penalty for failure to perform duties.

Failure on the part of any public official to perform any of the duties prescribed in this act shall constitute a misdemeanor, and shall be sufficient ground for removal from office.

Sec. 81. Annual report to governor.

The director shall make an annual report to the governor setting forth the essential facts and statistical data regarding his administration of this act.

CHAPTER VI.

Sec. 82. Temporary appropriation.

There is hereby appropriated out of the funds in the state treasury not otherwise appropriated, a sum sufficient to carry into effect the provi-

sions of this chapter. This appropriation shall expire on June thirtieth, nineteen hundred twenty-five (1925).

That section thirty-nine-a six (39-a6) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 83. Compensation and expenses.

For meetings of the committee other than those held during the time the legislature is in session, each member of the committee shall receive his actual traveling expenses and a per diem of ten dollars per day for each day in attendance.

Sec. 84. Temporary appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), from any moneys in the state treasury not otherwise appropriated, such sum as may be necessary to pay the expense and per diem provided for in the last preceding section.

That section one hundred seventy-five-a sixteen (175-a16) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 85. Assistants—appropriation.

The reporter of the supreme court may, by and with the consent of the supreme court, employ the necessary assistants and clerical help at such compensation as may be fixed by the supreme court, in addition to those otherwise provided by law, and there is hereby annually appropriated out of any money in the state treasury not otherwise appropriated the sum of five thousand dollars to be used for the purpose of carrying out the provisions of this section.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section two hundred forty-one-a thirty-two (241-a32) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 86. Appropriation.

There is hereby annually appropriated, until July first, nineteen hundred twenty-five (1925), out of any unappropriated funds in the state treasury a sum sufficient to pay all obligations incurred under this and the two following chapters of this title.

That section three hundred thirty-six (336) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 87. Guard support fund.

There is appropriated, until July first, nineteen hundred twenty-five (1925), out of any moneys in the treasury not otherwise appropriated, the sum of two hundred sixty-five thousand dollars (\$265,000) per annum, or so much thereof as may be necessary, for the support of the guard under the provisions of this chapter not applying to active service, which shall be drawn by a warrant, drawn by the auditor of state on the state treasurer, upon the certificate of the adjutant general approved by the governor and checked by the state board of audit, showing for what

purpose each draft is to be or has been used, and no indebtedness shall be created in excess of such annual appropriation.

That section three hundred thirty-six-a one (336-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 88. Camp Dodge maintenance fund.

There is hereby annually appropriated, until July first, nineteen hundred twenty-five (1925), out of any funds in the state treasury not otherwise appropriated the sum of ten thousand dollars (\$10,000), 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.

That section three hundred thirty-eight (338) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 89. Appropriation for Grand Army of the Republic.

There is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury not otherwise appropriated, the sum of seven hundred fifty dollars annually, or so much thereof as may be necessary, for the use of the headquarters, department of Iowa, Grand Army of the Republic, for the payment of incidental office expenses, including postage, printing, telegraph, and telephone charges, and other expenses incident to the maintenance of said headquarters.

That section eight hundred seventy-two (872) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 90. Expenses.

The expenses incurred under the preceding sections of this chapter shall be audited by the state board of audit and shall be paid out of any money in the state treasury not otherwise appropriated upon warrants drawn by the auditor of state. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section eleven hundred eighty-six (1186) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 91. Annual appropriation.

For the purpose of carrying into effect the provisions of this chapter, there shall be appropriated out of the fish and game protection fund any portion thereof which is in the judgment of the executive council, unnecessary for the support and maintenance of the fish and game department, and in addition thereto there shall be appropriated annually out of any moneys in the state treasury not otherwise appropriated, the sum of seventy-five thousand dollars (\$75,000.00). This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-three hundred seventeen (2317) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 92. Appropriation.

For the purpose of carrying out the provisions of this chapter, there is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of any moneys in the state treasury, not otherwise appropriated, the sum of one hundred fifty thousand dollars (\$150,000.00) annually hereafter.

That section twenty-three hundred forty-six-a one (2346-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 93. Permanent annual appropriations.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the state university of Iowa, the sum of seven hundred thousand dollars (\$700,000.00) annually hereafter for the following purposes:

Education support	\$454,700.00
College of applied science, liberal arts, law, pharmacy and medicine	68,350.00
College of dentistry	23,725.00
College of education	20,000.00
Graduate college	9,000.00
College of fine arts.....	3,000.00
University extension	17,000.00
Summer school	16,000.00
Equipment and supplies	12,500.00
Repair and contingent	35,000.00
Department of buildings and grounds.....	12,000.00
Administration	6,225.00
Library	17,500.00
Epidemiology laboratory	5,000.00

The permanent 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 first, of each year, with the exception of the summer school fund, sixteen thousand dollars, which shall be available on July first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-three hundred fifty-one (2351) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 94. Appropriation.

There is hereby appropriated until July first, nineteen hundred twenty-five (1925), out of the money in the state treasury not otherwise appropriated the sum of twenty-five thousand dollars (\$25,000.00) annually hereafter for the maintenance of such a station and the furtherance of the objects, to be expended on the order and under the direction of said board of education.

That section twenty-three hundred seventy-four-a six (2374-a6) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 95. Appropriation.

There is hereby appropriated, out of the money in the state treasury not otherwise appropriated, 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 chapter; and the sum of twenty-one thousand two hundred thirteen dollars and sixty cents (\$21,213.60) annually hereafter, until July first, nineteen hundred twenty-five (1925) for the promotion of the welfare and hygiene of maternity and infancy, provided the provisions of said act of congress named in this chapter shall remain in force until said date.

That section twenty-three hundred ninety-six-a one (2396-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 96. Permanent annual appropriations.

There is hereby appropriated to the Iowa state college of agriculture and mechanic arts, out of any money in the state treasury not otherwise appropriated, the sum of nine hundred forty thousand dollars (\$940,000) annually hereafter for the following purposes:

Permanent collegiate support fund.....	\$505,000.00
Summer session	20,000.00
Two year and four year courses in home economics for homemakers and teachers	20,000.00
Subcollegiate courses in agriculture, home economics, and engineering	54,000.00
Contingent fund, repairs, and minor improvements.....	46,000.00
Library, books and periodicals	5,000.00
Maintenance and improvement of public grounds.....	10,000.00
	<hr/>
	660,000.00

and for,

Winter short courses in agriculture, home economics and engineering and trade school work.....	9,500.00
Veterinary practitioners' courses	2,500.00
Engineering experiment station	15,000.00
Good roads experimentation.....	10,000.00
Agricultural experiment station.....	115,500.00
Agricultural and home economics extension.....	90,000.00
Engineering extension and trade schools.....	25,000.00
Veterinary investigations	12,500.00
	<hr/>
	280,000.00

The appropriations in this section shall be paid on the order of the Iowa state board of education, in monthly installments beginning July first, of each year, with the exception of the summer sessions fund of twenty thousand dollars (\$20,000), which shall be available on July first of each year and the winter short course fund of nine thousand five hundred dollars (\$9,500), which shall be available on January first each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-four hundred twenty-one (2421) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 97. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the general funds of the state treasury not otherwise appropriated the sum of fifteen hundred dollars (\$1,500) annually to carry out the provisions of the three preceding sections.

That section twenty-four hundred thirty (2430) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 98. Annual appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of any moneys not otherwise appropriated the sum of six thousand five hundred dollars (\$6,500) annually, or so much thereof as may be necessary, for carrying out the provisions of section twenty-four hundred twenty-five (2425) of this supplement, and sections twenty-four hundred twenty-six (2426) to twenty-four hundred twenty-nine (2429), inclusive, of the compiled code.

That section twenty-four hundred thirty-two-a one (2432-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 99. Permanent annual appropriations.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa state teachers college, the sum of two hundred eighty-five thousand dollars (\$285,000) annually hereafter for the following purposes:

Teachers' fund	\$139,500.00
Summer term fund	40,000.00
Contingent and repair	70,000.00
Library	5,000.00
Librarian's salary fund	8,500.00
Hospital fund	2,250.00
Extension service fund.....	19,750.00

The permanent 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 first, of each year, with the exception of the summer term fund, forty thousand dollars (\$40,000.00), which shall be available on July first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-four hundred forty-a one (2440-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 100. Permanent annual appropriations.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated, to the college for the blind, the sum of forty-one thousand six hundred dollars (\$41,600) annually hereafter for the following purposes:

Support fund	\$40,000.00
Repair and contingent fund.....	1,500.00
Oculist fund	100.00

The permanent 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 first of each year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-five hundred one-a one (2501-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 101. Appropriations for institutes.

To defray the expenses of county teachers' institutes, there is hereby appropriated out of any moneys in the state treasury not otherwise set apart a sum not to exceed fifty dollars (\$50.00) annually for each institute held in each county, which sum the superintendent shall receive from the state treasurer, upon the warrant of the state auditor, to be issued to him upon his certificate; which amount, when drawn, shall be forthwith remitted to the proper county superintendent. If any balance remains of this sum after paying the expenses of the institute, it shall be covered into the county treasury of the proper county and credited to the institute fund.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-six hundred eighteen (2618) of the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 102. Appropriation.

For the purpose of carrying out the provisions of this chapter there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one hundred thousand dollars (\$100,000) annually.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-seven hundred seventy-five (2775) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 103. Compensation and expenses.

No member of the commission shall ever receive any compensation for services as a member, but the traveling expenses of members in attending meetings of the commission, or in visiting or establishing libraries and other incidental and necessary expenses connected with the work of the

commission, shall be paid, including the necessary expense in the maintenance and extension of the traveling library system.

Sec. 104. Appropriation.

There is hereby annually appropriated from any funds in the state treasury not otherwise appropriated, the sum of twelve thousand dollars (\$12,000) to carry into effect the provisions of the last preceding section, and any balance not expended in any one year may be added by the commission to the expenditure for any ensuing year.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925), at which time any unexpended balance shall be credited to the general fund of the state.

That section twenty-eight hundred sixty-four-a seven (2864-a7) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 105. Appropriation.

There is hereby appropriated from any unappropriated funds now or hereafter in the state treasury an amount sufficient to pay the obligations created by this chapter. Said costs shall be paid only on itemized vouchers which shall carry a certificate from the chief engineer of the state highway commission that said improvement has been completed according to contract.

This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section twenty-nine hundred forty-eight (2948) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 106. Machinery for counties and highway commission.

The state highway commission, with the consent of the board of supervisors of any county, is authorized to purchase for and on behalf of any such county, road material or road machinery, after receiving competitive bids, and to pay for the same out of such county's allotment of the primary fund, and is directed to purchase, rent or lease any machinery or other articles necessary for the use and most economical operation of field engineering work, the testing of materials, the preparation of plans, and for allied purposes, in order to enable the commission to carry out the provisions of this chapter, and to pay for the same out of the state highway commission maintenance fund.

Sec. 107. Donations by federal government.

Should the government of the United States provide for free distribution among the states, of machinery or other equipment, suitable for use in road improvement, the state highway commission is empowered to receive and receipt for such machinery and equipment, and to take such action as will secure to the state the benefit of any such tenders by the federal authorities. Said commission is further authorized, in the event of such distribution to the states by the federal authorities, to make such apportionment of said machinery or other equipment among the counties

of the state as in its judgment will best facilitate work in progress or contemplated by any county or counties, but the title and right of possession of such property so received from the federal government shall at all times rest in the state highway commission for the use and benefit of the state.

Sec. 108. Appropriation.

The executive council is hereby authorized to pay the expense, if any, attending the transportation of such machinery or other equipment to the state of Iowa, out of any funds in the state treasury not otherwise appropriated. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section thirty hundred eighty-one-a thirteen (3081-a13) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 109. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury, not otherwise appropriated, the sum of ten thousand dollars (\$10,000.00) annually, or so much thereof as may be necessary, the same to be expended by the state railroad commission to carry out the provisions of this chapter.

That section fifty hundred forty-four-a one (5044-a1) of the supplement to the compiled code of Iowa is amended, revised, and codified to read as follows:

Sec. 110. Appropriation.

There is hereby appropriated, until July first, nineteen hundred twenty-five (1925), out of the funds in the state treasury, not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000.00) annually, or so much thereof as may be necessary, the same to be expended by the state railroad commission in the preparation and submission of cases involving interstate rates or services affecting Iowa, and in the investigation and determination of all cases within its jurisdiction, and to defray the general expenses of the administration of the duties of the state railroad commission.

That section fifty-four hundred thirty-nine-a one (5439-a1) of the supplement to the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 111. Contingent fund.

For the purpose of carrying the provisions of this chapter into effect, and providing for the payment of necessary expenses not otherwise provided for, there is hereby appropriated, until July first, nineteen hundred twenty-five (1925), as a contingent fund for the use of the secretary of state during each biennial period the sum of twenty-five hundred dollars (\$2500.00). Payments from said fund shall be made on order of such secretary by warrant drawn by the auditor of state against such fund upon the state treasurer, an itemized statement of expense so incurred to be filed with the state board of audit.

That section sixty-four hundred seventy-three (6473) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 112. How constituted.

The members of the commission shall be selected with reference to their fitness for the duties required and at least one of them shall be a competent surveyor and civil engineer.

Sec. 113. Compensation.

They shall receive for their services such amount as the executive council may deem reasonable, to be certified by the executive council to the auditor of state, who shall draw his warrant for the amount, and the same shall be paid out of the general fund. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That section sixty-four hundred seventy-six (6476) of the compiled code of Iowa, is amended, revised, and codified to read as follows:

Sec. 114. Expenses of survey, appraisement and advertising—how paid.

The expenses of the survey and the appraisement, the expenses of the secretary of state or the clerk of the state land office in making the trip into the county to select the commissioners to appraise the land, the expenses of advertising and readvertising for sale of the land, and the expenses of reappraising whenever such reappraisement is deemed necessary, shall be certified by the secretary of state to the auditor of state, who shall draw his warrant for the amount, and the same shall be paid out of the general fund. This section shall be deemed repealed on and after June thirtieth, nineteen hundred twenty-five (1925).

That sections ninety hundred fifty-six (9056) and ninety hundred fifty-seven (9057) of the compiled code of Iowa are amended, revised, and codified to read as follows:

Sec. 115. Power of special agents.

Special agents appointed by the governor shall have the rights and powers possessed by special agents of the department of justice appointed by the attorney general, and shall give bond in the same amount.

Sec. 116. Salary and expenses.

Special agents appointed by the governor shall be paid their actual and necessary expenses incurred in the discharge of their duties, and such salary as the executive council shall fix. Not more than one special agent may be employed by the governor for a period in excess of thirty (30) days without the consent of the executive council.

Sec. 117. Temporary appropriation.

There is appropriated, until July first, nineteen hundred twenty-five (1925), from any funds in the state treasury not otherwise appropriated, such sum as may be necessary to pay the salaries and expenses of special agents appointed by the governor.

That sections five (5) and six (6) of House File No. Ten (10) of the acts of the extra session of the Fortieth General Assembly, said House file being entitled "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 and making an appropriation for the expenses provided", are amended, revised, and codified to read as follows:

Sec. 118. Special counsel.

No compensation shall be allowed to any person for services as an attorney or counselor to any department of the state government, or the head thereof, or to any state board or commission, except in cases specially authorized by law, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department can not for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. Such compensation shall, until July first, nineteen hundred twenty-five (1925), be payable out of any unappropriated funds in the state treasury.

Sec. 119. Expenses.

The attorney general and his assistants shall be repaid their actual and necessary expenses incurred in transacting their official duties at places other than the seat of government.

That sections two thousand seven hundred seventy-six (2776) to two thousand seven hundred eighty-one (2781), inclusive, of the compiled code of Iowa, and sections two thousand seven hundred eighty-one-a-one (2781-a1) and two thousand seven hundred eighty-one-a two (2781-a2) of the supplement to the compiled code are amended, revised, and codified to read as follows:

Sec. 120. State historical society—duties.

That the state historical society shall be maintained in connection with and under the auspices of the state university of Iowa, for carrying out the work of collecting and preserving materials relating to the history of Iowa and illustrative of the progress and development of the state; for maintaining a library and collections, and conducting historical studies and researches; for issuing publications, and for providing public lectures of historical character, and otherwise disseminating a knowledge of the history of Iowa among the people of the state.

Sec. 121. Appropriations.

There is hereby appropriated for the use of the state historical society, out of money in the state treasury not otherwise appropriated, annually until July 1, 1925, the sum of forty-four thousand five hundred dollars (\$44,500.00) which shall be payable in quarterly installments upon the order of the board of curators of said society.

Sec. 122. Interpretative clause.

The amendment, revision, and codification of sections eighty-two (82) to one hundred twenty-one (121), inclusive, which embrace appropriations, is for the sole purpose of terminating said existing appropriations at the

time indicated, and should any such appropriations as indicated in this act be in excess of those now authorized, they shall be reduced to said amount and in no case shall they be increased.

Sec. 123. Publication clause.

This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines News and the Plain Talk, newspapers published in the City of Des Moines, Iowa.

RESIGNATION OF COMMITTEE CLERKS

Doris Crummer and Cornie Belle Hurst presented resignations as committee clerks which were accepted.

The Journal of April 16th was corrected and approved.

THIRD READING OF BILLS

On motion of Senator Bowman, House Joint Resolution No. 4, joint resolution authorizing the board of control of state institutions to enter into contracts for the employment of prisoners, with report of committee recommending passage, was taken up and considered.

Senator Bowman raised the following point of order:

MR. PRESIDENT: I raise the point of order that the Senate has already acted upon the matter contained in Joint Resolution No. 4, which has passed the House and is now before the Senate for consideration.

This matter was acted upon by the Senate in Bill No. 84, section 461.

The Senate adopted the following amendment in connection with section 461:

"The board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for a like service or its equivalent."

The House did not concur and upon being returned to the Senate the Senate failed to recede and carried the motion to insist. The argument produced on the floor of the Senate had special reference to the existing contracts, even going so far as to state that it was questionable if the existing contract could be entered into if this amendment prevailed.

House Joint Resolution No. 4 is now attempting this contract by eliminating the amendment above referred to. This has been acted upon twice in the Senate already and the same matter is now going to a conference committee to be decided.

Therefore, I raise the point of the order that this matter has already been acted upon by the Senate as above stated and therefore said House Joint Resolution No. 4 has already been considered in bill No. 84 as above referred to, and therefore, it is out of order for the Senate to consider House Joint Resolution No. 4 at this time.

We passed on the matter only day before yesterday and therefore have no right today to attempt to legalize the matter which simply means we should be receding from the same point that day before yesterday we insisted upon.

Senator Shaff moved that the Senate adjourn until 9:30 a. m. Friday.

Senator Campbell moved to amend by making the hour 9:00 a. m.

The amendment was lost.

Senator Dutcher moved to amend by making the hour 1:30 p. m.

Senator Price moved to amend the amendment by making the hour 10:00 a. m.

The amendment to the amendment was adopted.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 18, 1924.

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

Prayer was offered by Rev. N. C. Carpenter, pastor of the Capitol Hill Church of Christ, Des Moines.

On motion of Senator Shane, rule 33 was suspended for the day.

INTRODUCTION OF BILL

Senate File No. 325, by committee on judiciary No. 1, a bill for an act to correct cross references in sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four (4164), of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said code.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Newberry submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House Joint Resolution No. 7, a joint resolution providing for the publication of House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds, 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 "clause" as it appears in catch words to section 1 and substituting the word "authorized" therefor.

Also amend by adding as section 2 the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines News and The Iowa Forum, newspapers published in the city of Des Moines, Iowa.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which 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, begs leave to report that action by the committee upon House File No. 210 and the companion bill Senate File No. 210 has been deferred pending action upon a proposed substitute for Senate Files Nos. 210 and 211, the proposed substitute to cover the subject matter embraced in both 210 and 211. As that substitute had not been acted upon by the Senate at the time all bills were ordered returned by the committees, House File No. 210 is returned by the committee without recommendation.

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 324, a bill for an act to legalize the transfer of funds by the board of supervisors of Wapello county, Iowa, 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. 322, a bill for an act to legalize special election held in Valley Junction, Iowa, on the proposition of issuance of water works bonds, 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.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 17, 1924, he had signed Senate Files Nos. 309, 310, 311, 207 and 182.

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. 177, 183, 312, 316, 318, 321 and 125.

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. 114, 315, 322, 325.

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. 177, 183, 312, 316, 318, 321 and 125; also House Files Nos. 114, 315, 322 and 325.

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 eighteenth day of April, sent to the Governor for his approval, Senate Files Nos. 177, 183, 312, 316, 318, 321 and 125.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report on House File No. 34, a bill for an act relating to removal from office.

Also: That the Speaker has appointed as conference committee on the part of the House on House File No. 84, a bill for an act relating to charitable, correctional and penal institutions, and the juvenile courts, Representatives Lake, Grimwood, Wolfe and Potts.

Also: That the House concurs in Senate amendments to sections 20, 21, 22, 27-a1, 42, 49, 67, 85, 90, 91, 92 and the last two amendments to section 93 and refuses to concur in all other Senate amendments to House File No. 261, a bill for an act relating to regulation and inspection of foods, drugs, and other articles.

Also: That the House insists on its amendments to Senate File No. 121, a bill for an act relating to county road, bridges, and culvert system, and taxation therefor, and requests a conference committee and the

Speaker of the House appoints as such committee on the part of the House, Representatives Carter, Peterson, Johnson and Patterson.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Shane, Senator Cessna was excused from the call of the Senate for Friday and Saturday.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Thurston called the following conference committee report up for consideration:

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House 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, beg leave to report that we have had these differences under consideration and submit the following report:

- (1) That the Senate recede from its amendment to section one (1).

LLOYD THURSTON,
H. C. WHITE,
S. C. REES,
J. E. WICHMAN,

Conferees on part of Senate.

A. G. RASSLER,
HOWARD A. MATHEWS,
JOHN H. AIKEN,
C. H. SCOTT,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 37.

Abben	Fulton	Nelson	Shaff
Adams	Gilchrist	Newberry	Shane
Baird	Goodwin	Olson	Shinn
Banta	Haskell	Perkins	Smith
Bergman	Holdoegel	Price	Snook
Browne	Horchem	Reed	Thurston
Campbell	Johnston	Rees	Tuck
Darting	McIntosh	Romkey	White
Dutcher	Mantz	Schmedika	Wichman
Ethell			

Nays, none.

Absent or not voting, 13.

Bowman	Caldwell	Hartman	Scott
Brookhart	Cessna	Kimberly	Slosson
Brookins	Hale	Mead	Stoddard
Buser			

The conference committee report 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 Brookhart, Senate File No. 211, 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 commodity or article of commerce and penalties for violation of said provisions, together with House File No. 210, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted.

The following substitute was considered:

A bill for an act to amend, revise and codify chapter twelve (12) of title twenty-one (XXI), sections six thousand two hundred nineteen (6219) to six thousand two hundred twenty-nine (6229), inclusive, and six thousand two hundred thirty-four (6234) to six thousand two hundred thirty-six (6236), inclusive, of the compiled code of Iowa, relating to unlawful discrimination, combinations, pools and trusts in buying, selling, handling, storing and transporting commodities and articles of commerce and prescribing punishment and penalties for violations, and means and methods of enforcement thereof, and defining the duties of certain officers in respect thereto.

Senator Thurston offered the following amendment to the substitute and moved its adoption:

Amend by adding at the end of section thirteen (13) the following:

"Upon completion of a particular investigation, the attorney general shall certify the costs accrued thereunder to the executive council, which shall approve the same, and order warrants drawn to pay such costs out of funds in the state treasury, not otherwise appropriated."

The amendment was adopted.

Senator Brookhart offered the following amendment to the substitute and moved its adoption:

Amend by striking therefrom section 8, and inserting in lieu thereof the following:

"Sec. 8. No person doing business within the state and engaged in the production, manufacture or distribution of any commodity or article of commerce, shall intentionally, for the purpose of injuring or destroying the competition of any regular established dealer in such commodity, or to prevent competition of any person, who, in good faith, intends or attempts to become such dealer, discriminate between different sections, communities, or cities of the state, or between persons, in any locality of this state by selling such commodity at a lower price or upon more favorable terms in one section, community or city, or any portion thereof, or to any person in any locality of this state, than the price or terms at which such person sells such commodity in another section, community or city, or to another person in any locality of this state.

Sec. 8-a1. No person engaged in the business of collecting or buying any commodity or article of commerce shall intentionally for the purpose of injuring or destroying the business or trade of any competitor in any locality of this state, or to prevent competition by any person who in good faith intends or attempts to engage in such business, discriminate between the different sections, communities, or cities of this state, or between persons in any locality of this state, by buying any commodity or article of commerce at a higher price or upon more favorable terms in one section, community, or city, or to any person in any locality of this state, than are paid or given for the same kind of commodity or article of commerce by said person in another section, community, or city, or to another person in any locality of this state.

Sec. 8-a2. It shall be a justification for a difference in price, if such difference is merely commensurate with an actual difference in the quality or quantity of the commodity or article of commerce purchased or sold or in transportation charges or other expenses of marketing or purchasing involved in such purchase or sale. Any justification as described herein may be made by the defendant but no such justification need be negatived in the information or complaint and, if so negatived, no proof in relation to the matter negatived shall be required on the part of the prosecution."

Senator Mantz moved that further action on the bill be deferred and that the amendment offered by Senator Brookhart be printed in the Journal.

Senator Mantz withdrew his motion.

On motion of Senator Newberry, Senator Bowman was excused from the call of the Senate for the forenoon.

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

Ayes, 16.

Brookhart	Ethell	Price	Shinn
Browne	Johnston	Rees	Snook
Buser	McIntosh	Romkey	Thurston
Campbell	Nelson	Schmedika	Tuck

Nays, 30.

Abben	Dutcher	Mantz	Shaff
Adams	Fulton	Mead	Shane
Baird	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Smith
Bergman	Hartman	Perkins	Stoddard
Brookins	Haskell	Reed	White
Caldwell	Holdoegel	Scott	Wichman
Darting	Horchem		

Absent or not voting, 4.

Bowman	Cessna	Hale	Kimberly
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The amendment was lost.

On motion of Senator Shaff, Senator Tuck was excused from the call of the Senate until Monday noon.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Hammill presiding.

By unanimous consent Senator Smith was excused from the call of the Senate for an hour.

THIRD READING OF BILLS

On motion of Senator Goodwin, the rules were suspended, and Senate File No. 322, a bill for an act to legalize a special election held on the 31st day of March, 1924, in the city of Valley Junction, Iowa, whereat there was submitted to the voters the proposition of the issuance of bonds of said city of Valley Junction in the sum of twenty thousand dollars (\$20,000.00), for the purpose of extending the water works system owned and operated by said city; and to legalize all acts and proceedings in respect to said election and said bonds and to authorize the issuance of twenty thousand dollars (\$20,000.00) water works bonds of said city, 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, 43.

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

Nays, none.

Absent or not voting, 7.

Bowman	Hale	McIntosh	White
Cessna	Kimberly	Tuck	

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 Shane, the rules were suspended, and House File No. 324, a bill for an act to legalize the transfer of funds 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, 40.

Abben	Brookhart	Campbell	Gilchrist
Adams	Brookins	Darting	Goodwin
Baird	Browne	Dutcher	Hartman
Banta	Buser	Ethell	Holdoegel
Bergman	Caldwell	Fulton	McIntosh

Mantz	Price	Scott	Snook
Nelson	Reed	Shaff	Stoddard
Newberry	Rees	Shane	Thurston
Olson	Romkey	Shinn	White
Perkins	Schmedika	Slosson	Wichman

Nays, none.

Absent or not voting, 10.

Bowman	Haskell	Kimberly	Smith
Cessna	Horchem	Mead	Tuck
Hale	Johnston		

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. 211.

Senator Thurston offered the following amendment to the substitute and moved its adoption:

Amend by adding the following as section ten-a (10-a).

"Sec. 10-a. Any person, firm, or corporation, may be enjoined from violating any of the provisions of this act, and such proceeding shall be in equity and shall be governed by the usual and customary proceedings therefor.

The injunction may be statewide in effect, and may be applied for by five citizens or by the attorney general or by a county attorney.

Violations of the injunction shall be punishable as contempt and such contempt proceedings may be brought in any county in the state where such violation occurs."

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

Ayes, 25.

Banta	Gilchrist	Newberry	Schmedika
Brookhart	Hartman	Olson	Shinn
Browne	Horchem	Price	Slosson
Buser	Johnston	Reed	Snook
Campbell	McIntosh	Rees	Thurston
Darting	Nelson	Romkey	White
Ethell			

Nays, 19.

Abben	Caldwell	Holdoegel	Shaff
Adams	Dutcher	Mantz	Shane
Balrd	Fulton	Mead	Stoddard
Bergman	Goodwin	Perkins	Wichman
Brookins	Haskell	Scott	

Absent or not voting, 6.

Bowman	Hale	Smith	Tuck
Cessna	Kimberly		

The amendment was adopted.

Senator Buser moved that the vote by which the amendment was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Shaff offered the following amendment to section 8 of the substitute bill and moved its adoption:

Amend by striking the following from lines 15 and 16 of said section: "different prices and/or" and inserting the following in lieu thereof: "differences in prices and".

The amendment was lost.

Senator Buser offered the following amendment to the substitute and moved its adoption:

Amend section 8 by striking out all following the word "transportation" in line 15.

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

Ayes, 15.

Brookhart	Ethell	Nelson	Schmedika
Browne	Hartman	Price	Shinn
Buser	Johnston	Rees	Snook
Campbell	McIntosh	Romkey	

Nays, 28.

Abben	Darting	Horchem	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Fulton	Mead	Shane
Banta	Gilchrist	Newberry	Slosson
Bergman	Goodwin	Olson	Stoddard
Brookins	Haskell	Perkins	White
Caldwell	Holdoegel	Reed	Wichman

Absent or not voting, 7.

Bowman	Hale	Smith	Tuck
Cessna	Kimberly	Thurston	

The amendment was lost.

The substitution was made as recommended by the committee.

On the question "Shall the substitute be adopted?" the vote was:

Ayes, 29.

Abben	Fulton	Mantz	Shaff
Adams	Gilchrist	Mead	Shane
Baird	Goodwin	Newberry	Slosson
Banta	Hartman	Olson	Stoddard
Bergman	Haskell	Perkins	Thurston
Brookins	Holdoegel	Reed	White
Caldwell	Horchem	Scott	Wichman
Darting			

Nays, 9.

Buser	Nelson	Romkey	Shinn
Campbell	Price	Schmedika	Snook
Johnston			

Absent or not voting, 12.

Bowman	Cessna	Hale	Rees
Brookhart	Dutcher	Kimberly	Smith
Browne	Ethell	McIntosh	Tuck

The substitute 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, 21.

Abben	Gilchrist	Olson	Slosson
Baird	Hartman	Perkins	Stoddard
Banta	Mantz	Reed	Thurston
Darting	Mead	Scott	White
Dutcher	Newberry	Shaff	Wichman
Fulton			

Nays, 22.

Adams	Caldwell	Johnston	Romkey
Bergman	Campbell	McIntosh	Schmedika
Brookhart	Ethell	Nelson	Shane
Brookins	Goodwin	Price	Shinn
Browne	Haskell	Rees	Snook
Buser	Holdoegel		

Absent or not voting, 7.

Bowman	Hale	Kimberly	Tuck
Cessna	Horchem	Smith	

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.

Senator Holdoegel asked for a division of the question.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 17.

Brookhart	Ethell	McIntosh	Romkey
Browne	Goodwin	Nelson	Schmedlka
Buser	Hartman	Price	Shinn
Caldwell	Johnston	Rees	Snook
Campbell			

Nays, 27.

Abben	Dutcher	Mead	Shane
Adams	Fulton	Newberry	Slosson
Baird	Gilchrist	Olson	Stoddard
Banta	Haskell	Perkins	Thurston
Bergman	Holdoegel	Reed	White
Brookins	Horchem	Scott	Wichman
Darting	Mantz	Shaff	

Absent or not voting, 6.

Bowman	Hale	Smith	Tuck
Cessna	Kimberly		

The motion to lay on the table was lost.

Senator Holdoegel moved that consideration of the motion to reconsider be deferred until next Tuesday.

Senator Romkey moved to amend by making the time for consideration next Wednesday.

The amendment was lost.

On the question "Shall consideration of the motion to reconsider be deferred until Tuesday?" the vote was:

Ayes, 26.

Abben	Fulton	Mantz	Scott
Baird	Gilchrist	Mead	Shaff
Banta	Hartman	Newberry	Shane
Bergman	Haskell	Olson	Slosson
Brookins	Holdoegel	Perkins	Stoddard
Darting	Horchem	Reed	Wichman
Dutcher	McIntosh		

Nays, 18.

Adams	Campbell	Price	Shinn
Brookhart	Ethell	Rees	Snook
Browne	Goodwin	Romkey	Thurston
Buser	Johnston	Schmedika	White
Caldwell	Nelson		

Absent or not voting, 6.

Bowman	Hale	Smith	Tuck
Cessna	Kimberly		

The motion having failed to receive a two-thirds majority was lost.

Senator Shinn moved that Senator Bowman be excused for the afternoon.

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

Ayes, 25.

Bergman	Ethell	Nelson	Shane
Brookhart	Goodwin	Price	Shinn
Browne	Hartman	Rees	Slosson
Buser	Haskell	Romkey	Smith
Caldwell	Johnston	Schmedika	Snook
Campbell	McIntosh	Shaff	Thurston
Darting			

Nays, 20.

Abben	Dutcher	Mantz	Reed
Adams	Fulton	Mead	Scott
Baird	Gilchrist	Newberry	Stoddard
Banta	Holdoegel	Olson	White
Brookins	Horchem	Perkins	Wichman

Absent or not voting, 5.

Bowman	Hale	Kimberly	Tuck
Cessna			

The motion having failed to receive a two-thirds majority was lost.

MR. J. H. TREWIN ADDRESSES SENATE

Senator Dutcher moved that Hon. J. H. Trewin, a member of the code commission, be invited to address the Senate.

The motion prevailed and Senator Dutcher was appointed to escort Mr. Trewin to the President's desk, and he spoke, in part, as follows:

MR. PRESIDENT AND SENATORS: Your invitation to speak at this time for a few moments and the kind words that have been said by the Senate in my presence by Senator Dutcher, Senator Holdoegel, Senator Campbell and your President, touch me deeply.

I have been thinking of code revision and codification for thirty years. As a youth coming to the General Assembly from the northeastern county of this state, the first bill I introduced was for the revision of the code which resulted in the Code of 1897. I may say perhaps without being accused of self appraisal too much, that I am the only man living who has passed through the strenuous experience of two extra sessions of the General Assembly of Iowa in the revision and codification of its laws. I am proud to have had those opportunities. When five ago, the Chief Justice of the Supreme Court sent me a telegram to come to Des Moines, I did not even know, except by inference, the proposition he was to present to me. He said that it had been his duty to recommend men for the code commission, that he had conferred with the governor and that I had been selected as one and asked if I would accept the place. The first question that I asked was:

"Will there be an extra session to revise the code and will we have a little more time than was stated in that law?" Mr. Mabray and I were sent to the Governor's office and we had the assurance that there would be an extra session and we would be granted the time.

Events transpired which I do not desire to review at this time, but I may say created a situation in regard to code revision, on this occasion which had never happened before, and I pray if you ever do have another code revision it may never happen again.—Delays, delays and delays! Finally the 40th General Assembly as I always believed some General Assembly would, decided code revision was imperative and must be done and let me say to you, that during all these years of hope long deferred which maketh the heart sick, I never lost confidence in the General Assembly of Iowa and always believed that in due time, may be in God's own time, code revision would come about and even the General Assembly would enter upon it.

I didn't even know whether the present code commissioners would be called in consultation with you. The papers had been filled with alleged criticisms of bills and it was a favorite expression to find the word "joker" everywhere and I may say that many of those jokers were in the present laws which the joker finders didn't know until they saw them in bills prepared by the code commissioners.

The greatest satisfaction in life is said to be in a neat job neatly done, and let me say to you that the greatest satisfaction of a somewhat long experience of service in the state and for the state is in having had the privilege of meeting and serving with you in connection with this work of code revision—more than anything else that it has ever been my privilege to do for the people of Iowa.

Have you done well? I am not a prophet or the son of a prophet, but I venture to say that when the people of Iowa and when the bench and the bar of Iowa come to read the new code they will commend all the work

that has been done in connection with it, and that the Code of 1924 will go down in history as the greatest piece of code revision that was ever undertaken in the state of Iowa, if not in the country. Nobody ever appreciates the work and what it is worth. Think of the idea of having our laws in the Compiled Code with many conflicting matters difficult to find and understand and have that all wiped out and have a code that reads straight through in such a way that the layman as well as the lawyer can take it up and find what is in it, and have it expressed in pure English so that after all your efforts and the efforts of the Code Commissioners, they will be able to understand it.

Now a word personally. I have met you personally in matters of great importance to the state. I have had ideas—I haven't concealed them all—impossible for me, but I have tried to be fair. I have been honest and I have never written a line in that code for myself or anybody else that I didn't believe that when it did get into the code, if it did, it would be in the interest of the people of the state of Iowa whom you serve and, through you, whom I serve.

It is a great accomplishment, born of that experience of 27 years ago. In the years to come everyone of you, especially the younger men, will look back upon the arduous and painstaking work of the General Assembly and be much encouraged in regard to what a General Assembly will do when faced with a great responsibility and will have pride and satisfaction in having been among those who were given the task, and who, having put their hand to the plow, never turned back.

Senators, I congratulate you upon the work you have done. There has nothing to my knowledge crept into the law as the results of crafty lobbyists, and nothing except for the best interests of the people of Iowa as you see them, and you are the judge. You are the last resort, as far as our laws are concerned, and I say that the people of Iowa owe you a debt of gratitude and I now say to you "farewell for the moment." I have been relieved by the committee. I have sacrificed to be here as you have and I go to my home and to my family and grandchildren. I have made many new friends and have renewed old acquaintances and old friendships that I shall carry to the last days of my life, together with the recollections of my pleasant associations and the splendid courtesies you have extended to me.

I thank you.

On motion of Senator Abben, the remarks of Mr. Trewin were ordered printed in the Journal.

Senator Holdoegel moved that a vote of thanks be extended to the members of the code commission for their cooperation with the members of the General Assembly in the matter of code revision.

On motion of Senator Ethell, Senator Dutcher, chairman of the Senate committee on code revision, was asked to address

the Senate on the work of the committee relating to the revision of the code.

Senator Shaff moved that Hon. U. G. Whitney, editor of the code and member of the code commission, be invited to address the Senate. The motion prevailed and Senator Shaff was appointed to escort Mr. Whitney to the Senate chamber, and he addressed the Senate briefly on the subject of code revision.

CONFERENCE COMMITTEE REPORT FILED

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 213, a bill relating to marriage and incest, beg leave to submit the following recommendations:

1. That the House concur in the Senate amendment which amends the title of the bill.

2. That the Senate recede from all its amendments to the bill excepting that amendment which amends the title.

3. That the House recede from all its amendments to the Senate amendments.

4. That section 1-a1 of the bill as passed by the House be stricken from the bill.

5. Amend the bill by inserting as subsection 5 of section 1 the following:

"5. Where either party is an idiot, imbecile, insane or under guardianship as an incompetent."

H. C. ADAMS,
W. J. GOODWIN,
E. W. ROMKEY,
GEO. S. BANTA,

Conferees on part of Senate.

L. B. FORSLING,
T. B. STOCK,
WM. E. G. SAUNDERS,
O. GILBERTSON,

Conferees on part of House.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Brookins called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the disagreements between the Senate and House on Senate File No. 186, 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, beg leave to report that they have had the same under consideration and submit the following recommendations:

1. That the Senate concur in the House amendments.
2. That section 5 of the bill be amended by adding thereto the following: "Provided, however, that the provisions of this section shall not apply to dams already constructed having less than twenty-five (25) horsepower capacity."

CHAS. M. DUTCHER,
C. J. FULTON,
A. T. BROOKINS,

Conferees on the part of the Senate.

WM. E. G. SAUNDERS,
W. F. SCHIRMER,
CLYDE H. DOOLITTLE,
R. O. GARBER,

Conferees on the part of the House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 42.

Abben	Darting	Mantz	Schmedika
Adams	Ethell	Mead	Scott
Baird	Fulton	Nelson	Shaff
Banta	Gilchrist	Newberry	Shane
Bergman	Goodwin	Olson	Shinn
Bowman	Hartman	Perkins	Slosson
Brookhart	Haskell	Price	Snook
Brookins	Holdoegel	Reed	Stoddard
Browne	Horchem	Rees	Thurston
Caldwell	Johnston	Romkey	Wichman
Campbell	McIntosh		

Nays, none.

Absent or not voting, 8.

Buser	Dutcher	Kimberly	Tuck
Cessna	Hale	Smith	White

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

The Journal of April 17th was corrected and approved.

Senator Brookhart moved that the Senate adjourn until 9:30 a. m. Saturday.

Senator Campbell moved to amend by making the hour 9:00 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER.
DES MOINES, IOWA, APRIL 19, 1924.

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

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

On motion of Senator Brookins, rule 33 was suspended for the day.

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. 90, 316 and 323.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

REPORT OF COMMITTEE

Senator Reed, submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House Joint Resolution No. 6, a joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial 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 adding the following as section 3:

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 Iowa Forum, both newspapers published in Des Moines, Iowa.

CARL W. REED, *Chairman.*

Ordered passed on file.

CONFERENCE COMMITTEE REPORT FILED

MR. PRESIDENT: Your conference committee on House File No. 277 beg leave to submit the following report and recommendations:

(1) That the following be substituted for Senate amendment No. 4:

Amend by inserting after section 129 the following:

"Sec. 129-a1. The board of supervisors of any county may designate certain public highways whereon vehicles, machines and loads of greater weight than the maximum prescribed in section one hundred ninety-five (195) of this act may be excluded and make such other reasonable regulations in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvemnt thereon."

(2) That the Senate recede from amendment No. 5 amending section one hundred thirty-two (132) of the bill.

(3) That the Senate recede from amendment No. 6 amending section one hundred forty-four (144) of the bill.

(4) That the Senate amendment No. 7 be amended by inserting between the words "any" and "highways" in section one hundred eighty-five-a1 (185-a1) the words "hard surfaced" and by striking from lines three (3) and four (4) of section one hundred eighty five-a1 (185-a1) the words "front or" and substituting in line four (4) for the word "lights" the word "light".

Also by substituting for the word "lights" in lines two (2) and four (4) of section one hundred eighty-five-a2 (185-a2) the word "light".

(5) Amend Senate amendment No. 8 by substituting therefor the following:

Also strike out section 195 and insert in lieu thereof the following:

"Sec. 195. The total maximum load on any one wheel of a motor vehicle, including the weight of the vehicle and the load it carries, shall be four (4) tons, provided the total maximum weight of the vehicle and the load shall not in any event exceed fourteen (14) tons for a vehicle equipped with pneumatic tires or twelve (12) tons for a vehicle equipped with solid rubber tires."

J. M. SLOSSON,
B. M. STODDARD,
J. D. BUSER,
O. L. MEAD,

Conferees on part of Senate.

R. O. GARBER,
J. C. MCCLUNE,
H. C. DEWAR,
W. S. CRISWELL,

Conferees on part of House.

By unanimous consent Senator Rees was excused from the call of the Senate for the day, on account of illness.

JOINT CODE SUPERVISING COMMITTEE

The President appointed as members of the committee, known as the Joint Code Supervising Committee, Senators Smith and Dutcher.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report and the amendments proposed therein on Senate File No. 186, a bill for an act relating to mill dams, races and water power improvements.

Also, that the House has adopted the conference committee report and the amendments proposed therein on House File No. 213, a bill for an act relating to marriage and incest.

Also, that the Speaker has appointed under the provisions of H. F. No. 289 as members of the Joint Code Supervising Committee on the part of the House: Representatives Clark, Doolittle and Harrison.

Also, that the House has adopted the conference committee report on Senate File No. 7, a bill for an act relating to the governor.

Also, that the House concurs in Senate amendments to House File No. 308, a bill for an act to legalize the acts and proceedings of the board of supervisors and other officers of the county of Wapello, in the state of Iowa, in relation to Cedar Creek drainage district No. 4, Wapello county, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

MOTION TO RECONSIDER CONSIDERED

The motion to reconsider the vote by which the substitute for Senate File No. 211 failed to pass the Senate was taken up.

On the question "Shall the motion prevail and the vote be reconsidered?" the vote was:

Ayes, 18.

Bowman	Gilchrist	Perkins	Smith
Darting	Holdoegel	Reed	Thurston
Dutcher	Horchem	Scott	White
Ethell	Mead	Shinn	Wichman
Fulton	Newberry		

Nays, 23.

Abben	Caldwell	McIntosh	Shaff
Baird	Campbell	Mantz	Shane
Banta	Goodwin	Olson	Slosson
Brookhart	Hartman	Price	Snook
Brookins	Haskell	Romkey	Stoddard
Buser	Johnston	Schmedika	

Absent or not voting, 9.

Adams	Cessna	Kimberly	Rees
Bergman	Hale	Nelson	Tuck
Browne			

The motion to reconsider was lost.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Smith called up for consideration the conference committee report on Senate File No. 7 (found on page 1413 of the Senate Journal).

Senator Campbell moved the previous question, which motion prevailed.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 29.

Abben	Dutcher	Mantz	Shaff
Adams	Fulton	Mead	Shane
Baird	Gilchrist	Newberry	Slosson
Banta	Goodwin	Olson	Smith
Bowman	Haskell	Perkins	Stoddard
Brookins	Holdoegel	Reed	White
Caldwell	Horchem	Scott	Wichman
Darting			

Nays, 15.

Brookhart	Ethell	Nelson	Shinn
Browne	Hartman	Price	Snook
Buser	Johnston	Romkey	Thurston
Campbell	McIntosh	Schmedika	

Absent or not voting, 6.

Bergman	Hale	Rees	Tuck
Cessna	Kimberly		

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

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.

By unanimous consent Senators Haskell and Shaff were excused from the call of the Senate for the remainder of the day.

MOTION TO RECONSIDER CONSIDERED

Senator Campbell called up his motion to reconsider the vote by which Senate File No. 314 failed to pass the Senate.

The motion prevailed and the vote was reconsidered.

INTRODUCTION OF BILLS

Senate File No. 326, by committee on banks, a bill for an act to amend, revise, and codify sections fifty-seven hundred fifty (5750) and fifty-seven hundred fifty-six (5756) of the compiled code and section fifty-seven hundred fifty-four (5754) of the supplement to the compiled code relating to the banking department.

Read first and second times and placed on the calendar.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Goodwin called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 213, a bill relating to marriage and incest, beg leave to submit the following recommendations:

1. That the House concur in the Senate amendment which amends the title of the bill.
2. That the Senate recede from all its amendments to the bill excepting that amendment which amends the title.
3. That the House recede from all its amendments to the Senate amendments.
4. That section 1-a1 of the bill as passed by the House be stricken from the bill.
5. Amend the bill by inserting as subsection 5 of section 1 the following:

"5. Where either party is an idiot, imbecile, insane or under guardianship as an incompetent."

H. C. ADAMS,
W. J. GOODWIN,
E. W. ROMKEY,
GEO. S. BANTA,

Conferees on part of Senate.

L. B. FORSLING,
T. B. STOCK,
WM. E. G. SAUNDERS,
O. GILBERTSON,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 32.

Abben	Caldwell	Holdoegel	Romkey
Adams	Campbell	Horchem	Schmedika
Baird	Darting	McIntosh	Scott
Banta	Ethell	Mantz	Shinn
Brookhart	Fulton	Nelson	Slosson
Brookins	Gilchrist	Olson	Snook
Browne	Goodwin	Perkins	Stoddard
Buser	Hartman	Reed	Wichman

Nays, none.

Absent or not voting, 18.

Bergman	Haskell	Price	Smith
Bowman	Johnston	Rees	Thurston
Cessna	Kimberly	Shaff	Tuck
Dutcher	Mead	Shane	White
Hale	Newberry		

The conference committee report 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, House Files Nos. 90, 316 and 323.

POINT OF ORDER

Senator Bowman called up his point order, found on page 1439 of the Senate Journal, and asked for a ruling.

The President held the point well taken.

SENATE INSISTS ON AMENDMENTS

Senator Buser moved that the Senate insist on its amendments to House File No. 261.

On the question "Shall the Senate insist?" the vote was:

Ayes, 27.

Baird	Campbell	Holdoegel	Reed
Banta	Darting	Horchem	Scott
Brookhart	Ethell	McIntosh	Shinn
Brookins	Fulton	Mantz	Smith
Browne	Gilchrist	Nelson	Snook
Buser	Goodwin	Olson	Wichman
Caldwell	Hartman	Perkins	

Nays, none.

Absent or not voting, 23.

Abben	Hale	Price	Slosson
Adams	Haskell	Rees	Stoddard
Bergman	Johnston	Romkey	Thurston
Bowman	Kimberly	Schmedika	Tuck
Cessna	Mead	Shaff	White
Dutcher	Newberry	Shane	

The motion prevailed and the Senate insisted on its amendments.

By unanimous consent Senators Brookhart and Smith were excused at 11:00 a. m. for the remainder of the day.

CONFERENCE COMMITTEES APPOINTED

The President appointed as members of a conference committee on House File No. 261, on the part of the Senate, Senators Newberry, Shaff, Cessna and Snook.

The President appointed as members of a conference committee on Senate File No. 121, on the part of the Senate, Senators Scott, Wichman, Caldwell and Johnston.

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. 281, a bill for an act relating to future estates.

A. C. GUSTAFSON, *Chief Clerk.*

The Journal of April 18th was corrected and approved.

Senator McIntosh moved that the Senate adjourn until 1:30 p. m. Monday.

Senator Stoddard moved to amend by making the hour 10:00 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 21, 1924.

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

Prayer was offered by Rev. John T. Noonan, St. Augustine's Church, Des Moines.

On motion of Senator Mead, rule 33 was suspended for the day.

The roll call revealed the presence of the following Senators:

Abben	Darting	Johnston	Scott
Baird	Dutcher	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Fulton	Mead	Slosson
Bowman	Gilchrist	Newberry	Snook
Brookhart	Hartman	Perkins	Stoddard
Brookins	Haskell	Price	Thurston
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Rees	Wichman
Cessna			

By unanimous consent Senator Dutcher was excused from the call of the Senate for the forenoon.

THIRD READING OF BILLS

On motion of Senator Reed, Senate File No. 325, a bill for an act to correct cross references in sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four (4164), of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said code, a bill by the committee on judiciary No. 1, 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, 33.

Abben	Darting	Johnston	Scott
Baird	Ethell	McIntosh	Shane
Banta	Fulton	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Bowman	Hartman	Newberry	Snook
Brookins	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Reed	White
Campbell	Horchem	Rees	Wichman
Cessna			

Nays, none.

Absent or not voting, 17.

Adams	Goodwin	Olson	Shaff
Brookhart	Hale	Price	Smith
Browne	Kimberly	Romkey	Thurston
Buser	Nelson	Schmedika	Tuck
Dutcher			

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 Newberry, House Joint Resolution No. 7, a joint resolution providing for the publication of House File No. 100, an act relating to education—school districts, and House File No. 110, an act relating to education—school funds and bonds, 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 word "clause" as it appears in catch words to section 1 and substituting the word "authorized" therefor.

Also amend by adding as section 2 the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines News and The Iowa Forum, newspapers published in the city of Des Moines, Iowa.

The resolution 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	Cessna	Horchem	Shane
Baird	Darting	McIntosh	Shinn
Banta	Ethell	Mantz	Slosson
Bergman	Fulton	Mead	Snook
Bowman	Gilchrist	Newberry	Stoddard
Brookins	Hartman	Perkins	White
Caldwell	Haskell	Reed	Wichman
Campbell	Holdoegel	Scott	

Nays, none.

Absent or not voting, 19.

Adams	Goodwin	Olson	Shaff
Brookhart	Hale	Price	Smith
Browne	Johnston	Rees	Thurston
Buser	Kimberly	Romkey	Tuck
Dutcher	Nelson	Schmedika	

The resolution 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.

HOUSE AMENDMENT CONSIDERED

Senator Reed called up for consideration Senate File No. 281, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking out of section 2, line 9, the word "January" and inserting in lieu thereof the word "July".

On the question "Shall the Senate concur?" the vote was:

Ayes, 27.

Abben	Cessna	Horchem	Shane
Baird	Darting	Mantz	Slosson
Banta	Fulton	Newberry	Snook
Bergman	Gilchrist	Perkins	Stoddard
Brookins	Hartman	Reed	White
Caldwell	Haskell	Rees	Wichman
Campbell	Holdoegel	Scott	

Nays, 2.

Ethell	Johnston
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Absent or not voting, 21.

Adams	Goodwin	Nelson	Shaff
Bowman	Hale	Olson	Shinn
Brookhart	Kimberly	Price	Smith
Browne	McIntosh	Romkey	Thurston
Buser	Mead	Schmedika	Tuck
Dutcher			

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

On motion of Senator Stoddard, Senator Shane was excused from the call of the Senate for the afternoon.

Senator Baird moved that twelve hundred copies of Senate File No. 7 known as the budget bill, be printed for distribution, which motion prevailed.

The Journal of April 19th was corrected and approved.

On motion of Senator Stoddard the Senate recessed until 2:00 p. m.

AFTERNOON SESSION

The Senate reconvened, 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. 153 and 313.

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, in the presence of the Senate, he had signed Senate Files Nos. 153 and 313.

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 twenty-first day of April, 1924, sent to the Governor for his approval, Senate Files Nos. 153 and 313.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, on April 19, 1924, he had signed Senate Files Nos. 318, 316, 312, 321, 125, 177 and 183.

MESSAGES FROM 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 House File No. 307, acts of the Fortieth General Assembly, extra session, relating to the legalization of acts of Keokuk and Hamilton Bridge Company.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 191, a bill for an act relating to electric wires, transmission lines and franchises.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 191

(1) Amend by adding the following:

"Sec. 29. Whenever public convenience requires the same, every telephone company, shall, for a reasonable compensation, permit a physical connection or connections to be made, and telephone service to be furnished between any telephone exchange system operated by it and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system or another telephone company, or between its toll line and the toll line of another company, or between its toll line and the line of another telephone company whenever such physical connection or connections is practical and reasonable. The term "physical connection" as used in this section, shall mean such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such physical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the railroad commission by any person, partnership, or corporation, operating a telephone line or telephone exchange, or by one hundred (100) bona fide subscribers of an exchange affected thereby, for an order requiring such connection and fixing the compensation, terms, and conditions thereof, and if after investigation and hearing the commission shall find that such physical connections are of public convenience and necessity, it shall by order direct that such connections be made, and prescribe reasonable con-

ditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid.

Sec. 30. Any companies required by order of the commission to provide for the physical connection of telephone lines and facilities, and to establish joint rates, tolls and charges, are hereby required to perform switching service for the transmission of conversations between the lines and facilities operated by such company or companies without favor or discrimination. The company on whose line or lines conversations originate shall be responsible to and make settlement with the company or companies owning or operating the connecting or terminal line or lines for the share of said company or companies in the joint toll rate or charge for such message.

Sec. 31. Any order made by the railroad commissioners pursuant to the two preceding sections shall be enforced in the manner provided for the enforcement of the orders of the railroad commissioners. The right to appeal from any order made under the two preceding sections shall be the same as appeals taken from orders made by the railroad commissioners.

Sec. 32. 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 Capital and the Nonpareil, newspapers published in Des Moines and Council Bluffs, Iowa, respectively."

(2) Amend the title by striking out the period after the word "franchises" and substituting a semicolon therefor, and by adding the following: "also, giving the railroad commissioners authority to require physical connections between telephone lines and telephone exchanges, and to determine and fix the charges thereof, and share of tolls, and providing for right of appeal."

By unanimous consent Senator Kimberly was excused from the call of the Senate on account of illness.

REPORT OF COMMITTEE

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 326, a bill for an act to amend chapter one hundred eight (108) of the laws of the Fortieth General Assembly 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.

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Fulton, the rules were suspended and Senate File No. 326, a bill for an act to amend, revise, and codify sections fifty-seven hundred fifty (5750) and fifty-seven

hundred fifty-six (5756) of the compiled code and section fifty-seven hundred fifty-four (5754) of the supplement to the compiled code relating to the banking department, a bill by the committee on banks, was taken up and considered.

Senator Fulton offered the following amendments and moved their adoption:

Amend section three by striking the period (.) at the end thereof, inserting a comma (,), and adding the following: "but under this provision no salary shall exceed a maximum of forty-eight hundred dollars (\$4800.00)."

Also amend section four, line 11, by substituting the word "with" for the word "to", and section five, line four, by inserting before the word "Courier" the word "Daily".

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 36.

Abben	Cessna	Horchem	Scott
Adams	Darting	McIntosh	Shinn
Baird	Ethell	Mantz	Slosson
Bergman	Fulton	Mead	Smith
Bowman	Gilchrist	Newberry	Stoddard
Brookhart	Goodwin	Olson	Thurston
Brookins	Hartman	Perkins	Tuck
Caldwell	Haskell	Price	White
Campbell	Holdoegel	Reed	Wichman

Nays, 7.

Browne	Johnston	Rees	Snook
Buser	Nelson	Schmedika	

Absent or not voting, 7.

Banta	Hale	Romkey	Shane
Dutcher	Kimberly	Shaff	

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking the words "organization and" from line 6 of section 1.

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

Ayes, 19.

Bowman	Caldwell	Johnston	Schmedika
Brookhart	Cessna	McIntosh	Shinn
Brookins	Darting	Nelson	Smith
Browne	Ethell	Olson	Tuck
Buser	Goodwin	Rees	

Nays, 26.

Abben	Fulton	Mead	Slosson
Adams	Gilchrist	Newberry	Snook
Baird	Hartman	Perkins	Stoddard
Banta	Haskell	Price	Thurston
Bergman	Holdoegel	Reed	White
Campbell	Horchem	Scott	Wichman
Dutcher	Mantz		

Absent or not voting, 5.

Hale	Romkey	Shaff	Shane
Kimberly			

The amendment 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, 29.

Abben	Fulton	McIntosh	Reed
Adams	Gilchrist	Mantz	Scott
Baird	Goodwin	Mead	Slosson
Banta	Hartman	Newberry	Stoddard
Bergman	Haskell	Olson	Thurston
Campbell	Holdoegel	Perkins	White
Darting	Horchem	Price	Wichman
Dutcher			

Nays, 14.

Brookhart	Caldwell	Rees	Smith
Brookins	Cessna	Schmedika	Snook
Browne	Ethell	Shinn	Tuck
Buser	Johnston		

Absent or not voting, 7.

Bowman	Kimberly	Romkey	Shane
Hale	Nelson	Shaff	

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

On motion of Senator Reed, the rules were suspended, and House Joint Resolution No. 6, a joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment

of the state into senatorial 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 adding the following as section 3:

"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 Register and the Iowa Forum, both newspapers published in Des Moines, Iowa."

The resolution 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, 27.

Abben	Campbell	Mantz	Shinn
Adams	Cessna	Mead	Slosson
Baird	Darting	Nelson	Smith
Banta	Gilchrist	Olson	Tuck
Bowman	Holdoegel	Perkins	White
Brookhart	Johnston	Reed	Wichman
Brookins	McIntosh	Scott	

Nays, 18.

Bergman	Ethell	Horchem	Snook
Browne	Fulton	Newberry	Stoddard
Buser	Goodwin	Price	Thurston
Caldwell	Hartman	Rees	
Dutcher	Haskell	Schmedtka	

Absent or not voting, 5.

Hale	Romkey	Shaff	Shane
Kimberly			

The resolution 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 Smith, the rules were suspended, and House File No. 328, a bill for an act to amend House File No. 307, acts of the Fortieth General Assembly, extra session, relating to the legalization of acts of Keokuk and Hamilton Bridge Company, 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, 40.

Abben	Campbell	McIntosh	Scott
Adams	Cessna	Mantz	Shinn
Baird	Darting	Mead	Slosson
Banta	Ethell	Nelson	Smith
Bergman	Fulton	Newberry	Snook
Bowman	Gilchrist	Perkins	Stoddard
Brookhart	Haskell	Price	Thurston
Brookins	Holdoegel	Reed	Tuck
Buser	Horchem	Rees	White
Caldwell	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Browne	Hale	Olson	Shaff
Dutcher	Hartman	Romkey	Shane
Goodwin	Kimberly		

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.

On motion of Senator Brookhart, the rules were suspended, and House File No. 326, a bill for an act to amend chapter one hundred eight (108) of the laws of the Fortieth General Assembly 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.

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, 44.

Abben	Brookhart	Cessna	Hartman
Adams	Brookins	Darting	Haskell
Baird	Browne	Dutcher	Holdoegel
Banta	Buser	Ethell	Horchem
Bergman	Caldwell	Fulton	Johnston
Bowman	Campbell	Gilchrist	McIntosh

Mantz	Perkins	Scott	Stoddard
Mead	Price	Shinn	Thurston
Nelson	Reed	Slosson	Tuck
Newberry	Rees	Smith	White
Olson	Schmedika	Snook	Wichman

Nays, none.

Absent or not voting, 6.

Goodwin	Kimberly	Shaff	Shane
Hale	Romkey		

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.

SENATE FILE NO. 314 WITHDRAWN

On motion of Senator Fulton the vote by which Senate File No. 314 passed to its third reading was reconsidered.

By unanimous consent, Senator Fulton withdrew Senate File No. 314 from further consideration, the same subject matter being incorporated in Senate File No. 326, just passed.

Senator Brookhart moved that the Senate adjourn until 9:30 a. m. Tuesday.

Senator Campbell moved to amend by making the hour 9:00 a. m.

The amendment was lost.

Senator Holdoegel moved to amend by making the hour 10:00 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 22, 1924.

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 Dutcher, rule 33 was suspended for the day.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor, announcing that, on April 21, 1924, he had signed Senate Files Nos. 313 and 153.

MESSAGES FROM 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. 322, a bill for an act legalizing special election held in Valley Junction, Iowa, on the proposition of issuance of water works bonds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 324, a bill for an act to make an emergency appropriation for the department of agriculture.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 323, a bill for an act authorizing the issuance of a patent to certain lands in Jasper county, Iowa.

Also: That the House has concurred in Senate amendments to House Joint Resolution No. 7, making House File Nos. 100 and 110 effective by publication.

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 authorizing the issuance of a patent to certain lands in Clayton county, Iowa.

Also: That the Speaker has appointed as conference committee on the part of the House on House File No. 261, a bill for an act relating to regulation and inspection of foods, drugs, and other articles: Representatives McClune, Patterson, Hansen and Williams.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 319, a bill for an act to make appropriations for the payment of state and other expenses.

A. C. GUSTAFSON, *Chief Clerk*.

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 319, amended by the House, and moved that the Senate concur in the following amendments:

Amend section ten (10) by striking from line three (3) the words and figures "one thousand dollars (\$1000.00)" and inserting in lieu thereof the words and figures "two thousand dollars (\$2000.00)".

Also amend by renumbering section twelve (12) as section thirteen (13) and by adding as section twelve (12) the following:

"Sec. 12. To T. C. Cessna, C. F. Letts and John Hansen, ten dollars (\$10.00) each for expenses and transportation in the investigation and inspection of the Willetts farm as provided by Senate concurrent resolution No. 17."

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Abben	Ethell	Mead	Slosson
Adams	Goodwin	Nelson	Smith
Banta	Hale	Newberry	Snook
Bergman	Hartman	Rees	Stoddard
Campbell	Holdoegel	Shaff	Thurston
Cessna	Horchem	Shane	Tuck
Darting	McIntosh	Shinn	White
Dutcher	Mantz		

Nays, none.

Absent or not voting, 20.

Baird	Buser	Johnston	Reed
Bowman	Caldwell	Kimberly	Romkey
Brookhart	Fulton	Olson	Schmedika
Brookins	Gilchrist	Perkins	Scott
Browne	Haskell	Price	Wichman

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Stoddard moved that the vote by which the amendments were adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 3, by committee on code revision, joint resolution relating to the taking of a recess by the General Assembly, and the discharge of its employes.

Read first and second times and placed on calendar.

REPORT OF COMMITTEE

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 306, a bill for an act to legalize certain acts of Waterville independent consolidated school district of Allamakee county, Iowa, and its officers and board of directors, in relation to the reimbursement of Ray C. Robey, etc., 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.

THIRD READING OF BILLS

On motion of Senator Price, the rules were suspended and House File No. 306, a bill for an act to legalize certain acts of the Waterville independent consolidated school district of Allamakee county, Iowa, and of its officers and board of directors, in relation to the reimbursement of Ray C. Robey, a taxpayer of said district, of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6,880), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by changing the period at the end of section 2 to a comma and adding the following: "said publication to be without expense to the state."

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, 32.

Abben	Cessna	Johnston	Rees
Adams	Darting	McIntosh	Shane
Banta	Ethell	Mantz	Shinn
Bergman	Gilchrist	Mead	Slosson
Browne	Goodwin	Nelson	Stoddard
Buser	Hale	Newberry	Tuck
Caldwell	Hartman	Price	White
Campbell	Horchem	Reed	Wichman

Nays, none.

Absent or not voting, 18.

Baird	Fulton	Perkins	Shaff
Bowman	Haskell	Romkey	Smith
Brookhart	Holdoegel	Schmedika	Snook
Brookins	Kimberly	Scott	Thurston
Dutcher	Olson		

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 House was asked:

Senate File No. 325, a bill for an act to correct cross references in sections forty-one hundred twenty-four (4124), forty-one hundred fifty-eight (4158), and forty-one hundred sixty-four (4164), of the compiled code of Iowa, and section fifty-seven hundred seventy-seven (5777) of the supplement to said code.

Also: That the House has adopted the conference committee report and the amendments proposed therein on House File No. 236, a bill for an act relating to estates of decedents.

Also: That the House has adopted the supplementary report of the second conference committee on House File No. 34, a bill for an act relating to removal from office.

Also: That the House has adopted the conference committee report and the amendments proposed therein on House File No. 277, a bill for an act relating to motor vehicles.

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: House Joint Resolution No. 7.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

THIRD READING OF BILLS

On motion of Senator Dutcher, the rules were suspended and Senate Joint Resolution No. 3, a joint resolution relating to the taking of a recess by the General Assembly, and the discharge of its employes, a resolution by the committee on code revision was taken up and considered.

Senator Dutcher offered the following amendment and moved its adoption:

Amend by adding the words "except as provided in Senate Concurrent Resolution No. 18" after the word "recess" in the last line of section 3.

The amendment was adopted.

The resolution 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 resolution be adopted?" the vote was:

Ayes, 44.

Abben	Dutcher	McIntosh	Shaff
Adams	Ethell	Mantz	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Nelson	Slosson
Bergman	Goodwin	Newberry	Smith
Browne	Hale	Olson	Snook
Buser	Hartman	Price	Stoddard
Caldwell	Haskell	Reed	Thurston
Campbell	Holdoegel	Rees	Tuck
Cessna	Horchem	Schmedika	White
Darting	Johnston	Scott	Wichman

Nays, none.

Absent or not voting, 6.

Bowman	Brookins	Perkins	Romkey
Brookhart	Kimberly		

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

Senator Dutcher 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.

CONFERENCE COMMITTEE REPORTS CONSIDERED

Senator Thurston called the following supplementary report up for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the Senate and the House on House File No. 34, a bill for an act relating to removal from office, beg leave to submit the following supplementary report:

That the House concur in the Senate amendment to section 26.

LLOYD THURSTON,
H. C. WHITE,
S. C. REES,
J. E. WICHMAN,

Conferees on part of Senate.

A. G. RASSLER,
HOWARD A. MATHEWS,
C. H. SCOTT,
JOHN H. AIKEN,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 39.

Abben	Gilchrist	Mead	Shane
Adams	Goodwin	Nelson	Slosson
Baird	Hale	Newberry	Smith
Banta	Hartman	Olson	Snook
Bergman	Haskell	Price	Stoddard
Cessna	Holdoegel	Reed	Thurston
Darting	Horchem	Rees	Tuck
Dutcher	Johnston	Schmedika	White
Ethell	McIntosh	Scott	Wichman
Fulton	Mantz	Shaff	

Nays, none.

Absent or not voting, 11.

Bowman	Browne	Campbell	Romkey
Brookhart	Buser	Kimberly	Shinn
Brookins	Caldwell	Perkins	

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Dutcher called the following conference committee report up for consideration :

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the House and Senate on House File No. 236, 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 decedents, beg leave to report that they have had the same under consideration and submit the following recommendation:

- (1) That the House recede from its amendment to the bill.
- (2) That the Senate recede from its amendment to the bill.
- (3) That the bill be amended by striking all after the enacting clause and inserting in lieu thereof the following:

"That section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa is amended, revised and codified to read as follows:

Section 1. Within thirty days after his appointment, each executor or administrator shall file a verified list of the names, ages, relationship, and places of residence of the heirs of the deceased, and the name, age and residence of the surviving spouse, if any, together with an accurate description of all the real estate of which the deceased died seized.

Sec. 2. Each executor or administrator shall, in his final report, set forth:

1. An accurate description of all the real estate of which the decedent died seized, stating its nature and extent.
2. Whether the deceased died testate or intestate.
3. The name, age, and place of residence of the surviving spouse, or that none survived the deceased.
4. The name, age, and place of residence of each of the heirs and their relationship to the deceased.
5. The name, age, and place the residence of each legatee or devisee, and whether any legacy or devise remains a charge on the real estate, and if so, the nature and amount thereof.
6. The name of the guardian or trustee for any heir, legatee or devisee and the court from which his letters were issued.

That section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa is amended, revised and codified to read as follows:

Sec. 3. In case such surviving spouse does not make such election within six months from the date of the completed service of such notice, or if such surviving spouse shall be the executor of the will and fails,

within six months after the will is admitted to probate, to file with the clerk of the court an election to refuse to take under provisions of the will of the deceased, it shall be conclusively presumed that such survivor consents to the provisions of the will and elects to take thereunder; unless within such period of six months an affidavit should be filed setting forth that such surviving spouse is mentally incapable of making such election."

That the bill be amended by striking all of the title thereof, and inserting in lieu thereof the following:

"A bill for an act to amend, revise, and codify section seven thousand seven hundred eighty-seven (7787) of the compiled code of Iowa, and section seven thousand nine hundred one-a four (7901-a4) of the supplement to the compiled code of Iowa, relating to estates of decedents."

CHAS. M. DUTCHER,

ED. H. CAMPBELL,

J. L. BROOKHART,

H. J. MANTZ,

Conferees on part of Senate.

CLYDE H. DOOLITTLE,

EARL W. VINCENT,

FRED C. LOVBIEN,

C. F. CLARK,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 38.

Abben	Fulton	Mead	Shaff
Adams	Gilchrist	Nelson	Shane
Baird	Goodwin	Newberry	Slosson
Banta	Hale	Olson	Smith
Bergman	Hartman	Price	Snook
Buser	Haskell	Reed	Stoddard
Campbell	Horchem	Rees	Tuck
Darting	Johnston	Schmedika	White
Dutcher	McIntosh	Scott	Wichman
Ethell	Mantz		

Nays, none.

Absent or not voting, 12.

Bowman	Browne	Holdoegel	Romkey
Brookhart	Caldwell	Kimberly	Shinn
Brookins	Cessna	Perkins	Thurstop

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Dutcher moved that the vote by which the conference

committee report was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Slosson called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee on House File No. 277, begs leave to submit the following report and recommend its adoption:

(1) That Senate amendment No. 4 be concurred in by the House after being amended as follows: Amend Senate amendment No. 4 by substituting for section 129-a1 the following:

"Sec. 129-a1. The board of supervisors of any county may designate certain public highways whereon vehicles, machines and loads of greater weight than the maximum prescribed in section one hundred ninety-five (195) of this act may be excluded and make such other reasonable regulations in relation to the use thereof as may be necessary to prevent the destruction of a permanent improvement thereon."

(2) That the Senate recede from amendments Nos. 5 and 6 amending sections 132 and 144 of the bill.

(3) We recommend concurrence in Senate amendment No. 7 after being amended as follows: Substitute for section 185-a1 the following:

"Sec. 185-a1. Stationary unlighted vehicle.

No person shall, during any period of time from one-half hour after sunset to one-half hour before sunrise, permit a motor vehicle, under his control, to stand upon the paved portion of any hard surfaced highway outside of the corporate limits of any incorporated city or town with the rear light extinguished unless said highway is artificially lighted at the place where the vehicle is located, to such extent as to clearly indicate the presence of said vehicle. A violation of this section shall constitute a misdemeanor and be punishable by a fine of not to exceed \$25.00."

Amend section 185-a2 by substituting for the word "lights" in lines two (2) and four (4) the word "light".

(4) We recommend the concurrence in Senate amendment No. 8 after being amended as follows:

Substituting for section 195 the following:

"Sec. 195. The total maximum load on any one wheel of a motor vehicle, including the weight of the vehicle and the load it carries shall be four (4) tons, provided the total maximum weight of the vehicle and load shall not in any event exceed fourteen (14) tons for a vehicle equipped with pneu-

matic tires or twelve (12) tons for a vehicle equipped with solid rubber tires."

J. M. SLOSSON,
B. M. STODDARD,
J. D. BUSER,
O. L. MEAD,

Conferees on part of Senate.

R. O. GARBER,
W. S. CRISWELL,
H. C. DEWAR,
J. C. McCLUNE,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 36.

Abben	Darting	Horchem	Shaff
Adams	Dutcher	McIntosh	Shane
Baird	Ethell	Mantz	Slosson
Banta	Fulton	Mead	Smith
Bergman	Gilchrist	Newberry	Stoddard
Browne	Goodwin	Olson	Thurston
Buser	Hale	Reed	Tuck
Caldwell	Hartman	Schmedika	White
Campbell	Haskell	Scott	Wichman

Nays, 1.

Shinn

Absent or not voting, 13.

Bowman	Holdoegel	Nelson	Rees
Brookhart	Johnston	Perkins	Romkey
Brookins	Kimberly	Price	Snook
Cessna			

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Thurston moved that the vote by which the conference committee report was adopted by 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 Newberry, the rules were suspended, and House File No. 327, a bill for an act to authorize the issuance

of a patent to certain lands in Clayton county, Iowa, was 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, 40.

Abben	Dutcher	McIntosh	Shaff
Adams	Ethell	Mantz	Shane
Baird	Fulton	Mead	Shinn
Banta	Gilchrist	Nelson	Slosson
Bergman	Goodwin	Newberry	Snook
Browne	Hale	Olson	Stoddard
Caldwell	Hartman	Price	Thurston
Campbell	Holdoegel	Reed	Tuck
Cessna	Horchem	Schmedlka	White
Darting	Johnston	Scott	Wichman

Nays, none.

Absent or not voting, 10.

Bowman	Buser	Perkins	Romkey
Brookhart	Haskell	Rees	Smith
Brookins	Kimberly		

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.

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 Joint Resolution No. 7.

HOUSE AMENDMENTS CONSIDERED

Senator Thurston called up for consideration Senate File No. 191, amended by the House, and moved that the Senate concur in the following amendments:

(1) Amend by adding the following:

"Sec. 29. Whenever public convenience requires the same, every telephone company, shall, for a reasonable compensation, permit a physical

connection or connections to be made, and telephone service to be furnished between any telephone exchange system operated by it and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system or another telephone company, or between its toll line and the toll line of another company, or between its toll line and the line of another telephone company whenever such physical connection or connections is practical and reasonable. The term "physical connection" as used in this section, shall mean such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such physical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the railroad commission by any person, partnership, or corporation, operating a telephone line or telephone exchange, or by one hundred (100) bona fide subscribers of an exchange affected thereby, for an order requiring such connection and fixing the compensation, terms and conditions thereof, and if after investigation and hearing the commission shall find that such physical connections are of public convenience and necessity, it shall by order direct that such connections be made, and prescribe reasonable conditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid.

Sec. 30. Any companies required by order of the commission to provide for the physical connection of telephone lines and facilities, and to establish joint rates, tolls and charges, are hereby required to perform switching service for the transmission of conversations between the lines and facilities operated by such company or companies without favor or discrimination. The company on whose line or lines conversations originate shall be responsible to and make settlement with the company or companies owning or operating the connecting or terminal line or lines for the share of said company or companies in the joint toll rate or charge for such message.

Sec. 31. Any order made by the railroad commissioners pursuant to the two preceding sections shall be enforced in the manner provided for the enforcement of the orders of the railroad commissioners. The right to appeal from any order made under the two preceding sections shall be the same as appeals taken from orders made by the railroad commissioners."

(2) Amend the title by striking out the period after the word "franchises" and substituting a semicolon therefor, and by adding the following: "also, giving the railroad commissioners authority to require physical connections between telephone lines and telephone exchanges, and to determine and fix the charges thereof, and share of tolls, and providing for right of appeal."

Senator Stoddard raised the point of order that the Senate had

already acted upon the matter contained in these amendments.

The President held the point not well taken.

Senator Thurston offered the following amendment to the House amendments and moved its adoption:

Amend by inserting after the words "telephone exchange" and before the words "or by one hundred" in the proposed section 29 the following: "having more than one hundred (100) subscribers". -

Senator Thurston withdrew the amendment.

Senator Gilchrist offered the following amendment to the House amendments and moved its adoption:

Amend by striking the word "or" out of the proposed section 29 following the words "telephone exchange system" and before the words "another telephone" and inserting in lieu thereof the word "of".

The amendment was adopted.

On the question "Shall the Senate concur?" the vote was:

Ayes, 21.

Adams	Cessna	McIntosh	Shinn
Bowman	Darting	Nelson	Slosson
Brookhart	Ethell	Price	Thurston
Browne	Gilchrist	Rees	Tuck
Buser	Johnston	Schmedika	White
Campbell			

Nays, 27.

Abben	Fulton	Mantz	Shaff
Baird	Goodwin	Mead	Shane
Banta	Hale	Newberry	Smith
Bergman	Hartman	Olson	Snook
Brookins	Haskell	Perkins	Stoddard
Caldwell	Holdoegel	Reed	Wichman
Dutcher	Horchem	Scott	

Absent or not voting, 2.

Kimberly Romkey

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

Senator Thurston moved that the Senate concur in the following House amendment to Senate File No. 191:

Add the following section:

"Sec. 32. 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 Capital and the Nonpareil, newspapers published in Des Moines and Council Bluffs, Iowa, respectively."

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Abben	Campbell	Haskell	Shane
Adams	Cessna	Holdoegel	Shinn
Baird	Darting	Horchem	Slosson
Banta	Ethell	Mead	Smith
Bergman	Fulton	Nelson	Snook
Bowman	Gilchrist	Olson	Thurston
Brookhart	Goodwin	Perkins	Tuck
Brookins	Hartman	Rees	White

Nays, 8.

Buser	Hale	Price	Shaff
Dutcher	Mantz	Reed	Stoddard

Absent or not voting, 10.

Browne	Kimberly	Romkey	Scott
Caldwell	McIntosh	Schmedika	Wichman
Johnston	Newberry		

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: House File No. 260.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

Senator Shinn moved that the rules be suspended and he be allowed to introduce an appropriation bill.

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

Ayes, 28.

Adams	Caldwell	Hartman	Shane
Baird	Campbell	Johnston	Shinn
Bowman	Cessna	McIntosh	Slosson
Brookhart	Ethell	Mead	Snook
Brookins	Fulton	Nelson	Thurston
Browne	Gilchrist	Price	Tuck
Buser	Goodwin	Schmedika	White

Nays, 20.

Abben	Hale	Newberry	Scott
Banta	Haskell	Olson	Shaff
Bergman	Holdoegel	Perkins	Smith
Darting	Horchem	Reed	Stoddard
Dutcher	Mantz	Rees	Wichman

Absent or not voting, 2.

Kimberly Romkey

The motion having failed to receive a two-thirds majority was declared to have been lost.

CONFERENCE COMMITTEE REPORT FILED

MR. PRESIDENT: Your conference committee appointed for the consideration of the differences between the Senate and House on House File No. 262, a bill relating to the practice of certain professions affecting the public health, beg leave to report that we have had these differences under careful consideration and submit the following report:

1. That the Senate recede from its amendment to section fourteen (14).
2. That section nineteen (19) be amended by striking out the words "or its board of trustees" appearing after the word "society" in line one (1), contained in the House amendment, and inserting in lieu thereof the words "or its managing board".

3. That the House concur in Senate amendments to section thirty (30).
4. That the following amendment be adopted as a substitute for both House and Senate amendments to section seventy-one (71):

"Amend by striking out all of the subsection following the word "accredited" in line five (5) and inserting in lieu thereof the following: "by the appropriate board herein created, together with the commissioner of health, or by some recognized state or national accrediting agency."

Also amend by inserting following the word "accredited" in line eight (8) the following: "by the appropriate board herein created, together with the commissioner of health, or".

5. That the House concur in the Senate amendment to section seventy-two (72).

6. That the House concur in the Senate amendments to section seventy-nine (79).

7. That the House concur in the Senate amendment to section eighty (80).

8. That the Senate amendment to section eighty-one (81) be amended by changing the word "twelve" to "fourteen" and that the House concur in the Senate amendment as amended.

9. That the House concur in the Senate amendment designated as section eighty-three (83).

10. That the Senate concur in the House amendments known as sections ninety-two-a one (92-a1) to ninety-two-a five (92-a5) inclusive, and that the following sections be added:

"Sec. 92-a6. Licensing of chiropractors, osteopaths, and osteopathic surgeons.

Notwithstanding the provisions of this title, every application for a license to practice chiropractic, osteopathy, or osteopathy and surgery, shall be made direct to the secretary of the examining board of such profession, and every reciprocal agreement for the recognition of any such license issued in another state shall be negotiated by the examining board for such profession, and all examination, license, and renewal fees received from such persons licensed to practice any of such professions shall be paid to and collected by the secretary of the examining board of such profession, which secretary shall turn the same over to the department of health on the first day of January, nineteen hundred twenty-five (1925) and quarterly thereafter.

Sec. 92-a7. Clerical help and supplies.

Subject to the approval of the executive council, the examining boards for chiropractic, osteopathy, and osteopathy and surgery, may employ such clerical assistance as may be necessary to enable said board to perform the duties imposed upon them by law. Payment for such assistance shall be made out of the appropriation provided for in section twenty-four (24). The executive council shall also furnish said boards with the necessary quarters and all articles and supplies required for the public use, and the provisions of section twenty-five (25) shall not apply to said boards.

Sec. 92-a8. Records.

The secretary of each of said boards shall keep a correct record of the proceedings of said board, and upon the granting of any license to practice any of said professions the board shall, at the time of granting said license, certify to the department of health the application upon which such license was issued, together with the questions submitted in the examination of such applicant and the answers thereto, and such secretary shall deposit with the department of health all records not needed for the current use of his examining board."

11. That the House concur in the Senate amendment known as section ninety-two-a seven (92-a7) and that the same be renumbered as section ninety-two-a nine (92-a9).

12. That the House concur in the Senate amendments to section one hundred twenty-nine (129).

13. That the House concur in Senate amendment to section one hundred thirty (130) and that said section be amended as follows:

The words "The preceding section" appearing in line one (1) of said section be amended to read: "This chapter".

Also amend by striking out subsection two (2) of said section and substituting in lieu thereof the following:

"2. Licensed practitioners of medicine."

14. That the following be adopted as a substitute for both House and Senate amendments to section one hundred thirty-eight (138):

"Sec. 138. Requirements for approved college.

After July first, nineteen hundred twenty-five (1925), no college of pharmacy shall be approved by the pharmacy examiners as a college of recognized standing unless the entrance and graduation requirements are equivalent to those prescribed from time to time by the American conference of pharmaceutical faculties."

5. That the House concur in the Senate amendment to section 5.

BYRON W. NEWBERRY,
CHAS. M. DUTCHER,
FRANK SHANE,
JNO. R. PRICE,

Conferees on part of Senate.

C. R. BUFFINGTON,
H. C. DEWAR,
O. GILBERTSON,
J. H. WEBER,

Conferees on part of House.

The Journal of April 21st was corrected and approved.

On motion of Senator Shaff the Senate recessed until 4:00 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

RESIGNATION OF COMMITTEE CLERK

Senate Chamber, April 22, 1924.

To Lieut. Gov. Hammill:

I hereby tender my resignation as committee clerk of the Senate to take effect April 23, 1924.

MARION BAGLEY.

The resignation was accepted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 14, a bill for an act relating to the executive council.

Also: That the House concurs in Senate amendments to House Joint Resolution No. 6 proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts.

Also: That the House concurs in Senate amendments to House File No. 306, a bill for an act to legalize certain acts of the Waterville Independent consolidated school district of Allamakee county, Iowa, and of its

officers and board of directors, in relation to the reimbursement of Ray C. Robey, a taxpayer of said district, of funds expended by him for the benefit of the district whereby he saved the school district the sum of about six thousand eight hundred eighty dollars (\$6880).

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two and fifty-seven hundred forty-four (5744) of the supplement to said code, relating to the executive council and to the powers, duties, and employees thereof.

Read first and second times and referred to committee on departmental affairs.

Senator Shaff moved that the Senate adjourn until 10:30 a. m. Wednesday, which motion prevailed.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 23, 1924.

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

Prayer was offered by Dr. A. W. Armstrong, Perry, Iowa.

On motion of Senator Ethell, rule 33 was suspended for the day.

Senators Bowman, Brookins, Brookhart and Perkins were excused from voting for the forenoon on account of attendance at conference committee meeting.

REPORT OF COMMITTEE

Senator Cessna submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred House File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties, and employees thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman.*

Ordered passed on file.

Senator Dutcher moved that the House be requested to return Senate Joint Resolution No. 3, which motion prevailed.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report on House File No. 262, a bill for an act relating to practice of professions affecting the public health.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Newberry called the conference committee report on House File No. 262 up for consideration (page 1490 of the Senate Journal).

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 42.

Abben	Dutcher	Mantz	Shane
Adams	Ethell	Mead	Shinn
Baird	Fulton	Nelson	Slosson
Banta	Goodwin	Newberry	Smith
Bergman	Hale	Price	Snook
Browne	Hartman	Reed	Stoddard
Buser	Haskell	Rees	Thurston
Caldwell	Holdoegel	Romkey	Tuck
Campbell	Horchem	Schmedika	White
Cessna	Johnston	Shaff	Wichman
Darting	McIntosh		

Nays, none.

Absent or not voting, 8.

Bowman	Brookins	Kimberly	Perkins
Brookhart	Gilchrist	Olson	Scott

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Dutcher moved that no more legalizing acts be introduced in the Senate during this session.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Cessna, the rules were suspended, and House File No. 14, a bill for an act to amend, revise, and codify sections two hundred forty-nine (249) to two hundred fifty-six (256), inclusive, two hundred fifty-eight (258) to two hundred sixty-one (261), inclusive, two hundred sixty-three (263) to two hundred sixty-nine (269), inclusive, two hundred seventy-two (272), and two hundred seventy-three (273) of the compiled code of Iowa, and sections two hundred forty-eight (248) and two hundred sixty-two (262) of the supplement to said code, relating to the executive council and to the powers, duties, and employees

thereof, 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 after the period following the word "review" in line two (2) of section two (2) the following: "when arriving at values for taxable purposes the records shall show the members making the various motions, the amounts such motions designate, the values undertaken to be fixed thereby and the negative and affirmative votes thereon, and record the names of the members voting."

By unanimous consent, on request of Senator Buser, the small letter "w" was stricken from the word "when" and a capital letter "W" inserted in lieu thereof.

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

Ayes, 37.

Abben	Ethell	McIntosh	Shinn
Adams	Fulton	Nelson	Slosson
Baird	Gilchrist	Newberry	Smith
Bergman	Goodwin	Price	Snook
Browne	Hartman	Rees	Stoddard
Buser	Haskell	Romkey	Thurston
Caldwell	Holdoegel	Schmedika	Tuck
Campbell	Horchem	Scott	White
Cessna	Johnston	Shane	Wichman
Darting			

Nays, 7.

Banta	Hale	Mead	Shaff
Dutcher	Mantz	Reed	

Absent or not voting, 6.

Bowman	Brookins	Olson	Perkins
Brookhart	Kimberly		

The amendment was adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend by adding as new sections at the end of said bill the following:

"Sec. 32. Sale of gasoline by executive council authorized.

Whenever in the opinion of the executive council of the state an unlawful combination, pool, or trust exists whereby the distribution or sale of gasoline is unlawfully controlled so that the free action of a competitive market is destroyed as to that commodity in the state, it may purchase for

resale and sell gasoline in any part of the state and for this purpose may establish and conduct stations for the storage, distribution and sale of the same at cost plus the necessary expense of handling, which expense shall be determined by the council.

Sec. 33. Appropriation—return of money used.

There is hereby appropriated out of any money in the state treasury not otherwise appropriated as much as may be necessary for the use of the executive council under the provisions of this act. All money no longer used by either the executive council for the purposes herein provided, and any money accruing from the business conducted, shall be returned to the fund from which the money was originally taken.

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

Ayes, 16.

Browne	Ethell	Nelson	Snook
Buser	Hartman	Rees	Thurston
Campbell	Johnston	Romkey	Tuck
Cessna	McIntosh	Shinn	White

Nays, 28.

Abben	Dutcher	Horchem	Scott
Adams	Fulton	Mantz	Shaff
Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Newberry	Slosson
Bergman	Hale	Price	Smith
Caldwell	Haskell	Reed	Stoddard
Darting	Holdoegel	Schmedika	Wichman

Absent or not voting, 6.

Bowman	Brookins	Olson	Perkins
Brookhart	Kimberly		

The amendment was lost.

Senator Thurston offered the following amendments and moved their adoption:

Amend as follows:

1. Section 11, line 5, after the word "of" strike out the words "or against".
2. Strike out of the title, where the same appear, the words and figures "two hundred seventy-two (272), and two hundred seventy-three (273)".
3. Strike out of the seven lines immediately following the enacting clause, where same appear, the words and figures "two hundred seventy-two (272) and two hundred seventy-three (273)".

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, 41.

Abben	Ethell	McIntosh	Shaff
Adams	Fulton	Mantz	Shane
Baird	Gilchrist	Nelson	Shinn
Banta	Goodwin	Newberry	Slosson
Bergman	Hale	Price	Smith
Buser	Hartman	Reed	Snook
Caldwell	Haskell	Rees	Stoddard
Campbell	Holdoegel	Romkey	Thurston
Cessna	Horchem	Schmedlka	Tuck
Darting	Johnston	Scott	White
Dutcher			

Nays, none.

Absent or not voting, 9.

Bowman	Browne	Mead	Perkins
Brookhart	Kimberly	Olson	Wichman
Brookins			

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.

BILLS SIGNED BY THE PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate he had signed House File No. 260.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report on House File No. 178, a bill for an act relating to municipal corporations.

Also: That the House returns as requested Senate Joint Resolution No. 3, relating to the recess of the general assembly.

Also: That the House has adopted the conference committee report on House File No. 261, a bill for an act relating to regulation and inspection of foods, drugs, and other articles.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Haskell called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee to whom was referred Substitute for House File No. 178, beg leave to report that they have had the same under consideration and submit the following recommendations:

1. That the House concur in the Senate amendments.

W. G. HASKELL,
WM. SCHMEDIKA,
W. S. BAIRD,
C. J. FULTON,

Conferees on part of Senate.

FRED S. HIMEBAUCH,
W. R. BLAKE,
G. L. VENARD,
W. C. EDSON,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 36.

Abben	Cessna	Johnston	Shane
Adams	Ethell	McIntosh	Shinn
Baird	Fulton	Mantz	Slosson
Banta	Gilchrist	Mead	Smith
Bergman	Goodwin	Nelson	Snook
Browne	Hale	Newberry	Stoddard
Buser	Hartman	Reed	Thurston
Caldwell	Haskell	Rees	Tuck
Campbell	Holdoegel	Schmedika	White

Nays, none.

Absent or not voting, 14.

Bowman	Dutcher	Perkins	Scott
Brookhart	Horchem	Price	Shaff
Brookins	Kimberly	Romkey	Wichman
Darting	Olson		

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Haskell moved that the vote by which the conference committee report was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Newberry called up the following conference committee report for consideration.

MR. PRESIDENT: Your conference committee appointed to consider the disagreement between the House and Senate on House File No. 261, a bill relating to regulation and inspection of foods, drugs, and other articles, beg leave to report they have had the same under consideration and submit the following recommendation:

(1) Amend the Senate amendment designated as Sec. 49-a1 by inserting after the word "cream" in line 1 thereof a comma (,) and the words "except the producer,;" also amend by striking out the words "an accredited" in line 4 thereof and substituting the words "a licensed" therefor, and that the House concur in the Senate amendment as amended.

(2) That the Senate recede from its amendment to the House amendment to Sec. 87.

(3) Amend the Senate amendment designated as Sec. 90-a1 by changing the words and figures "two dollars and fifty cents (\$2.50)" in line 7 thereof to the words and figures "six dollars (\$6.00)", and that the House concur in the Senate amendment as amended.

(4) That the House concur in the Senate amendment to Sec. 92.

(5) Amend the Senate amendment to line 1 of Sec. 93 by striking out the words and figures "and ninety-a-one (90-a1)", and that the House concur in the Senate amendment as amended and to the Senate amendment to line 4 of Sec. 93.

(6) That the House concur in the Senate amendment striking out Sec. 95.

(7) Amend the Senate amendment to line 9 of Sec. 101 by striking out the comma (,) following the word "present" and inserting a period (.) in lieu thereof, and that the House concur in the Senate amendment as amended and in the Senate amendment to line 24 of Sec. 101.

(8) Amend Senate amendment to line 5, section 132, by substituting in lieu thereof the words "and its antidote", and that the House concur in the Senate amendment as amended.

(9) That the House concur in the Senate amendment to Sec. 141.

(10) That the Senate recede from its amendment to Sec. 215.

BYRON W. NEWBERRY,

I. N. SNOOR,

J. A. SHAFF,

T. C. CESSNA,

Conferees on part of Senate.

J. C. McCLUNE,

ALFRED WILLIAMS,

JOHN T. HANSEN,

G. W. PATTERSON,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 34.

Abben	Darting	McIntosh	Shaff
Adams	Dutcher	Mantz	Shane
Baird	Ethell	Nelson	Slosson
Banta	Fulton	Newberry	Smith
Bergman	Goodwin	Price	Snook
Browne	Hale	Reed	Stoddard
Caldwell	Hartman	Rees	White
Campbell	Haskell	Scott	Wichman
Cessna	Horchem		

Nays, none.

Absent or not voting, 16.

Bowman	Gilchrist	Mead	Schmedika
Brookhart	Holdoegel	Olson	Shinn
Brookins	Johnston	Perkins	Thurston
Buser	Kimberly	Romkey	Tuck

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Newberry moved that the vote by which the conference committee report was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Dutcher moved that all conference committees report by 4:00 p. m. today, with the exception of the committee on House File No. 84, which shall report by 10:00 a. m. Thursday, and if any committees fail to report they be automatically discharged.

The motion prevailed.

On motion of Senator Dutcher the vote by which Senate Joint Resolution No. 3 passed the Senate was reconsidered.

On motion of Senator Dutcher the vote by which Senate Joint Resolution No. 3 passed to its third reading was reconsidered.

By unanimous consent Senator Dutcher withdrew Senate Joint Resolution No. 3 from further consideration.

SENATE CONCURRENT RESOLUTION NO. 19

Senator Dutcher offered the following resolution:

Whereas. The constitution provides that acts passed at an extraordinary

session of the General Assembly shall take effect ninety days after the final adjournment thereof; and

Whereas, It is not practicable to prepare the copy for the new code and to index and publish the same within the period of ninety days; now, therefore,

Be It Resolved by the Senate, the House concurring: That the General Assembly on April 26, 1924, at twelve o'clock M., take a recess until July 8, 1924, at 11 o'clock A. M., and that final adjournment be had as soon thereafter as may be.

That all employes of the General Assembly except the secretary and sergeant-at-arms of the Senate and except the chief clerk and sergeant-at-arms of the House be and they hereby are discharged on April 26, 1924, at twelve o'clock M., except as otherwise provided in Senate Concurrent Resolution No. 18.

That the secretary and sergeant-at-arms of the Senate and the chief clerk and sergeant-at-arms of the House and the members of the General Assembly shall not receive any compensation during such recess, except as provided in Senate Concurrent Resolution No. 18.

By unanimous consent the resolution was taken up and considered.

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

Ayes, 37.

Abben	Darting	Horchem	Shinn
Adams	Dutcher	Johnston	Slosson
Baird	Ethell	Mead	Smith
Banta	Fulton	Newberry	Snook
Bergman	Gilchrist	Reed	Stoddard
Browne	Goodwin	Rees	Thurston
Buser	Hale	Schmedika	Tuck
Caldwell	Hartman	Shaff	White
Campbell	Holdoegel	Shane	Wichman
Cessna			

Nays, none.

Absent or not voting, 13.

Bowman	Kimberly	Nelson	Price
Brookhart	McIntosh	Olson	Romkey
Brookins	Mantz	Perkins	Scott
Haskell			

The resolution was adopted.

The Journal of April 22d was corrected and approved.

On motion of Senator Newberry the Senate recessed until 4:00 p. m.

AFTERNOON SESSION

The Senate reconvened, 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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 326, a bill for an act relating to the banking department.

Also: That the House concurs in Senate amendments to House File No. 14, a bill for an act relating to the executive council and to the power, duties and employees thereof.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 18, a bill for an act relating to reports of officers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 15, a bill for an act relating to the state board of audit—payment of claims.

Also: That the House has adopted the conference committee report and the supplementary report of the conference committee on Substitute for House File No. 185, a bill for an act relating to drainage of highways and highway drainage districts.

Also: That the House recedes from its amendments adding sections 29, 30 and 31 and to the title to Senate File No. 191, a bill for an act relating to electric wires, transmission lines and franchises.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Fulton called up for consideration Senate File No. 326, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding to section one (1) the following: "Any person aggrieved by the action of the superintendent of banking in granting or refusing to grant a certificate of authority to engage in banking may appeal to the executive council of the state by filing with the secretary of the council a notice of appeal, in writing, and serving the same upon the superintendent of banking or some employee of the office. Such appeal shall be taken within ten days after the action of the superintendent of banking. When notified of such appeal the executive council shall fix a time and place for the hearing and its findings in the matter shall be final."

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Abben	Dutcher	Mead	Shinn
Baird	Ethell	Newberry	Slosson
Banta	Fulton	Olson	Snook
Bergman	Gilchrist	Reed	Stoddard
Bowman	Hale	Schmedika	Thurston
Caldwell	Holdoegel	Scott	Tuck
Campbell	Horchem	Shaff	White
Cessna	Johnston	Shane	Wichman
Darting	McIntosh		

Nays, none.

Absent or not voting, 16.

Adams	Buser	Kimberly	Price
Brookhart	Goodwin	Mantz	Rees
Brookins	Hartman	Nelson	Romkey
Browne	Haskell	Perkins	Smith

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

Senator Fulton moved that the vote by which the House amendment was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Campbell moved that an explanation of remarks made by Senator Bowman on April 17th be printed in the Journal, which motion prevailed.

EXPLANATION OF REMARKS BY SENATOR BOWMAN IN CONSIDERATION OF SENATE FILE NO. 121

MR. PRESIDENT: On the 17th day of April, at the time that Senate File No. 121 was being considered the senator from Muscatine read an article published in a Des Moines paper on April 7th which stated that the Iowa Good Roads Association in a meeting with the Greater Des Moines Committee had decided to launch on a program which had for its purpose the bonding of Iowa for \$100,000,000 and the hard surfacing of 3,000 miles of the primary road system.

The Senator from Black Hawk stated on the floor of the Senate that the article above referred to was not in accordance with facts—that the program of the Iowa Good Roads Association did not have in mind the bonding of the state of Iowa for paving 3,000 miles of the primary road system. The Senator from Black Hawk furthermore stated that the Iowa Good Roads Association desires to accomplish the four following points:

1. The interest on county bonds for primary road construction be paid from the primary road fund.
2. That the funds derived from the county bonds for road improvement be used for graveling as well as hard surfacing.

3. To eliminate the 12½% assessment against abutting property where hard surfacing is done.

4. Pass a gasoline tax dividing the money between the primary and secondary roads.

The Senator from Black Hawk desires now to state that on the 18th day of April there was another meeting held at which officials of the Iowa Good Roads Association were in attendance and that the published reports recently appearing in the papers wherein at this meeting it was recommended that the state be bonded for \$85,000,000 for the purpose of paving 3,000 miles of primary roads and graveling the rest of the primary system is in accordance with the facts.

The Senator from Black Hawk does not wish to be misunderstood, much less to be subject to criticism because of the action taken April 18th which is contrary to the statement he made on the 17th of April, and this statement is simply made to again assure the Senators and others who might be interested that the statement made by the Senator from Black Hawk on the 17th day of April was correct, but if the Senator from Muscatine should make the same reference today that he did on that day the Senator from Black Hawk would not be in a position to deny the statement in lieu of the meeting which took place on the 18th, making my former remarks not in accordance with facts at this time.

Senator Gilchrist moved that the time be extended until 10:00 a. m. Thursday for the conference committee to report on Senate File No. 169, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Thurston called up for consideration Senate File No. 15, amended by the House, and moved that the Senate concur in the following amendments:

Amend as follows:

Insert after the word "of" where it appears the first time in line 2 of section 1 the following: "The director of the budget", and strike from line 2 of section 1 the following: ", the secretary of the executive council,".

Also further amend by striking from the end of section 7 the following: "; provided, however, that said boards shall submit quarterly all claims paid, together with vouchers thereof, to the state board of audit at the seat of government, for audit, said data to be furnished within thirty (30) days from the end of said quarter." and insert in lieu thereof a period.

Also further amend by striking from the first line of section 11 the words "in the name" and inserting in lieu thereof "to the order".

On the question "Shall the Senate concur?" the vote was:

Ayes, 45.

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

Nays, none.

Absent or not voting, 5.

Caldwell	Kimberly	Price	Stoddard
Hartman			

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 Cessna, the rules were suspended, and House 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, 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, 40.

Abben	Campbell	Mead	Shane
Adams	Cessna	Nelson	Shinn
Baird	Ethell	Newberry	Slosson
Banta	Fulton	Olson	Smith
Bergman	Gilchrist	Perkins	Snook
Bowman	Hale	Reed	Stoddard
Brookhart	Holdoegel	Rees	Thurston
Brookins	Horchem	Schmedika	Tuck
Browne	McIntosh	Scott	White
Caldwell	Mantz	Shaff	Wichman

Nays, none.

Absent or not voting, 10.

Buser	Goodwin	Johnston	Price
Darting	Hartman	Kimberly	Romkey
Dutcher	Haskell		

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

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Gilchrist called up the following conference committee report and supplementary report on House File No. 185 for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the differences between the two houses in regard to House File No. 185, a bill relating to drainage, begs leave to report that it has considered the matter and that it recommends that such differences be compromised and settled upon the following basis:

1. That the House shall concur in Senate amendments Nos. 8, 17, 19, 22, 24, 25, 26, 37, 40, 45, 46, 49, 50, 55, 59 and 60.

2. That the Senate shall recede from its amendments Nos. 13, 28, 36, 44 and 64.

3. That the Senate recede from its amendment No. 2; but that section 3 of the bill be amended by inserting in line one (1) thereof immediately after the word "chapter" the following: "and with reference to improvements along or adjacent to the Missouri River"; and that as so amended both houses adopt section 3 of the bill.

4. That the Senate recede from its amendment No. 3; but that section 6 of the bill be amended by striking all of said section preceding the word "may" in line two (2) thereof and by inserting in lieu thereof the following: "The owner or owners of at least fifteen per cent (15%) of the land named in the petition described in this section"; also by adding the following immediately after the period (.) in line three (3) of said section 6, to-wit: "But if the district described in the petition is a sub-district, one or more of the owners of the land affected by the improvement may petition for such sub-district.", and that as so amended both houses adopt section 6 of the bill.

5. That the Senate shall recede from its amendment No. 10; and that section 27-a of the bill be amended by striking line six (6) thereof and inserting in lieu thereof the following: "owners in the district, and these remonstrants must in the aggregate own seventy per cent (70%) or more of the"; and also that said section 27-a be amended by striking the word "tax" in line seven (7) and inserting in lieu thereof the word "taxed,"; and that as so amended both houses adopt section 27-a of the bill.

6. That Senate amendment No. 23 be itself amended by striking therefrom the word "districts", being the last word of such amendment, and that as so amended both houses adopt Senate amendment No. 23.

7. That the Senate recede from its amendment No. 27, and that section 54 of the bill be amended by inserting the words "or levy" after the word "drainage" in the first line thereof; that the comma (,) in line four (4) be stricken and the word "or" be inserted in lieu thereof; and that the words "or repair" in line four (4) be stricken and that there be added at the close of said section 54 of the bill the following:

"In case the board shall finally determine that any such changes shall be made involving an expenditure of five thousand dollars (\$5,000.00) or more, said work shall be let by bids in the same manner as is provided for the original construction of such improvements."

That as so amended both houses adopt section 54 of the bill.

8. That the Senate recede from the second paragraph of its amendment No. 27, and that section 55 of the bill be amended by inserting the word "or" immediately after the word "enlargement" in line five (5) thereof; by striking the following from lines five (5) and six (6):", or repair, as the case may be, without regard to any former classification,"; and that as so amended both houses adopt section 55 of the bill.

9. That section 107 of the bill be stricken therefrom.

10. That Senate amendment No. 53 be itself amended by inserting after the word "file" where such word appears for the first time in said amendment the word "it", and that as so amended both houses adopt and concur in Senate amendment No. 53.

11. That the House concur in the first paragraph of Senate amendment No. 54, and that the Senate recede from the second paragraph of its amendment No. 54, and that both houses amend section 151 of the bill by striking from lines twenty-one (21) and twenty-two (22) thereof the words "of the boards acting jointly".

12. That section 27-a of the bill be amended by adding at the end thereof of the following: "The provisions of this section shall not apply to the sub-district as described in section 52 of this chapter."

13. That line seven (7) of section 27-b of the bill be amended by striking therefrom the words and figures "sixty per cent (60%)" and inserting in lieu thereof "seventy per cent (70%)",

14. That section 52 of the bill be amended by striking from lines nine (9) and ten (10) thereof the words "proceed in the manner provided for the establishment of the original district", and by inserting in lieu thereof the words "file a petition for the establishment of a sub-district and thereafter the proceedings shall be the same as provided for the establishment of an original district."

15. That section 122 of the bill be amended by changing the period (.) at the end of the section into a comma (,) and by adding after such comma the following: "except that one or more persons may petition for a sub-district as provided in section 52 of this chapter."

16. That the House concur in Senate amendment No. 61, and that section 122 of the bill is further amended by both houses by striking the

words "sewer or other" in line five (5) of said section, and by inserting in lieu thereof the words "storm sewer and drainage".

F. C. GILCHRIST,
J. M. SLOSSON,
J. D. BUSER,
H. C. ADAMS,

Conferees of the Senate.

THOMAS PARSONS,
BREDE WAMSTAD,
G. W. PATTERSON,
W. C. EDSON,

Conferees of the House.

SUPPLEMENTARY REPORT OF CONFERENCE COMMITTEE ON
HOUSE FILE NO. 185

MR. PRESIDENT: Your conference committee to whom was referred House File No. 185, a bill for an act relating to drainage, begs leave to report that it desires to file this as a supplement to its former report, and that it recommends that paragraph twelve (12) of its former report be stricken, inasmuch as the matter covered by said paragraph twelve (12) is already taken care of in section twenty-seven-a (27-a) of the bill, and it will not, therefore, be necessary to adopt the amendment proposed by paragraph twelve (12) of the conference report.

We also recommend that the House recede from the amendment it made to Senate amendment No. 23 because this subject matter is covered in paragraph six (6) of our report.

We also recommend that the House recede from its amendment to Senate amendment No. 50 because this subject matter is covered in paragraph one (1) of our report.

F. C. GILCHRIST,
J. M. SLOSSON,
H. C. ADAMS,
J. D. BUSER,

Conferees on part of Senate.

THOMAS PARSONS,
G. W. PATTERSON,
W. C. EDSON,
BREDE WAMSTAD,

Conferees on part of House.

On the question "Shall the conference committee report and the supplementary report be adopted and concurred in?" the vote was:

Ayes, 35.

Abben	Campbell	Horchem	Slosson
Adams	Dutcher	Mantz	Smith
Baird	Ethell	Mead	Snook
Banta	Fulton	Newberry	Stoddard
Bergman	Gilchrist	Olson	Thurston
Bowman	Goodwin	Perkins	Tuck
Brookins	Hale	Reed	White
Buser	Haskell	Shaff	Wichman
Caldwell	Holdoegel	Shane	

Nays, 4.

Brookhart	Browne	Schmedika	Shinn
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Absent or not voting, 11.

Cessna	Johnston	Nelson	Romkey
Darting	Kimberly	Price	Scott
Hartman	McIntosh	Rees	

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Gilchrist moved that the vote by which the conference committee report was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONFERENCE COMMITTEE REPORT FILED

MR. PRESIDENT: We, your conference committee, to whom was referred Senate File No. 121, beg leave to state we have had the same under consideration and have agreed to compromise the differences between the House and Senate thereon as follows:

1st. The House recedes from amendment No. 3, and paragraph 4 of section 2 of the bill as passed by the Senate is amended by adding after the period in line 13 the following sentence:

"Such writing shall contain a provision that the town shall use the funds returned to them under paragraph one of section 1 hereof in constructing and maintaining said county road."

2nd. The House recedes from its amendment No. 4.

3rd. Amend Sec. 4 as amended by the House by adding the following sentence:

"In all cases of additions the same proceedings shall be followed, in all regards, as provided for the original section and improvement of county roads."

4th. The House recedes from its amendment No. 6.

5th. The Senate concurs in House amendment No. 7.

6th. The Senate concurs in House amendment No. 11.

7th. The Senate concurs in House amendment No. 13.

8th. The Senate concurs in House amendment No. 14, and section 35 of the bill is amended further by adding at the end of said section the following:

"Provided, however, that when such road is a primary road and such bridge is being constructed entirely with primary road funds such appropriation from each county may be a sum not exceeding thirty-five thousand dollars (\$35,000.00)."

9th. The House recedes from that part of amendment No. 15 designated as section 50a-1, and the following is substituted in lieu thereof:

"Sec. 50-a1. Any authorization, voted by the electors, and not acted upon by the letting of contracts for hard surfacing within four years after said authorization, or if contracts have been let thereunder and four years have elapsed since the letting of the last contract, may be cancelled in the following manner:

A proposition for such cancellation must be submitted by the board of supervisors upon petition of ten (10) per cent of the voters as provided upon the submission of the original proposition for authorization, and all the proceedings as to notice and holding such election shall be the same as upon such original submission so far as practicable."

10th. The Senate concurs in that part of House amendment No. 15 following section 50-a1.

11th. The Senate concurs in House amendment No. 17 in striking out sections 53 and 54 and the following is hereby substituted as section 53:

"Sec. 53. The proposed program of improvement on primary roads shall be subject to the same approval by the highway commission as is required in other improvements on the primary roads."

12th. The Senate concurs in House amendment No. 18.

13th. That House amendment No. 19 be amended by striking out the words "one half" in line 12 of section 60-a1 and inserting in lieu thereof the words "sixty-five per cent" and that such amendment No. 19 so amended be concurred in.

14th. That the Senate concur in House amendment No. 20.

Respectfully submitted,

R. P. SCOTT,

J. E. WICHMAN,

W. A. CALDWELL,

Conferees on part of Senate.

L. C. CARTER,

FRANCIS JOHNSON,

NELS PETERSON,

Conferees on part of House.

On motion of Senator Stoddard, Senator Reed was excused from the call of the Senate for Thursday and Friday, and Senator Campbell was excused for Thursday.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 24, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Shane, rule 33 was suspended for the day.

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. 308 and 324.

F. C. GILCHRIST, *Chairman Senate Committee.*
C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate, he had signed House Files Nos. 308 and 324.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Scott called up the following conference committee report and supplementary report for consideration:

MR. PRESIDENT: We, your conference committee, to whom was referred Senate File No. 121, beg leave to state we have had the same under consideration and have agreed to compromise the differences between the House and Senate thereon as follows:

1st. The House recedes from amendment No. 3, and paragraph 4 of section 2 of the bill as passed by the Senate is amended by adding after the period in line 13 the following sentence:

"Such writing shall contain a provision that the town shall use the

funds returned to them under paragraph one of section 1 hereof in constructing and maintaining said county road."

2nd. The House recedes from its amendment No. 4.

3rd. Amend Sec. 4 as amended by the House by adding the following sentence:

"In all cases of additions the same proceedings shall be followed, in all regards, as provided for the original selection and improvement of county roads."

4th. The House recedes from its amendment No. 6.

5th. The Senate concurs in House amendment No. 7.

6th. The Senate concurs in House amendment No. 11.

7th. The Senate concurs in House amendment No. 13.

8th. The Senate concurs in House amendment No. 14, and section 35 of the bill is amended further by adding at the end of said section the following:

"Provided, however, that when such road is a primary road and such bridge is being constructed entirely with primary road funds such appropriation from each county may be a sum not exceeding thirty-five thousand dollars (\$35,000.00)."

9th. The House recedes from that part of amendment No. 15 designated as section 50-a1, and the following is substituted in lieu thereof:

"Sec. 50-a1. Any authorization, voted by the electors, and not acted upon by the letting of contracts for hard surfacing within four years after said authorization, or if contracts have been let thereunder and four years have elapsed since the letting of the last contract, may be cancelled in the following manner:

A proposition for such cancellation must be submitted by the board of supervisors upon petition of ten (10) per cent of the voters as provided upon the submission of the original proposition for authorization, and all the proceedings as to notice and holding such election shall be the same as upon such original submission so far as practicable."

10th. The Senate concurs in that part of House amendment No. 15 following section 50-a1.

11th. The Senate concurs in House amendment No. 17 in striking out sections 53 and 54 and the following is hereby substituted as section 53:

"Sec. 53. The proposed program of improvement on primary roads shall be subject to the same approval by the highway commission as is required in other improvements on the primary roads."

12th. The Senate concurs in House amendment No. 18.

13th. That House amendment No. 19 be amended by striking out the words "one half" in line 12 of section 60-a1 and inserting in lieu thereof

the words "sixty-five per cent" and that such amendment No. 19 so amended be concurred in.

14th. That the Senate concur in House amendment No. 20.

Respectfully submitted,

R. P. SCOTT,
J. E. WICHMAN,
W. A. CALDWELL,

Conferees on part of Senate.

L. V. CARTER,
FRANCIS JOHNSON,
NELS PETERSON,

Conferees on part of House.

SUPPLEMENTARY REPORT

MR. PRESIDENT: Your conference committee to whom was referred Senate File No. 121, beg leave to report that inadvertently one matter was left out of the conference report already filed, and we desire to file the following supplementary report thereto:

Add after the comma following the word "road" in line five (5) of section 60-a1 of the House amendment, the following words: "county road building,".

R. P. SCOTT,
W. A. CALDWELL,
J. E. WICHMAN,

Conferees on the part of the Senate.

L. V. CARTER,
FRANCIS JOHNSON,
NELS PETERSON,

Conferees on the part of the House.

Senator Ethell moved that the Senate recess until 1:30 p. m. today.

Senator Shane moved to amend by making the hour 2 p. m. The amendment was lost.

The motion prevailed and the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

On motion of Senator Gilchrist, Senator Price was excused from the call of the Senate for Friday and also Saturday morning.

The Senate resumed consideration of the conference committee report on Senate File No. 121.

On the question "Shall the conference committee report and the supplementary report be adopted and concurred in?" the vote was:

Ayes, 26.

Abben	Dutcher	Horchem	Shaff
Baird	Ethell	Mantz	Shane
Banta	Fulton	Newberry	Slosson
Bergman	Gilchrist	Olson	Stoddard
Bowman	Hale	Perkins	White
Brookins	Haskell	Scott	Wichman
Caldwell	Holdoegel		

Nays, 19.

Adams	Goodwin	Nelson	Smith
Brookhart	Hartman	Price	Snook
Browne	Johnston	Romkey	Thurston
Buser	McIntosh	Schmedika	Tuck
Darting	Mead	Shinn	

Absent or not voting, 5.

Campbell	Kimberly	Reed	Rees
Cessna			

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Fulton called up the following conference committee report for consideration:

MR. PRESIDENT: Your conference committee to whom was referred the disagreements between the Senate and House on Senate File No. 169, beg leave to report that they have had the same under consideration and submit the following recommendations:

1. The Senate concurs in House amendment No. 1 to section 4, House amendment No. 2 to section 6, House amendment No. 5 to section 15, House amendment No. 6 to section 19, House amendment No. 7 to section 23, House amendment No. 8 to section 24, House amendment No. 9 to section 30, House amendment No. 11 to section 42, House amendment No. 12 to section 60, House amendment No. 13 to section 69.

2. Amends and concurs in House amendment No. 3 to section 13 as follows: by striking all after the word "by" in line 4 and inserting in lieu thereof "sixty per cent (60%) of the property owners and by the owners of seventy-five per cent (75%) of the property subject to assessment".

3. The House recedes from its first amendment in No. 4 to section 14.

4. The Senate concurs in the House second amendment in No. 4 to section 14.

5. Amends and concurs in House amendment No. 10 to section 41 by inserting the words "of any lot" after the word "owner" where same appears in next to the last line of said amendment.

6. The House recedes from House amendment No. 14, section 70.

7. Amends and concurs by striking the words and figures "ten (10)" and inserting the words and figures "fifteen (15)" in section 19, line 5.

W. G. HASKELL,
ED. M. SMITH,
W. S. BAIRD,
C. J. FULTON,

Conferees on part of Senate.

W. R. BLAKE,
F. B. GILBERT,
RAY YENTER,
T. B. STOCK,

Conferees on part of House.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 39.

Abben	Dutcher	Mantz	Shaff
Baird	Ethell	Mead	Shane
Banta	Fulton	Nelson	Shinn
Bergman	Gilchrist	Newberry	Slosson
Bowman	Goodwin	Olson	Snook
Brookhart	Hale	Perkins	Stoddard
Brookins	Hartman	Price	Thurston
Browne	Haskell	Romkey	Tuck
Buser	Johnston	Schmedika	Wichman
Caldwell	McIntosh	Scott	

Nays, none.

Absent or not voting, 11.

Adams	Darting	Kimberly	Smith
Campbell	Holdoegel	Reed	White
Cessna	Horchem	Rees	

The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Fulton moved that the vote by which the report was adopted and concurred in be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE NO. 118 WITHDRAWN

By unanimous consent Senator Holdoegel withdrew Senate File No. 118 from further consideration, the subject matter having been incorporated in House File No. 185.

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. 236, 306, 326, 327.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

Senator Perkins moved that the opinion of the attorney general, relating to House File No. 84, be printed in the Journal in connection with the conference committee report, which motion prevailed.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT: Your conference committee to whom was referred House File No. 84, to compose the differences between it and the House in relation to said bill, beg leave to report that they have had the same under consideration and recommend as follows:

(1) That the House accept the Senate amendment to section 345.

(2) Amend section 472 by adding subsection three:

3. Demerits shall not be entered against any prisoner for failure or inability to perform a given task after honest effort.

(3) That the Senate recede from the Bowman amendment to section 461.

That section 461 of the bill be stricken and the following adopted in lieu thereof.

Sec. 461. Employment of prisoners.

Prisoners in the penitentiary or men's reformatory shall be employed only on state account in the maintenance of the institutions, in the erection, repair or operation of buildings and works used in connection with said institutions, and in such industries as may be established and maintained in connection therewith by the board of control.

The board of control may make such contracts with any person, firm or corporation, as may be necessary for the employment of prisoners as are not being used in the production of supplies and materials and in road construction work as provided in this chapter. Such contracts shall not extend beyond July first, nineteen hundred twenty-seven (1927).

Such contracts shall contain a provision that the number of men employed thereunder shall be subject to reduction at all times to meet the necessities of the state use system as herein provided.

Such contracts shall not be entered into upon a less basis or price than a basis or price approximately equal to the wages paid free labor of like character for a like service or its equivalent. In arriving at said basis or price, the board may take into consideration the approximate value of such prison labor and the approximate value of the product of such prison labor on the market as compared with the price of free labor and the product of free labor.

Sec. 461-a.

The board of control shall, as promptly as the funds are available and consistent with the best interests of the state, establish at the penitentiary and men's reformatory such industries, to be operated by convict labor, as will supply such articles used in public institutions or public works as in the judgment of the board can be made by convict labor.

GEO. B. PERKINS,
J. L. BROOKHART,
A. T. BROOKINS,
M. L. BOWMAN,
Senate Conferees.

FRANK C. LAKE,
GEO. W. POTTS,
T. L. WOLFE,
E. A. GRIMWOOD,
House Conferees.

April 24, 1924.

HON. GEORGE B. PERKINS,
Senate Chamber,
Building,

Dear Sir: The conference committee of the General Assembly to whom was referred House File No. 84 has requested this department for an opinion relative to the interpretation which will be given by this department to the amendment proposed by such committee to section 461 of the bill. You have particularly asked as to whether or not the board of control may under this amended section enter into contracts such as those now existing between the board of control and certain manufacturing corporations for the manufacture of shirts and aprons at the state penitentiary and the men's reformatory.

You are advised that after giving this matter the most careful consideration, we have reached the conclusion that under this proposed amendment the board of control may enter into contracts similar in character to those referred to. In making such contracts, the board is required to secure a consideration for the state which is fair and reasonable. The amendment contains the provision that "Such contracts shall not be entered into upon

a less basis or price than a basis or price approximately equal to the wages paid free labor of like character for a like service or its equivalent. In arriving at said basis or price, the board may take into consideration the approximate value of such prison labor and the approximate value of the product of such prison labor on the market as compared with the price of free labor and the product of free labor."

The board is required under this paragraph to fix the consideration to be received by the state and in fixing such consideration, the board shall fix it at an amount which will secure for the labor performed a price approximately equal to the wages paid free labor of like character for a like service or its equivalent. The board is not, however, required under this paragraph to secure for prison labor the price of free labor, but in the exercise of its discretion it may take into consideration the approximate value of prison labor as such, as well as the approximate value of the product of prison labor as such.

We are, therefore, firmly of the opinion that this amendment in the law means that the board of control shall honestly and fairly determine the question of the consideration to be received by the state, giving consideration to the limitations referred to and we are further of the opinion that, if the board exercises its discretion honestly, that its determination is final.

There is another limitation on the right of the board which perhaps should be mentioned in this letter, and that is that the board in determining the number of prisoners to be employed on a contract shall make the contract subject to the provision that in the exercise of its discretion the board may reduce the number so employed to the end that there may be ample prison labor to carry out and put into effect the state use plan as otherwise provided in the act.

In consultation with the committee, I was impressed with the thought that this was the purpose and thought of the committee itself in drafting and adopting the amendment referred to.

Respectfully submitted,

BEN J. GIBSON, *Attorney General.*

Senator Shaff was called to the chair at 2:25 p. m.

REPORT OF INSURANCE INVESTIGATION COMMITTEE CONSIDERED

Senator Wichman called up the report of the special insurance investigation committee for consideration (found on page 1369 of the Senate Journal).

Senator Wichman moved that the report of the committee be adopted, which motion prevailed.

Senator Buser moved that five hundred copies of the evidence submitted by the special insurance investigation committee,

other than the documentary evidence, be printed in pamphlet form, which motion prevailed.

By unanimous consent, on request of Senator Stoddard, the following proposed bill was ordered printed in the Journal.

A bill for an act to make appropriation for the payment of state and other expenses.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Appropriation. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated such sum or sums as may be necessary to pay the following items:

Sec. 2. To Lieutenant Governor Hammill, telephone, telegrams and express, twenty-three dollars and seven cents (\$23.07).

Sec. 3. To the following clerks for services rendered on the first day of the extraordinary session of the Fortieth General Assembly, April 18, 1923, the amount of four dollars (\$4.00) each:

Chas. P. Denison	Mary Allen
Emma Malm	Marie Drew
Edith McElroy	Hannah Millard
Maude Brown	Louise Koenigsberger
Betty Smith	Sadie Lowry
Frances Schmitt	Elmer Beck
Nell Swanson	G. L. Steinhilber
Daisy Williams	Paul Sims

Kathryn Andrews for one day December 3, 1923.

Edyth Howard for two days January 30th and 31st, 1924.

Sec. 4. Such sum as may be necessary to defray the expense incurred by the committee in the investigation of the state superintendent of public instruction, as provided in House Resolution adopted April 17, 1924, said amounts to be paid by the auditor of state on certification by the speaker of the House and the chairman of the judiciary committee of the House.

Sec. 5. To the persons named herein and in the amounts listed on account of investigation of the insurance department as provided in Senate Resolution of February 5, 1924:

Frank Hollaway, report and transcript, 46 days at \$10.00 per day..	\$460.00
Frank Hollaway, expense for copyist.....	15.00
	\$475.00

Witnesses:

E. D. Perry, Des Moines, Iowa.....	4.20
Casper Schenk, Des Moines, Iowa.....	2.20
Clyde E. Brenton, Des Moines, Iowa.....	2.20
A. D. Pugh, Des Moines, Iowa.....	2.20
John D. Denison, Des Moines, Iowa.....	2.10
J. A. Thompson, Des Moines, Iowa.....	4.20

H. H. Peterson, Mason City, Iowa.....	16.50
Emory H. English, Des Moines, Iowa.....	2.20
P. J. Clancy, Des Moines, Iowa.....	2.20
Jessie A. Miller, Des Moines, Iowa.....	2.20
Guy A. Miller, Des Moines, Iowa.....	2.20
J. A. Greenlow, Des Moines, Iowa.....	2.20
Taylor Grimes, Des Moines, Iowa.....	4.20
B. L. McClelland, Des Moines, Iowa.....	2.20
Wm. Burke, Des Moines, Iowa.....	2.20

\$528.20

Sec. 6. The sum of five hundred dollars (\$500.00) or so much thereof as may be necessary, until January 1, 1925, to pay the necessary traveling expenses of members of the board of parole incurred in the investigation of parole cases.

Sec. 7. To L. W. Ainsworth, postage, five dollars (\$5.00).

Sec. 8. It is further provided that any of the funds herein appropriated, remaining unexpended on January 1, 1925, shall be covered into the state treasury.

Sec. 9. 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 Journal of April 23d was corrected and approved.

Senator Gilchrist moved that the Senate recess until 4:00 p. m.

Senator Brookhart moved as a substitute that the Senate adjourn until 10:00 a. m. Friday.

The substitute motion prevailed and the Senate adjourned until 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 25, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

Senator Shaff moved that rule 33 be suspended for the day.

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

Ayes, 28.

Abben	Cessna	Haskell	Shane
Banta	Darting	Holdoegel	Shinn
Bergman	Fulton	Horchem	Slosson
Bowman	Gilchrist	Kimberly	Smith
Brookins	Goodwin	Mead	Stoddard
Caldwell	Hale	Perkins	Thurston
Campbell	Hartman	Shaff	White

Nays, 9.

Adams	Johnston	Nelson	Schmedika
Browne	McIntosh	Romkey	Snook
Buser			

Absent or not voting, 13.

Baird	Mantz	Price	Scott
Brookhart	Newberry	Reed	Tuck
Dutcher	Olson	Rees	Wichman
Ethell			

The motion prevailed, and rule 33 was suspended for the day.

INTRODUCTION OF BILL

Senate File No. 327, 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.

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 34, 68, 213, 328 and House Joint Resolution No. 6.

F. C. GILCHRIST, *Chairman Senate Committee.*

FRED S. HIMEBAUGH, *Acting Chairman House Committee.*

Report adopted.

Also:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files Nos. 7, 186, 281, 324, 323, 325, 322 and 319.

F. C. GILCHRIST, *Chairman Senate Committee.*

FRED S. HIMEBAUGH, *Acting 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 Nos. 65 and 66.

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: Senate Files Nos. 191 and 326.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has rejected the conference committee report on House File No. 84, a bill for an act relating to charitable, correctional, and penal institutions and the juvenile court, and the Speaker appoints as a second conference committee on the part of the House, Representatives Doolittle, Rankin, Children and Hauge.

Also: That the House has adopted the conference committee report and the amendments proposed therein on Senate File No. 121, a bill for an act relating to the county road, bridge, and culvert system.

Also: That the House has adopted the conference committee report and the amendments proposed therein on Senate File No. 169, a bill for an act relating to street improvements.

A. C. GUSTAFSON, *Chief Clerk.*

CONFERENCE COMMITTEE APPOINTED

The President appointed as members of a second conference committee on House File No. 84, on the part of the Senate, Senators Goodwin, Tuck, Ethell and Mantz.

EXCHANGE OF SEATS

By unanimous consent Senator Shane exchanged seat No. 6 for seat No. 23; Senator Brookins exchanged seat No. 4 for seat No. 24; Senator Gilchrist exchanged seat No. 1 for seat No. 42; Senator Shinn exchanged seat No. 9 for seat No. 29; all effective the day of adjournment of the special session of the Fortieth General Assembly.

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 twenty-fifth day of April, sent to the Governor for his approval, Senate Files Nos. 7, 186, 281, 324, 323, 325, 322 and 319.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

Also:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the twenty-fifth day of April, sent to the Governor for his approval, Senate Files Nos. 191 and 326.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

BILLS SIGNED BY THE PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 7, 186, 324, 323, 325, 322, 281, 319, 191 and 326; also House Files Nos. 236, 306, 326 and 327; also House Files Nos. 34, 68, 213, 328, 65 and 66, and House Joint Resolution No. 6.

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended, and Senate File No. 327, a bill for an act to make appropriations for the payment of state and other expenses, a bill by the committee on appropriations, was taken up and considered.

Senator Buser offered the following amendment and moved its adoption:

Amend section 5 by adding as section 5-a1 the following:

“Expense incurred by Senator Chas. Browne in securing evidence relevant to the investigation—also legal advice:

J. C. Murray, first trip, car fare and expenses.....	\$ 25.00
J. C. Murray, second trip, car fare and expenses.....	25.00
Hotel and board of attorney.....	60.00
Legal advice.....	115.00
	<hr/>
Total.....	\$225.00”

By unanimous consent, on request of Senator Buser the words “legal advice” were stricken from the last line of the amendment and the words “Charles Browne, money paid for legal advice in connection with insurance investigation” were inserted in lieu thereof.

Senator Adams invoked rule 8.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 24.

Baird	Cessna	Johnston	Shinn
Bowman	Ethell	McIntosh	Snook
Brookhart	Fulton	Nelson	Thurston
Browne	Gilchrist	Olson	Tuck
Buser	Hartman	Romkey	White
Campbell	Horchem	Schmedika	Wichman

Nays, 23.

Abben	Darting	Mantz	Shaff
Adams	Dutcher	Mead	Shane
Banta	Goodwin	Newberry	Slosson
Bergman	Hale	Perkins	Smith
Brockins	Haskell	Rees	Stoddard
Caldwell	Holdoegel	Scott	

Absent or not voting, 3.

Kimberly	Price	Reed
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The amendment was adopted.

Senator Mantz moved that the bill be rereferred to the committee on appropriations, 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. 14 and 178.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS WITHDRAWN

The following Senate bills were reported as having been withdrawn by unanimous consent on the dates given, the companion bills having been passed: February 14th, 188; March 5th, 69 and 94; March 14th, 72; March 21st, 254; April 7th, 262; April 9th, 90; April 23d, 14 and 18.

Senator Hale moved that the Senate adjourn until 9:00 a. m. Saturday.

Senator Shane moved as a substitute motion that the Senate recess until 12:45 p. m. today.

The substitution was made.

The motion prevailed and the Senate recessed until 12:45 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

The Senate recessed until 7:30 p. m. today.

EVENING SESSION

The Senate reconvened, 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 resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 8, relating to certification of teachers in certain cases and the approval of certain schools for state aid and approval of certain schools for tuition.

Also: That the House has indefinitely postponed the following resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 2, providing for a committee to investigate and make recommendation to the Forty-first General Assembly relating to insurance.

Also: That the House has adopted the conference committee report and the supplementary report and the amendments proposed therein of the second conference committee on House File No. 84, a bill for an act relating to charitable, correctional and penal institutions and the juvenile court.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Thurston, Senator Rees was excused from the call of the Senate for the evening.

Senator Campbell moved that Senator Newberry be excused from the call of the Senate for the evening.

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

Ayes, 21.

Brookhart	Darting	McIntosh	Shane
Browne	Ethell	Nelson	Shinn
Buser	Goodwin	Olson	Thurston
Caldwell	Hartman	Romkey	Tuck
Campbell	Johnston	Schmedika	White
Cessna			

Nays, 24

Abben	Brookins	Holdoegel	Shaff
Adams	Dutcher	Horchem	Slosson
Baird	Fulton	Mantz	Smith
Banta	Gilchrist	Mead	Snook
Bergman	Hale	Perkins	Stoddard
Bowman	Haskell	Scott	Wichman

Absent or not voting, 5.

Kimberly	Price	Reed	Rees
Newberry			

The motion was lost.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor stating that he had, on April 25th, signed Senate Files Nos. 186, 191, 281, 319, 322, 323, 324 and 325.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Goodwin called up the following conference committee report and supplementary report for consideration.

MR. PRESIDENT: Your conference committee to whom was referred the disagreement between the House and the Senate on House File No. 84, a bill for an act to amend, revise and codify title nine (9) and chapters fifteen (15) and sixteen (16) of the compiled code and of the supplement to said code relating to charitable, correctional and penal institutions and the juvenile court beg leave to report that they have had the same under consideration and recommend the following:

1. That the House concur in the Senate amendments to section 345.
2. That the following substitute for the Senate amendment to section 461 be adopted.

"The board shall not permit such services to be rendered to a private party at a less wage than is paid free labor for like service or its equivalent, taking into consideration all the elements that enter into the value of prison labor, and the decision of the board of control in that respect shall be final."

W. J. GOODWIN,
H. J. MANTZ,
J. C. TUCK,
JOHN J. ETHELL,
Conferees of the Senate.

CLYDE H. DOOLITTLE,
A. O. HAUGE,
W. C. CHILDREN,
JNO. W. RANKIN,
Conferees of the House.

MR. PRESIDENT: Your conference committee on House File No. 84, beg leave to submit the following supplemental report:

Amend the report of said conference committee by striking out the period in the last line thereof and adding thereto the following: "after approval by the appeal board provided for by chapter 3-A of Senate File No. 7, acts of the Fortieth General Assembly of Iowa, Special Session."

W. J. GOODWIN,
J. C. TUCK,
JOHN J. ETHELL,
Conferees on part of the Senate.

CLYDE H. DOOLITTLE,
A. O. HAUGE,
JNO. M. RANKIN,
Conferees on part of the House.

Senator Stoddard moved the previous question, which motion prevailed.

On the question "Shall the conference committee report and the supplementary report be adopted and concurred in?" the vote was:

Ayes, 27.

Abben	Ethell	Mantz	Shane
Adams	Fulton	Mead	Slosson
Baird	Gilchrist	Newberry	Smith
Banta	Goodwin	Olson	Stoddard
Bergman	Hale	Perkins	Tuck
Darting	Haskell	Scott	Wichman
Dutcher	Holdoegel	Shaff	

Nays, 19.

Bowman	Caldwell	Johnston	Shinn
Brookhart	Campbell	McIntosh	Snook
Brookins	Cessna	Nelson	Thurston
Browne	Hartman	Romkey	White
Buser	Horchem	Schmedika	

Absent or not voting, 4.

Kimberly	Price	Reed	Rees
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The conference committee report having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Hale moved that the vote by which the conference committee report was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION OF BILL

Senate Joint Resolution No. 4, by Senator Brookins, joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly and make appropriation therefor.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Brookins, the rules were suspended, and Senate Joint Resolution No. 4, joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly and make appropriation therefor, was taken up and considered.

The resolution was read for information.

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

On motion of Senator Brookins the vote by which the resolution passed to its third reading was reconsidered.

Senator Brookins offered the following amendment and moved its adoption:

Amend by adding the following as section 3:

"Sec. 3. This act being deemed of immediate importance shall be in full force and 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.

The bill was read for information.

Senator Brookins moved that the rules be suspended and the reading just had be considered the third reading.

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

Ayes, 27.

Baird	Campbell	Haskell	Shane
Bergman	Cessna	Holdoegel	Slosson
Bowman	Darting	Horchem	Stoddard
Brookhart	Ethell	Mantz	Thurston
Brookins	Gilchrist	Mead	Tuck
Buser	Goodwin	Newberry	Wichman
Caldwell	Hartman	Shaff	

Nays, 18.

Abben	Fulton	Olson	Shinn
Adams	Hale	Perkins	Smith
Banta	Johnston	Romkey	Snook
Browne	McIntosh	Scott	White
Dutcher	Nelson		

Absent or not voting, 5.

Kimberly	Reed	Rees	Schmedika
Price			

The motion having failed to receive a two-thirds vote was lost.

Senator Holdoegel moved that the vote by which Senate File No. 327 was rereferred to the committee on appropriations be reconsidered, which motion prevailed.

Senator Holdoegel moved that Senate File No. 327 be withdrawn from the committee on appropriations, which motion prevailed.

Senator Buser moved that the vote by which the amendment offered by him to Senate File No. 327 was adopted be reconsidered, which motion prevailed.

Senator Buser withdrew the amendment.

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	Darting	Holdoegel	Shane
Adams	Dutcher	Horchem	Slosson
Baird	Ethell	Mantz	Smith
Banta	Fulton	Mead	Snook
Bergman	Gilchrist	Newberry	Stoddard
Brookins	Goodwin	Olson	Thurston
Browne	Hale	Perkins	Tuck
Buser	Hartman	Scott	White
Caldwell	Haskell	Shaff	Wichman
Campbell			

Nays, 6

Brookhart	Nelson	Schmedika	Shinn
McIntosh	Romkey		

Absent or not voting, 7.

Bowman	Johnston	Price	Rees
Cessna	Kimberly	Reed	

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 Newberry, the rules were suspended, and House Joint Resolution No. 8, joint resolution relating to certification of teachers in certain cases and the approval of certain schools for state aid and approval of certain schools for tuition, was taken up and considered.

The resolution was read for information.

Senator White moved the previous question, which motion prevailed.

Senator Newberry 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, 32.

Abben	Cessna	Holdoegel	Shaff
Adams	Dutcher	Horchem	Slosson
Baird	Ethell	Mantz	Smith
Banta	Fulton	Mead	Snook
Bergman	Gilchrist	Newberry	Stoddard
Bowman	Goodwin	Olson	Thurston
Caldwell	Hale	Perkins	White
Campbell	Haskell	Scott	Wichman

Nays, 12.

Brookins	Hartman	Nelson	Shane
Browne	Johnston	Romkey	Shinn
Darting	McIntosh	Schmedika	Tuck

Absent or not voting, 6.

Brookhart	Kimberly	Reed	Rees
Buser	Price		

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

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

The Journal of April 25th was corrected and approved.

On motion of Senator Holdoegel, the Senate adjourned until 9:30 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 26, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Hartman, rule 33 was suspended for the day.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and concurred in Senate Concurrent Resolution No. 19, relating to a recess of the special session of the Fortieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

BILLS SIGNED BY THE PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate, he had signed House Files Nos. 14 and 178.

HOUSE AMENDMENTS CONSIDERED

Senator Dutcher called up for consideration Senate Concurrent Resolution No. 19, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking the word and figure "July 8" and inserting the word and figures "July 22".

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Abben
Banta
Bergman
Bowman
Brookhart
Browne

Buser
Caldwell
Campbell
Darting
Dutcher
Ethell

Fulton
Gilchrist
Goodwin
Hale
Hartman
Haskell

Holdoegel
Horchem
McIntosh
Mantz
Mead
Nelson

Newberry	Schmedika	Shinn	Stoddard
Olson	Scott	Slosson	Thurston
Perkins	Shaff	Smith	White
Romkey	Shane	Snook	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Cessna	Price	Rees
Balrd	Johnston	Reed	Tack
Brookins	Kimberly		

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

INTRODUCTION OF BILL

By unanimous consent Senator Newberry introduced the following bill:

Senate File No. 328, by committee on public schools, a bill for an act to repeal section eleven (11) of House File No. 100 of the acts of the extraordinary session of the Fortieth General Assembly, relating to the organization of independent school districts.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That section eleven (11) of House File one hundred (100), acts of the Extraordinary session of the Fortieth General Assembly, is hereby repealed.

Sec. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines News and the Iowa Forum, newspapers published in Des Moines, Iowa.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Newberry, the rules were suspended, and Senate File No. 328, a bill for an act to repeal section eleven (11) of House File No. 100 of the acts of the extraordinary session of the Fortieth General Assembly, relating to the organization of independent school districts, a bill by the committee on public schools, 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, 43.

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

Nays, none.

Absent or not voting, 7.

Brookhart	Kimberly	Reed	Shaff
Browne	Price	Rees	

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.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution No. 9 authorizing the board of control of state institutions to enter into contracts for the employment of prisoners.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 327, a bill for an act to make appropriation for the payment of state and other expenses.

A. C. GUSTAFSON, Chief Clerk.

SENATE JOINT RESOLUTION NO. 4

Joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly and make appropriation therefor.

Whereas, Attention has been called to the members of this General Assembly that the Board of Control, under House File No. 84 as passed by the Fortieth General Assembly in extra session, are authorized to establish

what is known as a state use system and to abolish by July 1, 1927, all contracts with individuals, firms, or corporations for prison labor; and

Whereas, The Board of Control has under its charge fifteen state institutions, and are unable to give sufficient time to each department of these several institutions; therefore,

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

Section 1. That there be a committee consisting of four (4) members, two of whom are to be appointed by the president of the Senate and two of whom are to be appointed by the speaker of the House, to investigate prison labor conditions and to make recommendations along such lines of improvement as they deem necessary, also to report to the Forty-first General Assembly the advisability of giving the Board of Control power to appoint an industrial engineer to give his full time and attention to the problem of the employment of prison labor.

Sec. 2. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, sufficient funds to defray the actual expenses of said committee.

Sec. 3. This act being deemed of immediate importance shall be in full force and effect on and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

On motion of Senator Brookins, the rules were suspended, and Senate Joint Resolution No. 4, joint resolution providing for a committee to investigate and make recommendations to the Forty-first General Assembly and make appropriation therefor, was taken up and considered.

The resolution was read for information.

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

Senator Shaff moved that Senator Brown be excused from the roll call on Senate Joint Resolution No. 4, which motion prevailed.

On the question "Shall the resolution pass?" the vote was:

Ayes, 16.

Abben	Brookins	Goodwin	Shane
Banta	Caldwell	Mead	Stoddard
Bowman	Cessna	Olson	Thurston
Brookhart	Ethell	Perkins	Wichman

Nays, 29.

Adams	Dutcher	Holdoegel	Reed
Baird	Fulton	Horchem	Romkey
Bergman	Gilchrist	Johnston	Schmedika
Buser	Hale	McIntosh	Scott
Campbell	Hartman	Mantz	Shaff
Darting	Haskell	Nelson	Shinn

Slosson Smith	Snook	Tuck	White
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Absent or not voting, 5.

Browne Kimberly	Newberry	Price	Rees
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The resolution having failed to receive a constitutional majority was declared to have failed to be adopted by the Senate.

On motion of Senator Hale, the rules were suspended, and House Joint Resolution No. 9, joint resolution authorizing the board of control of state institutions to enter into contracts for the employment of prisoners, was taken up and considered.

The resolution 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 resolution pass?" the vote was:

Ayes, 40.

Abben	Ethell	Mead	Shane
Adams	Fulton	Nelson	Shinn
Balrd	Goodwin	Newberry	Slosson
Banta	Hale	Olson	Smith
Bergman	Hartman	Perkins	Snook
Brookhart	Haskell	Reed	Stoddard
Campbell	Holdoegel	Romkey	Thurston
Cessna	Johnston	Schmedika	Tuck
Darting	McIntosh	Scott	White
Dutcher	Mantz	Shaff	Wichman

Nays, none.

Absent or not voting, 10.

Bowman	Buser	Horchem	Price
Brookins	Caldwell	Kimberly	Rees
Browne	Gilchrist		

The resolution 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 resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Haskell, Senator Hale was excused from the call of the Senate.

EXCHANGE OF SEATS

By unanimous consent Senator Snook exchanged seat No. 2 for seat No. 19, and Senator Schmedika exchanged seat No. 15 for seat No. 35, and Senator Bowman exchanged seat No. 5 for seat

No. 11, all effective the day of adjournment of the special session of the Fortieth General Assembly.

INVITATION TO OUTING AND FISH FRY

On behalf of the Hospitality Club of Storm Lake, Senator Gilchrist invited the members of the Senate to the annual legislative outing and fish fry to be held on Monday, June 23d.

Senator Bowman moved that the secretary of the Senate be instructed to express the thanks of the Senate to the Storm Lake Hospitality Club for this invitation, which motion prevailed.

CALL OF THE SENATE RAISED

Senator Banta moved that the call of the Senate be raised, 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 File No. 277.

F. C. GILCHRIST, *Chairman Senate Committee.*

C. F. LETTS, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President announced that, as President of the Senate, in the presence of the Senate, he had signed House File No. 277.

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 File No. 84.

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: Senate Files Nos. 15 and 121.

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: Senate Files Nos. 169 and 327.

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. 169, 327, 15, and 121.

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 twenty-sixth day of April, sent to the Governor for his approval, Senate Files Nos. 169 and 327.

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 Nos. 18 and 261.

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 File No. 262.

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 File No. 185.

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 that it has on the twenty-sixth day of April, sent to the Governor for his approval, Senate Files Nos. 15 and 121.

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: House Joint Resolutions Nos. 8 and 9.

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 stating that he had, on April 26th, signed Senate File No. 326.

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. 84, 18, 261, 262, 185, and House Joint Resolutions Nos. 8 and 9.

The Journal of April 25th was corrected and approved.
Senator Gilchrist was called to the chair.

SENATE RESOLUTION

Senator Holdoegel offered the following resolution and moved its adoption:

Whereas, The approaching recess of the extra session of the Fortieth General Assembly will practically mark the end of that session's work; and

Whereas, Lieutenant Governor Hammill, who has presided over the Senate for the past three sessions will soon retire from that office; and,

Whereas, It is the sense of this Senate that he has continuously presided with fairness and impartiality and in the interest of furthering the work of legislation; and,

Whereas, We desire to express our appreciation of the services rendered as presiding officer of the Senate; now, therefore,

Be It Resolved: That we extend to the lieutenant governor an expression of our most hearty appreciation of his services and express the hope that his memories of the office and the work entailed therewith may be as pleasant as the memories of the Senators relative to his administration.

The resolution was unanimously adopted and ordered printed in the Journal.

Senator Tuck offered the following resolution and moved its adoption:

Whereas, The secretary of the Senate, Col. Leon W. Ainsworth and his assistants have rendered efficient services during this extra session of the Fortieth General Assembly; therefore,

Be It Resolved: That the members of the Senate do hereby extend to him and them their sincere appreciation for the work so done; and,

Be It, Further Resolved: That this resolution be printed in the Journal and become a permanent record of the state.

The resolution was adopted.

President Hammill resumed the chair.

BILLS SIGNED BY GOVERNOR

A communication was received from the Governor stating that he had, on April 25th, signed Senate File No. 7; and on April 26th, Senate Files Nos. 169, 327, and 15.

Senator Shaff moved that the Senate recess pursuant to concurrent resolution No. 19, until 11:00 a. m., July 22d, which motion prevailed.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JULY 22, 1924.

The Senate met in special session, pursuant to concurrent resolution No. 19, of April 23d, President pro tem. John R. Price presiding.

Prayer was offered by Rev. C. Wm. Bast, pastor of the First Congregational Church, of Perry, Iowa.

On motion of Senator Shane rule 33 was suspended for the day.

INTRODUCTION OF BILLS

Senate File No. 329, by code supervising committee, a bill for an act to amend, revise, and codify sections forty-three hundred forty-one (4341) and forty-five hundred twelve (4512) of the compiled code of Iowa, relating to taxation in cities acting under special charters.

Read first and second times and passed on file.

Senate File No. 330, by code supervising committee, a bill for an act to amend sections sixty (60) and sixty-one (61), chapter four (4), acts of the extra session of the fortieth general assembly, so as to eliminate special assessments from the provisions thereof.

Read first and second times and passed on file.

Senate File No. 331, by code supervising committee, a bill for an act to legalize the certification and levy of taxes and assessments on property by municipalities as defined in chapter five (5) of chapter four (4), acts of the extra session of the fortieth general assembly.

Read first and second times and passed on file.

Senate File No. 332, by code supervising committee, a bill for an act legalizing the acts of the Honorable Fred L. Maytag, acting director of the budget and the Honorable Joseph Mattes and

the Honorable W. P. Dawson, acting members of the appeal board.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 333, by code supervising committee, a bill for an act to make an appropriation to carry into effect the provision of chapter four (4), acts of the extra session of the fortieth general assembly.

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

Senator Cessna moved that the Senate adjourn until 9 a. m. Wednesday.

Senator McIntosh moved to amend by making the hour 10 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 10 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JULY 23, 1924.

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

Prayer was offered by Col. Leon 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 Buser for the day, on request of Senator Nelson; Senator White for the session on request of Senator Haskell.

PETITIONS AND MEMORIALS

Petitions urging a repeal of certain parts of the budget law, all of which were referred to the Committee on Ways and Means, were presented by the following Senators:

By Senator McIntosh from the county auditor of Benton county.

By Senator Campbell from town officials of Aurelia, Iowa, and township trustees of Maple township, Ida county.

By Senator Rees from county and township officials of Page county.

By Senator Schmedika from county and township officials of Hamilton county.

By Senator Slosson from county and township officials of Worth county.

By Senator Adams from county and township officials of Kosuth county.

By Senator Scott from county and township officials of Marshall county.

By Senator Hartman from county and township officials of Fayette county.

Senator Cessna moved that the following named persons be selected as officers and employees for the special session of the Fortieth General Assembly reconvening on July 22, 1924; their compensation to be computed from the date of their employment under the direction of the secretary until the date of the final adjournment of the special session:

Journal Clerk, Meryl Hoefle.

Assistant Journal Clerk, Chas. P. Dentson.

Enrolling Clerk, Edythe Ditto.

Reading Clerk, George A. Kern.

Engrossing Clerk, Mae McLain.

Committee Clerks, Emma Malm, Daisy Williams, Amy Byram, Bertha Ochletree, Mae Myers, Elmer A. Beck, Lucille Forgey, Maude Brown.

Cloakroom Janitor, W. T. Jones.

Page, Arthur Wadsworth.

Chief Doorkeeper, O. W. Lowery.

The motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Joint Resolution No. 10, relating to the selection of additional employees of the special session of the Fortieth General Assembly of the state of Iowa, fixing their compensation and duties.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Caldwell moved that the rules be suspended and that he be allowed to introduce a bill.

Senator Holdoegel moved as a substitute motion that the bill be submitted to the committee on judiciary No. 1 for consideration.

Senator Holdoegel withdrew his motion.

Senator Caldwell withdrew his motion.

HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 10, a bill for an act relating to the selection of additional employees of the special session of the Fortieth General Assembly of the state of Iowa, fixing their compensation and duties.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Cessna, the rules were suspended and House Joint Resolution No. 10, a joint resolution relating to the selection of additional employees of the special session of the Fortieth General Assembly of the state of Iowa, fixing their compensation and duties, was taken up and considered.

The resolution 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 resolution pass?" the vote was:

Ayes, 43.

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

Nays, none.

Absent or not voting, 7.

Buser	Hartman	Shaff	White
Dutcher	Haskell	Tuck	

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

On motion of Senator Newberry the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and Senate File No. 333, a bill for an act to make an appropriation to carry into effect the provision of chapter four (4), acts of the extra session of the fortieth 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, 36.

Abben	Dutcher	Horchem	Scott
Adams	Ethell	Johnston	Shaff
Baird	Fulton	Mantz	Shane
Banta	Gilchrist	Mead	Slosson
Bergman	Goodwin	Newberry	Smith
Brookhart	Hale	Olson	Stoddard
Campbell	Hartman	Perkins	Thurston
Cessna	Haskell	Reed	Tuck
Darting	Holdoegel	Rees	Wichman

Nays, 1.

Snook

Absent or not voting, 13.

Bowman	Caldwell	Nelson	Schmedika
Broekins	Kimberly	Price	Shinn
Brown	McIntosh	Romkey	White
Buser			

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.

Senator Price moved that the bills by the code supervising committee be referred to judiciary committees Nos. 1 and 2.

Senator Price withdrew his motion.

Senator Price again moved that the bills by the code supervising committee be referred to judiciary committees Nos. 1 and 2.

Senator Brookhart moved to amend the motion by adding that the judiciary committees be instructed to report the bills out by 4 p. m. today.

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

Ayes, 28.

Abben	Campbell	Nelson	Shane
Adams	Cessna	Olson	Shinn
Banta	Hale	Reed	Slosson
Bowman	Haskell	Rees	Snook
Brookhart	Johnston	Romkey	Stoddard
Brookins	McIntosh	Schmedika	Thurston
Browne	Mantz	Scott	Wichman

Nays, 6.

Darting	Price	Smith	Tuck
Gilchrist	Shaff		

Absent or not voting, 16.

Baird	Dutcher	Hartman	Mead
Bergman	Ethell	Holdoegel	Newberry
Buser	Fulton	Horchem	Perkins
Caldwell	Goodwin	Kimberly	White

The amendment was adopted.

Senator Banta moved as a substitute motion that the Senate proceed to act on the bills without reference to a committee.

Senator Banta withdrew his motion.

By unanimous consent on request of Senator Price the words "judiciary committees No. 1 and 2" were stricken from his motion and the words "proper committee" were inserted in lieu thereof.

The motion prevailed and Senate Files Nos. 329, 330 and 331 were referred to the 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. 329, a bill for an act relating to removal of insane persons from state hospitals.

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 inspection of the sanitary condition of depots.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 331, a bill for an act relating to abstracts of record in the supreme court.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 332, a bill for an act relating to inspection fees for scales.

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 relating to the issuance of improvement bonds by 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. 334, a bill for an act providing for the publication of the acts of the extra session of the Fortieth General Assembly, enacted subsequent to July twenty-second, nineteen hundred twenty-four (1924).

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 relating to the assignment of space in the historical building.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 336, a bill for an act legalizing certain ordinances of the incorporated city of Ida Grove, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 337, a bill for an act legalizing the transfer of funds by the board of supervisors of Union county, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 329, a bill for an act to amend section two hundred fifty-five (255) of the House File eighty-four (84), act of the extra session of the fortieth general assembly, relating to removal of insane persons from state hospitals.

Read first and second times and referred to committee Board of Control.

House File No. 330, a bill for an act to amend sections fifty-one hundred fifty-three (5153), fifty-one hundred fifty-four (5154), and fifty-one hundred fifty-six (5156) and to repeal section fifty-one hundred fifty-seven (5157) of the compiled code of Iowa, relating to inspection of the sanitary condition of depots.

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

House File No. 331, a bill for an act to amend sections six (6) and eight (8) of House File two hundred forty-six (246), acts of the extra session of the fortieth general assembly, relating to abstracts of record in the supreme court.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 332, a bill for an act to amend section two hundred ten (210) of House File two hundred sixty-one (261), acts of the extra session of the fortieth general assembly, relating to inspection fees for scales.

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

House File No. 333, a bill for an act to amend section three (3), chapter one hundred thirty-seven (137), acts of the fortieth general assembly, relating to the issuance of improvement bonds by cities under the commission form of government.

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

House File No. 334, a bill for an act to provide for the publication of the acts of the extra session of the fortieth general assembly, enacted subsequent to July twenty-second, nineteen hundred twenty-four (1924).

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

House File No. 335, a bill for an act to amend section five (5) of House File one hundred fourteen (114), acts of the extra session of the fortieth general assembly, relating to the assignment of space in the historical building.

Read first and second times and referred to committee on departmental affairs.

House File No. 336, a bill for an act to legalize certain ordinances of the incorporated city of Ida Grove, Iowa, granting franchises to the Ida Grove Electric Company and the Ida County Telephone Company, both of the city of Ida Grove, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 337, a bill for an act to legalize the transfer of funds by the Board of Supervisors of Union county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senator Price moved that the appropriations committee be instructed to prepare a bill allowing the mileage of the members of the General Assembly attending this special session, which motion prevailed.

Senator Schmedika requested that the records show that he retains his former seat.

On motion of Senator McIntosh the Senate recessed until 4 p. m. today.

AFTERNOON SESSION

The Senate reconvened, President pro tempore John R. Price presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mantz for the afternoon, on request of Senator Adams.

REPORTS OF COMMITTEES

Senator Cessna submitted the following report:

MR. PRESIDENT: Your Committee on Agriculture to which was referred House File No. 330, a bill for an act to amend sections 5153, 5154, and 5156 and to repeal sections 5157 of the compiled code of Iowa, relating to inspection of the sanitary condition of depots, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your Committee on Agriculture to which was referred House File No. 332, a bill for an act to amend section 210 of House File No. 261, acts of the extra session of the Fortieth General Assembly, relating to inspection fees for scales, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CRESSNA, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Departmental Affairs to which was referred House File No. 335, a bill for an act to amend section five (5) of House File No. 114, acts of the extra session of the Fortieth General Assembly, relating to the assignment of space in the historical building, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CRESSNA, *Chairman*.

Ordered passed on file.

Senator Reed submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 1 to which was referred House File No. 337, a bill for an act to legalize the transfer of funds by the board of supervisors of Union county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

C. W. REED, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Judiciary No. 1 to which was referred House File No. 331, a bill for an act relating to abstracts of record in the supreme court, begs leave to report it has had the same under consideration and recommends the same do pass.

C. W. REED, *Chairman*.

Ordered passed on file.

Senator Brookhart submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 332, a bill for an act legalizing the acts of the Honorable Fred L. Maytag, acting director of the budget and the Honorable Joseph Mattes and the Honorable W. P. Dawson, acting members of the appeal board, 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. 336, a bill for an act to legalize certain ordinances of the incorporated city of Ida Grove, Iowa, granting franchises to the Ida Grove Electric Company, and the Ida County Telephone Company, both of the city of Ida Grove, 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 Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 333, a bill for an act to amend section 3, chapter 137, acts of the Fortieth General Assembly, relating to the issuance of bonds by cities under commission form of government, 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.

PROOF OF PUBLICATION

I hereby certify that, as secretary of the Senate, I have received the proof of publication on House File No. 336, a bill for an act to legalize certain ordinances of the incorporated city of Ida Grove, Iowa.

LEON W. AINSWORTH, *Secretary of the Senate.*

INTRODUCTION OF BILL

Senate File No. 335, by committee on judiciary No. 2, a bill for an act to amend section 5418 of the Supplement to the Compiled Code so as to remove from the exemptions to the provisions of the Blue Sky Law the securities of certain corporations organized under the laws of this state.

Read first and second times and passed on file.

■

CONCURRENT RESOLUTION NO. 20

Senator Cessna offered the following resolution:

Be It Resolved by the Senate, the House concurring: That the extra session of the Fortieth General Assembly do adjourn sine die, at 3 P. M., Friday, July 25, 1924.

The resolution was passed on file.

THIRD READING OF BILLS

On motion of Senator Banta the rules were suspended, and House File No. 334, a bill for an act to provide for the publication of the acts of the extra session of the fortieth general assembly, enacted subsequent to July twenty-second, nineteen hundred twenty-four (1924), 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.

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

Ayes, 39.

Abben	Cessna	Johnston	Shaff
Adams	Dutcher	McIntosh	Shane
Baird	Ethell	Mead	Slosson
Banta	Fulton	Nelson	Smith
Bergman	Gilchrist	Newberry	Snook
Bowman	Goodwin	Olson	Stoddard
Brookhart	Hale	Reed	Thurston
Brookins	Hartman	Romkey	Tuck
Browne	Holdoegel	Schmedika	Wichman
Campbell	Horchem	Scott	

Nays, 3.

Haskell	Price	Shinn
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Absent or not voting, 8.

Buser	Darting	Mantz	Rees
Caldwell	Kimberly	Perkins	White

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 Campbell, the rules were suspended and House File No. 336, a bill for an act to legalize certain ordinances of the incorporated city of Ida Grove, Iowa, granting franchises to the Ida Grove Electric Company and the Ida County Telephone Company, both of the city of Ida Grove, 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 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, 34.

Banta	Goodwin	Newberry	Shaff
Bergman	Hale	Olson	Shane
Brookhart	Hartman	Price	Shinn
Brookins	Haskell	Reed	Slosson
Browne	Horchem	Rees	Snook
Campbell	Johnston	Romkey	Stoddard
Ethell	McIntosh	Schmedika	Thurston
Fulton	Mead	Scott	Wichman
Gilchrist	Nelson		

Nays, 5.

Abben	Baird	Bowman	Cessna
Adams			

Absent or not voting, 11.

Buser	Dutcher	Mantz	Tuck
Caldwell	Holdoegel	Perkins	White
Darting	Kimberly	Smith	

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 McIntosh, the rules were suspended and House File No. 337, a bill for an act to legalize the transfer of funds by the Board of Supervisors of Union 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, 40.

Abben	Brookins	Fulton	Horchem
Adams	Browne	Gilchrist	Johnston
Baird	Campbell	Goodwin	McIntosh
Bergman	Cessna	Hale	Mead
Bowman	Dutcher	Hartman	Nelson
Brookhart	Ethell	Haskell	Newberry

Olson	Rees	Shane	Snook
Perkins	Romkey	Shinn	Stoddard
Price	Schmedika	Slosson	Thurston
Reed	Scott	Smith	Wichman

Nays, none.

Absent or not voting, 10.

Banta	Darting	Mantz	Tuck
Buser	Holdoegel	Shaff	White
Caldwell	Kimberly		

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 Scott, the rules were suspended and House File No. 329, a bill for an act to amend section two hundred fifty-five (255) of House File eighty-four (84), acts of the extra session of the fortieth general assembly, relating to removal of insane persons from state hospitals, 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, 43.

Abben	Ethell	Mead	Shaff
Baird	Fulton	Nelson	Shane
Banta	Gilchrist	Newberry	Shinn
Bergman	Goodwin	Olson	Slosson
Bowman	Hale	Perkins	Smith
Brookhart	Hartman	Price	Snook
Brookins	Haskell	Reed	Stoddard
Browne	Holdoegel	Rees	Thurston
Campbell	Horchem	Romkey	Tuck
Cessna	Johnston	Schmedika	Wichman
Dutcher	McIntosh	Scott	

Nays, none.

Absent or not voting, 7.

Adams	Caldwell	Kimberly	White
Buser	Darting	Mantz	

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 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, the rules were suspended and Senate File No. 332, a bill for an act legalizing the acts of the Honorable Fred L. Maytag, acting director of the budget, and the Honorable Joseph Mattes and the Honorable W. P. Dawson, acting members of the appeal board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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	Ethell	McIntosh	Shaff
Adams	Fulton	Mead	Shane
Baird	Gilchrist	Nelson	Shinn
Banta	Goodwin	Newberry	Slosson
Bergman	Hale	Olson	Smith
Brookhart	Hartman	Perkins	Snook
Brookins	Haskell	Reed	Stoddard
Browne	Holdoegel	Rees	Thurston
Campbell	Horchem	Romkey	Tuck
Cessna	Johnston	Schmedika	Wichman
Dutcher			

Nays, none.

Absent or not voting, 9.

Bowman	Darting	Mantz	Scott
Buser	Kimberly	Price	White
Caldwell			

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 Journal of July 22d was corrected and approved.

Senator Stoddard moved that the Senate adjourn until 10 a. m. Thursday.

Senator Shinn moved to amend by making the hour 9 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JULY 24, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Price, rule 33 was suspended.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Buser for the day, on request of Senator Newberry; Senator Fulton for the remainder of the session, on request of Senator Scott on account of illness.

PETITIONS AND MEMORIALS

Petitions urging the repeal of certain parts of the budget law, all of which were referred to the committee on ways and means, were presented by the following Senators:

By Senator Abben, from county and township officials of O'Brien county.

By Senator Slosson, from county and township officials of Worth county.

By Senator Wichman, from county and township officials of Hancock county.

By Senator Rees, from county and township officials of Fremont county.

By Senator Hartman,, from county and township officials of Fayette county.

REPORTS OF COMMITTEES

Senator Smith submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 331, a bill for an act to legalize the certification

and levy of taxes, 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 "taxes" in the first line of section 1 the words "heretofore or hereafter." Further amend said bill by adding the publication clause as follows:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its publication in the Des Moines Capital and the Des Moines News, newspapers published in Des Moines, Iowa."

ED M. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 329, a bill for an act relating to taxation in cities acting under special charters, 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 Rees changed seat No. 10 for seat No. 12, effective this date.

CONCURRENT RESOLUTION NO. 21

Senator Stoddard offered the following resolution:

Resolved by the Senate, the House concurring: That the secretary of the Senate and the chief clerk of the House be required to remain at the Capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the final session of the Fortieth General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices.

That the secretary of the Senate and the chief clerk of the House are hereby authorized to correct the Journals of the Senate and House respectively for the last day of the special session.

That each of the said officers and employees shall receive the same compensation per day for such extra service performed as they now receive to be paid by the auditor of state upon certification by the president and secretary of the Senate and the speaker and chief clerk of the House.

By unanimous consent on request of Senator Stoddard the resolution was taken up for consideration.

The resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Cessna, the rules were suspended and House File No. 330, a bill for an act to amend sections fifty-one hundred fifty-three (5153), fifty-one hundred fifty-four (5154), and fifty-one hundred fifty-six (5156) and to repeal section fifty-one hundred fifty-seven (5157) of the compiled code of Iowa, relating to inspection of the sanitary condition of depots, 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, 38.

Adams	Dutcher	Mantz	Scott
Baird	Ethell	Mead	Shaff
Banta	Gilchrist	Newberry	Shane
Bergman	Hale	Olson	Shinn
Bowman	Haskell	Price	Slosson
Brookhart	Holdoegel	Reed	Smith
Brookins	Horchem	Rees	Snook
Caldwell	Johnston	Romkey	Stoddard
Campbell	Kimberly	Schmedika	Wichman
Cessna	McIntosh		

Nays, none.

Absent or not voting, 12.

Abben	Darting	Hartman	Thurston
Browne	Fulton	Nelson	Tuck
Buser	Goodwin	Perkins	White

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.

On motion of Senator Reed, the rules were suspended and House File No. 331, a bill for an act to amend sections six (6) and eight (8) of House File two hundred forty-six (246), acts of the extra session of the fortieth general assembly, relating to abstracts of record in the supreme court, 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, 42.

Abben	Darting	McIntosh	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Ethell	Mead	Shane
Banta	Gilchrist	Newberry	Shinn
Bergman	Goodwin	Olson	Slosson
Bowman	Hale	Perkins	Smith
Brookhart	Haskell	Price	Snook
Brookins	Holdoegel	Reed	Stoddard
Caldwell	Horchem	Rees	Thurston
Campbell	Johnston	Schmedika	Wichman
Cessna	Kimberly		

Nays, none.

Absent or not voting, 8.

Browne	Fulton	Nelson	Tuck
Buser	Hartman	Romkey	White

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 Cessna, the rules were suspended and House File No. 332, a bill for an act to amend section two hundred ten (210) of House File two hundred sixty-one (261), acts of the extra session of the fortieth general assembly, relating to inspection fees for scales, 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, 41.

Abben	Banta	Brookhart	Campbell
Adams	Bergman	Brookins	Darting
Baird	Bowman	Caldwell	Dutcher

Ethell	Kimberly	Price	Shinn
Gilchrist	McIntosh	Reed	Slosson
Goodwin	Mantz	Rees	Smith
Hale	Mead	Romkey	Snook
Haskell	Newberry	Schmedika	Stoddard
Holdoegel	Olson	Scott	Thurston
Horchem	Perkins	Shane	Wichman
Johnston			

Nays, none.

Absent or not voting, 9.

Browne	Fulton	Nelson	Tuck
Buser	Hartman	Shaft	White
Cessna			

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.

On motion of Senator Haskell, the rules were suspended and House File No. 333, a bill for an act to amend section three (3), chapter one hundred thirty-seven (137), acts of the fortieth general assembly, relating to the issuance of improvement bonds by cities under the 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 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.

Abben	Darting	McIntosh	Scott
Adams	Ethell	Mantz	Shaft
Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Nelson	Shinn
Bergman	Hale	Newberry	Slosson
Bowman	Haskell	Olson	Smith
Brookhart	Holdoegel	Perkins	Snook
Brookins	Horchem	Reed	Stoddard
Campbell	Johnston	Rees	Wichman
Cessna	Kimberly		

Nays, none.

Absent or not voting, 12.

Browne	Dutcher	Price	Thurston
Buser	Fulton	Romkey	Tuck
Caldwell	Hartman	Schmedika	White

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 Cessna, the rules were suspended and House File No. 335, a bill for an act to amend section five (5) of House File one hundred fourteen (114), acts of the extra session of the fortieth general assembly, relating to the assignment of space in the historical building, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 40.

Abben	Campbell	McIntosh	Romkey
Adams	Dutcher	Mantz	Schmedika
Baird	Ethell	Mead	Shaff
Banta	Gilchrist	Nelson	Shane
Bergman	Hale	Newberry	Slosson
Bowman	Haskell	Olson	Snook
Brookhart	Holdoegel	Perkins	Stoddard
Brookins	Horchem	Price	Thurston
Browne	Johnston	Reed	Wichman
Caldwell	Kimberly	Rees	

Nays, none.

Absent or not voting, 10.

Buser	Fulton	Shinn	Tuck
Cessna	Goodwin	Smith	White
Darting	Hartman		

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 Smith, the rules were suspended and Senate File No. 331, a bill for an act to legalize the certification and levy of taxes and assessments on property by municipalities

as defined in chapter five (5) of chapter four (4), acts of the extra session of the fortieth general assembly, 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 inserting after the word "taxes" in the first line of section 1 the words "heretofore or hereafter."

Further amend said bill by adding the publication clause as follows:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its publication in the Des Moines Capital and the Des Moines News, newspapers published in Des Moines, Iowa."

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, 38.

Abben	Cessna	Kimberly	Romkey
Adams	Darting	Mantz	Schmedika
Baird	Dutcher	Nelson	Scott
Banta	Gilchrist	Newberry	Shane
Bergman	Goodwin	Olson	Shinn
Bowman	Hale	Perkins	Slosson
Brookhart	Haskell	Price	Smith
Brookins	Holdoegel	Reed	Snook
Caldwell	Horchem	Rees	Wichman
Campbell	Johnston		

Nays, none.

Absent or not voting, 12.

Browne	Fulton	Mead	Thurston
Buser	Hartman	Shaff	Tuck
Ethell	McIntosh	Stoddard	White

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.

On motion of Senator Smith, the rules were suspended and Senate File No. 329, a bill for an act to amend, revise, and codify sections forty-three hundred forty-one (4341) and forty-five hundred twelve (4512) of the compiled code of Iowa, relating

to taxation in cities acting under special charters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

President pro tempore John R. Price took the chair at 10:46 a. m.

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

Ayes, 30.

Abben	Darting	Kimberly	Scott
Adams	Dutcher	Mantz	Shaff
Baird	Gilchrist	Mead	Shane
Banta	Goodwin	Newberry	Slosson
Bergman	Hale	Olson	Smith
Bowman	Haskell	Perkins	Tuck
Campbell	Holdoegel	Reed	Wichman
Cessna	Horchem		

Nays, 5.

Brookhart	Nelson	Romkey	Schmedlka
Johnston			

Absent or not voting, 15.

Brookins	Ethell	Price	Stoddard
Browne	Fulton	Rees	Thurston
Buser	Hartman	Shinn	White
Caldwell	McIntosh	Snook	

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.

The Senate recessed.

The Senate reconvened, President Hammill presiding.

THIRD READING OF BILLS

On motion of Senator Caldwell, the rules were suspended and Senate File No. 335, a bill for an act to amend section 5418 of the Supplement to the Compiled Code so as to remove from the exemptions to the provisions of the Blue Sky Law the securities

of certain corporations organized under the laws of this state, a bill by the committee on judiciary No. 2, 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, 36.

Abben	Darting	McIntosh	Scott
Adams	Ethell	Mead	Shaff
Banta	Gilchrist	Newberry	Shane
Bowman	Goodwin	Olson	Shinn
Brookhart	Hale	Perkins	Slosson
Brookins	Haskell	Price	Snook
Caldwell	Holdoegel	Rees	Stoddard
Campbell	Horchem	Romkey	Thurston
Cessna	Johnston	Schmedika	Wichman

Nays, none.

Absent or not voting, 14.

Baird	Dutcher	Mantz	Smith
Bergman	Fulton	Nelson	Tuck
Browne	Hartman	Reed	White
Buser	Kimberly		

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.

President pro tempore Price took the chair at 11:15 a. m.

PRESENTATION OF CHAIR AND GAVEL TO THE PRESIDENT

As a token of appreciation and good wishes on the part of the members of the Senate, Senator Perkins moved that the President be presented with his chair and gavel.

The motion prevailed.

Senator Perkins moved that the President pro tempore appoint a committee of three to escort the Lieutenant Governor into the room and that the President pro tempore present him with the chair and gavel.

The motion prevailed and the President pro tempore appointed as such committee Senators Perkins, Wichman and Goodwin.

The Lieutenant Governor was escorted to the Senate chamber and the presentation was made.

The Lieutenant Governor addressed the Senate briefly.

Senator Banta moved that the Senate recess until 2 p. m.

Senator Ethell moved to amend by making the hour 4 p. m.

The amendment was lost.

Senator Smith moved to amend by making the hour 1:30 p. m.

The amendment was adopted.

The motion prevailed and the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

INTRODUCTION OF BILLS

Senate File No. 336, by appropriation committee, a bill for an act to make appropriations for the payment of state and other expenses.

Read first and second times and placed on calendar.

Senate File No. 337, by appropriations committee, a bill for an act to provide for mileage for those members of the fortieth general assembly who are present at the adjourned meeting of the extra session convening July 22, 1924, and to make an appropriation therefor.

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. 338, a bill for an act to amend the law as it appears in section forty-two hundred seventy (4270) and section forty-two hundred seventy-one (4271) of the compiled code, in relation to powers of commission form cities in reference to parks and levying a tax for improvement therein.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 339, a bill for an act to amend section twenty (20) of chapter three (3) of the acts of the extra session of the Fortieth General Assembly so as to fix the maximum price of the code of 1924.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 333, a bill for an act to make appropriation to carry into effect the provisions of chapter four (4), acts of the extra session of the Fortieth General Assembly.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 332, a bill for an act legalizing the acts of the Honorable Fred L. Maytag, acting director of the budget and Honorable Joseph Mattes and the Honorable W. P. Dawson, acting members of the appeal board.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 338, a bill for an act to amend the law as it appears in section forty-two hundred seventy (4270) and section forty-two hundred seventy-one (4271) of the compiled code, in relation to powers of commission form cities in reference to parks and levying a tax for improvement therein.

Read first and second times and ordered on calendar.

House File No. 339, a bill for an act to amend section twenty (20) of chapter three (3) of the acts of the extra session of the fortieth general assembly so as to fix the maximum price of the Code of 1924.

Read first and second times and ordered on calendar.

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and Senate File No. 336, a bill for an act to make appropriations for the payment of state and other expenses, a bill by the committee on appropriations, 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, 42.

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

Nays, none.

Absent or not voting, 8.

Bowman	Darting	Olson	Tuck
Buser	Fulton	Thurston	White

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, the rules were suspended and Senate File No. 337, a bill for an act to provide for mileage for those members of the fortieth general assembly who are present at the adjourned meeting of the extra session convening July 22, 1924, and to make an appropriation therefor, a bill by the appropriations committee pursuant to motion of Senator Price found on page 1552 of the Senate Journal, 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.

Senator Ethell invoked rule 8.

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

Ayes, 17.

Brookhart	Mead	Rees	Shinn
Brookins	Nelson	Romkey	Snook
Browne	Olson	Scott	Tuck
Caldwell	Price	Shaff	Wichman
Goodwin			

Nays, 29.

Abben	Darting	Holdoegel	Reed
Adams	Dutcher	Horchem	Schmedika
Baird	Ethell	Johnston	Shane
Banta	Gilchrist	Kimberly	Slosson
Bergman	Hale	McIntosh	Smith
Bowman	Hartman	Newberry	Stoddard
Campbell	Haskell	Perkins	Thurston
Cessna			

Absent or not voting, 4.

Buser	Fulton	Mantz	White
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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 Goodwin, the rules were suspended and House File No. 338, a bill for an act to amend the law as it appears in section forty-two hundred seventy (4270) and section forty-two hundred seventy-one (4271) of the compiled code, in relation to powers of commission form cities in reference to parks and levying a tax for improvement therein, 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, 32.

Abben	Goodwin	Newberry	Shane
Baird	Hartman	Perkins	Slosson
Bergman	Haskell	Price	Smith
Brookins	Holdoegel	Reed	Snook
Campbell	Horchem	Rees	Stoddard
Dutcher	Johnston	Romkey	Thurston
Ethell	Mead	Scott	Tuck
Gilchrist	Nelson	Shaff	Wichman

Nays, 1.

McIntosh

Absent or not voting, 17.

Adams	Buser	Fulton	Olson
Banta	Caldwell	Hale	Schmedika
Bowman	Cessna	Kimberly	Shinn
Brookhart	Darting	Mantz	White
Browne			

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 Dutcher, the rules were suspended and House File No. 339, a bill for an act to amend section twenty (20) of chapter three (3) of the acts of the extra session of the fortieth general assembly so as to fix the maximum price of the Code of 1924, was taken up and considered.

Senator Shaff moved the previous question, which motion prevailed.

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	Cessna	Horchem	Romkey
Adams	Darting	Johnston	Schmedika
Baird	Dutcher	McIntosh	Scott
Banta	Ethell	Mantz	Shaff
Bergman	Gilchrist	Nelson	Shane
Bowman	Goodwin	Newberry	Slosson
Brookhart	Hale	Perkins	Snook
Brookins	Hartman	Price	Stoddard
Browne	Holdoegel	Reed	Wichman
Caldwell			

Nays, 6.

Campbell	Mead	Smith	Thurston
Haskell	Shinn		

Absent or not voting, 7.

Buser	Kimberly	Rees	White
Fulton	Olson	Tuck	

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 Smith, the rules were suspended and Senate File No. 330, a bill for an act to amend sections sixty (60) and sixty-one (61), chapter four (4), acts of the extra session of

the fortieth general assembly, so as to eliminate special assessments from the provisions thereof, with report of committee recommending amendment 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 inserting in lieu thereof the following:

"Section 1. That the law as it appears in section sixty (60) of chapter four (4) of the acts of the extra session of the Fortieth General Assembly, is hereby amended, revised and codified to read as follows:

"Sec. 60. Definition of terms.

This chapter shall be known as the local budget law.

As used in this chapter and unless otherwise required by the context:

Par. 1. The word "municipality" shall mean the county, city, town, school district other than rural independent school districts and school townships divided into sub-districts, and all other public bodies or corporations that have power to levy or certify a tax or sum of money to be collected by taxation, but shall not include any drainage district, township, road district or rural independent school district or school township divided into sub-districts.

Par. 2. The words "levying board" shall mean board of supervisors of the county and any other public body or corporation that has power to levy a tax.

Par. 3. The words "certifying board" shall mean any public body which has the power or duty to certify any tax to be levied or sum of money to be collected by taxation.

Par. 4. The words "fiscal year" shall mean the year ending on the thirtieth day of June, and any other period of twelve (12) months constituting a fiscal period, and ending at any other time.

Par. 5. The word "tax" shall mean any general or special tax levied against persons, property, or business, for public purposes as provided by law, but shall not include any special assessment nor any tax certified or levied by township trustees.

Sec. 2. That section sixty-one (61) of chapter 4, acts of the extra session of the Fortieth General Assembly be amended by striking therefrom the words "or assessment" in line 2 of said section 61.

Sec. 3. That section 66 of chapter 4, acts of the extra session of the Fortieth General Assembly be amended by striking out all of said section after the word "hearing" in line 8 thereof and substituting in lieu thereof the following:

"For county, such publication shall be in the official newspapers thereof.

For any other municipality such publication shall be in a newspaper published therein, if any, if not, then in a newspaper of general circulation therein."

Sec. 4. That said chapter 4 of the acts of the extra session of the Fortieth General Assembly be amended by inserting after section 64 thereof the following:

"64-a. Supplemental estimates for particular funds may be made for levies of taxes for future years when the same are authorized by law. Such estimates may be considered, and levies made therefor at any time by filing the same, and upon giving a notice in the manner required in section sixty-six (66). Such estimates and levies shall not be considered as within the provisions of section sixty-five (65)."

Also amend by striking out the title and inserting the following in lieu thereof:

"A bill for an act to amend chapter four (4), acts of the extra session of the Fortieth General Assembly relating to the local budget."

By unanimous consent on request of Senator Smith the words "other than rural independent school districts and school townships divided into sub-districts" in paragraph 1 were inclosed in parentheses.

By unanimous consent on request of Senator Smith the word "townships" was stricken from line 3 of paragraph 1 and the word "township" inserted in lieu thereof.

The amendments were adopted.

Senator Thurston offered the following amendment and moved its adoption:

Amend by striking out all following the enacting clause and inserting in lieu thereof the following:

"Sec. 1. That sections sixty-two (62) to seventy-nine (79) inclusive, chapter four (4), acts of the Fortieth General Assembly, extra session, be repealed."

Senator Holdoegel raised the point of order that the amendment offered by Senator Thurston was not relative to the subject matter of the bill under discussion.

The President held the point not well taken.

By unanimous consent on request of Senator Thurston the words and figures "sixty-two (62)" were stricken from his amendment and the word and figures "sixty (60)" inserted in lieu thereof.

Senator Holdoegel was called to the chair at 4:45 p. m.

Further action was deferred.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 337 failed to pass the Senate.

M. L. BOWMAN.

Senator Bowman moved that the attorney general be requested to furnish, by 10 a. m., Friday, an opinion as to whether or not it is legal to pay mileage for this adjourned session.

The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 23

Senator Shane offered the following resolution:

Whereas, Some of the members of the extraordinary session of the Fortieth General Assembly desire to purchase the chairs occupied by them during that session; therefore,

Be It Resolved by the Senate, the House concurring: That such members be permitted to purchase such chairs at a price of thirty dollars (\$30.00) each, and that the custodian of the state house be instructed to crate such chairs as may be purchased and deliver them to the express office in Des Moines, addressed to the purchaser.

Laid over under the rules.

The Journal of July 23d 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, JULY 25, 1924.

The Senate met in regular session, President pro tempore John R. Price presiding.

Prayer was offered by Rev. Arthur Stookesberry, of Floris, Iowa.

On motion of Senator Stoddard rule 33 was suspended for the day.

LEAVE OF ABSENCE

Leave of absence was granted as follows: . Senator Buser for the remainder of the session on request of Senator Newberry.

PETITIONS AND MEMORIALS

Petitions urging repeal of the budget law were presented by Senator Campbell, from county, township and city officials of Ida county, Iowa, which were referred to committee on ways and means.

Senator McIntosh moved that the rule be suspended and that he be allowed to introduce a bill.

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

Ayes, 14.

Browne	McIntosh	Schmedika	Snook
Campbell	Nelson	Shinn	Thurston
Hartman	Price	Slosson	Tuck
Johnston	Romkey		

Nays, 23.

Abben	Caldwell	Holdoegel	Scott
Baird	Cessna	Horchem	Shane
Banta	Darting	Mantz	Smith
Bergman	Gilchrist	Mead	Stoddard
Bowman	Hale	Newberry	Wichman
Brookins	Haskell	Reed	

Absent or not voting, 13.

Adams	Ethell	Kimberly	Rees
Brookhart	Fulton	Olson	Shaff
Buser	Goodwin	Perkins	White
Dutcher			

The motion was lost.

Senator Bowman moved the rule be suspended and that he be allowed to introduce a bill.

The motion prevailed.

INTRODUCTION OF BILLS

Senate File No. 338, by Senator Bowman, a bill for an act to legalize the enrollment by the Secretary of Agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis.

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

Senator Bowman asked unanimous consent to introduce another bill, which consent was granted.

Senate File No. 339, by Senator Bowman, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the fortieth (40th) general assembly, relating to the accredited area plan for the eradication of bovine tuberculosis.

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

Senator Campbell was called to the chair at 9:25 a. m.

CONSIDERATION OF RESOLUTION

Senator Shane called up the following resolution for consideration:

Whereas, Some of the members of the extraordinary session of the Fortieth General Assembly desire to purchase the chairs occupied by them during that session; therefore,

Be It Resolved by the Senate, the House concurring: That such members be permitted to purchase such chairs at a price of thirty dollars (\$30.00) each, and that the custodian of the state house be instructed to crate such chairs as may be purchased and deliver them to the express office in Des Moines, addressed to the purchaser.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking out the words and figures "at a price of thirty dollars (\$30.00)" and inserting in lieu thereof the words "from the secretary of the executive council at the price of replacement".

The amendment was adopted.

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

Ayes, 37.

Abben	Cessna	Horchem	Scott
Adams	Darting	Kimberly	Shane
Baird	Ethell	McIntosh	Shinn
Banta	Gilchrist	Mead	Slosson
Bergman	Goodwin	Nelson	Smith
Bowman	Hale	Newberry	Snook
Brookins	Hartman	Price	Stoddard
Browne	Haskell	Reed	Thurston
Caldwell	Holdoegel	Schmedika	Wichman
Campbell			

Nays, 1.

Brookhart

Absent or not voting, 12.

Buser	Johnston	Perkins	Shaff
Dutcher	Mantz	Rees	Tuck
Fulton	Olsen	Romkey	White

The resolution having received a constitutional majority was declared to have passed 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 prevailed.

RESOLUTION CONSIDERED

Senator Cessna called up the following resolution for consideration:

Be It Resolved by the Senate, the House concurring: That the extra session of the Fortieth General Assembly do adjourn sine die, at 3 P. M., Friday, July 25, 1924.

Senator Smith raised the point of order that Senator Price only yielded the floor last night for a motion to adjourn, and he, therefore, should have the floor this morning.

Senator Campbell, in the chair, held the point well taken.

Senator Brookhart moved that the Senate go into executive session.

Senator Smith raised the same point of order.

Senator Campbell, held the point of order not well taken, as a motion to go into executive session is always in order.

President Hammill resumed the chair.

The Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the following appointments:

Hon. Jos. Mattes, of Odebolt, as a member of the appeal board;

Hon. M. G. Thornburg, of Palo Alto county, as Secretary of Agriculture to fill vacancy; and

Hon. Ernest C. Hamilton, of Winterset, to fill vacancy on the board of parole; and refused to confirm the following appointments:

Hon. F. L. Maytag, of Newton, as director of the budget; and

Hon. W. P. Dawson, of Aurelia, as a member of the appeal board.

The Senate arose from executive session and resumed regular 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. 332 and 333.

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, in the presence of the Senate, he had signed Senate Files 332 and 333.

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 twenty-fifth day of July, sent to the Governor for his approval, Senate Files Nos. 332 and 333.

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: House Files Nos. 333, 335, 338 and 339.

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 Nos. 330, 331, 332, 329, 334, 336, 337 and House Joint Resolution No. 10.

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, in the presence of the Senate, he had signed House Files Nos. 333, 335, 338, 339, 330, 331, 332, 329, 334, 336, 337, and House Joint Resolution No. 10.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File No. 336, a bill for an act to make appropriations 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. 331, a bill for an act to legalize the certification and levy of taxes and assessments on property by municipalities as defined in chapter five (5) of chapter four (4), acts of the extra session of the Fortieth General Assembly.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 329, a bill for an act relating to taxation in cities acting under special charters.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 341, a bill for an act to legalize the enrollment by the Secretary of Agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 340, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the Fortieth General Assembly, relating to the accredited area plan for the eradication of bovine tuberculosis.

Also: That the House has adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 21, relating to the closing of affairs following final adjournment.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 340, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the fortieth (40th) general assembly, relating to the accredited area plan for the eradication of bovine tuberculosis.

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

House File No. 341, a bill for an act to legalize the enrollment by the Secretary of Agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis.

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

SENATE FILE NO. 334 WITHDRAWN

By unanimous consent on request of Senator Campbell, Senate File No. 334 was withdrawn from further consideration.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 330.

Senator Stoddard was called to the chair at 11:40 a. m.

Senator Mantz moved the previous question on all pending matters pertaining to this bill, which motion prevailed.

President Hammill resumed the chair at 12:00 m.

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

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 330.

By unanimous consent on request of Senator Gilchrist, Senator Thurston was allowed ten minutes for debate.

On the question "Shall the amendment offered by Senator Thurston (page 1574 of the Senate Journal) be adopted?" the vote was:

Ayes, 18.

Brookhart	Hartman	Rees	Shinn
Browne	Johnston	Romkey	Snook
Campbell	McIntosh	Schmedika	Thurston
Cessna	Nelson	Shane	Tuck
Ethell	Price		

Nays, 28.

Abben	Darting	Horchem	Reed
Baird	Dutcher	Kimberly	Scott
Banta	Gilchrist	Mantz	Shaff
Bergman	Goodwin	Mead	Slosson
Bowman	Hale	Newberry	Smith
Brookins	Haskell	Olson	Stoddard
Caldwell	Holdoegel	Perkins	Wichman

Absent or not voting, 4.

Adams	Buser	Fulton	White
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The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

Amend by adding the following as section 5:

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines News and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Smith 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, 38.

Abben	Dutcher	McIntosh	Scott
Baird	Ethell	Mantz	Shaff
Banta	Gilchrist	Mead	Shane
Bergman	Goodwin	Newberry	Slosson
Bowman	Hale	Olson	Smith
Brookins	Hartman	Perkins	Stoddard
Caldwell	Haskell	Reed	Thurston
Campbell	Holdoegel	Rees	Tuck
Cessna	Horchem	Romkey	Wichman
Darting	Kimberly		

Nays, 8.

Brookhart	Johnston	Price	Shinn
Browne	Nelson	Schmedika	Snook

Absent or not voting, 4.

Adams	Buser	Fulton	White
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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 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.

STATE OF IOWA

DEPARTMENT OF JUSTICE

Des Moines, July 25, 1924.

HONORABLE JOHN HAMMILL,
President of the Senate,
Senate Chamber, Building.

Dear Governor Hammill: The Senate has requested this department for an opinion upon the following proposition: "Are the members of the General Assembly entitled to mileage in traveling to and from the seat of government in attendance at this adjourned session of the General Assembly?"

You are advised that it is the opinion of this department that the members of the General Assembly are entitled to mileage in traveling to and returning from the place where this adjourned session of the General Assembly is held. In this connection you are advised that section 25 of article 3 of the constitution of Iowa provides in words as follows:

Sec. 25. Each member of the first general assembly under this constitution shall receive three dollars per diem while in session; and the further sum of three dollars for every twenty miles traveled, in going to and returning from the place where such session is held, by the nearest traveled route; after which they shall receive such compensation as shall be fixed by law; but no general assembly shall have power to increase the compensation of its own members. And when convened in extra session they shall receive the same mileage and per diem compensation, as fixed by law for the regular session, and one other.

Acting under and by authority of the constitutional provision, the General Assembly has heretofore provided compensation both for the regular and special sessions of the General Assembly. The law with relation thereto is found in section 12 of the supplement to the code, 1913. This section is in words as follows:

"Section 12. Compensation of members. The compensation of the members of the general assembly shall be: To every member, for each full regular session, one thousand dollars, and for each extra session the same compensation per day while in session, to be ascertained by the rate per day of the compensation of the members of the general assembly at the preceding regular session; and in going to and returning from the place where the general assembly is held, five cents per mile, by the nearest traveled route; but in no case shall the compensation for any extra session exceed ten dollars per day, exclusive of mileage. When a vacancy occurs during the session of the general assembly, and by reason thereof the term of office of any member does not cover the entire session, such members shall be paid as follows: To members whose term of office covers fifteen session days, or less, three hundred dollars; to members whose term of office covers more than fifteen session days, and less than thirty-one such days, five hundred dollars; to members whose term of office covers more than thirty session days, and less than fifty-one such days, seven hundred dollars; and to members whose term of office covers more than fifty session days, one thousand dollars."

The constitutional provision to which we have referred was prepared by Mr. Wilson of the Sixth Senatorial District. The reasons underlying the preparation of the section are set out in the remarks of Mr. Wilson to be found on pages 528 and 529 of the Debates of the Constitutional Convention. Without quoting these remarks at length, may we state that the cause for the enactment of the provision as stated by him was that the legislature "at the expiration of the extra session held last summer voted themselves pay for a full session." Mr. Wilson says further in connection therewith: "I wish to obviate this difficulty. I do not think that there can be any difficulty in regard to this for if the compensation is fixed for a general session, that same compensation will be attached to the extra session."

There is a marked distinction between "compensation" and "mileage." Compensation is something which is paid to the individual by the state

for service rendered the state. Mileage is something which is not, in fact, compensation to the individual at all. It is simply returning to the individual that money which he has, in fact, paid for the state. For example, a member traveling from a county to the seat of government expends a certain amount for actual and necessary traveling expenses. Such money is expended not for individual but for state benefit. The state, by way of mileage, simply returns to him the amount so expended.

It is manifest that the intention of the constitutional convention was to prevent an increase in compensation to an individual member. The allowance of mileage in returning to the adjourned session of this legislature will not be to allow the member any increased compensation but only to return to him what he has in fact expended for the benefit of the state itself.

It is to be observed further that under the statute to which we have referred, the individual member is allowed five cents per mile in going to and returning from the place where the General Assembly is held. Keeping this thought in mind, may we briefly refer to the history of this extra session. The extra session adjourned on the 26th day of April, 1924, to meet again on the 22nd day of July, 1924. The purpose of this adjournment was for the benefit of the state and to dispense with the expense incident to the continued session. During such period of time, the members would clearly not be entitled to compensation.

In listening to the debates in the Senate Chamber yesterday, we were impressed with the thought that one matter was overlooked, namely, that what the state pays to a member of the legislature is for service actually performed for the state. The compensation allowed by law is ten dollars per day. It is only for those days which the member actually spends in the service of the state for which this compensation is to be paid. Therefore, by no strained construction can it be held that the members of the legislature are entitled to compensation from the 26th day of April to the 22nd day of July. As pointed out in the opinion of this department dated December 12, 1923, there is a marked distinction between an adjournment, which is really an adjournment over a period of time, and during which adjournment the legislators are presumed to return to their homes, and an ordinary recess, such as over the holidays or over the March first period. From the days of Blackstone (1 Blackstone's Commentaries, 186) it has been customary for legislative bodies to adjourn over the holidays and during certain customary periods. During such periods of time the legislature is not presumed to be adjourned, but to be actually in session, and during such period of time the members are entitled to compensation. During such period of time they are not presumed to return to their homes. They may do so, but it is their own voluntary act, and is not for the benefit of the state. The distinction between such a recess and an adjournment from April to July is at once manifest. In the latter instance, the state benefits because the legislators return to their homes in order that the work may be gathered together; then they may return and in a day or so close up the work of the session, which otherwise would take a long period of time.

We have searched the decisions with care and we find but two decisions of the courts of the United States on this proposition; both sustain the

position here taken. In *Ex Parte Pickett*, 24 Ala. 91, the General Assembly by a joint resolution adjourned on the 20th day of December, 1853, to meet again on the 9th day of January, 1854, the members returning to their homes. The question arose as to whether or not, for returning to the place where the General Assembly was held, such members were entitled to mileage. The statute of Alabama with relation thereto is almost identical with the Iowa statute. That portion thereof applicable being in words as follows:

"and the other members four dollars, for each day's attendance; and are allowed four dollars for every twenty miles *traveling to and from* the general assembly; estimating the distance by the direct mail route, if any, and if not, by the land route usually travelled."

With relation thereto the court says:

"We think it too clear to admit of any doubt that, if the intervening time (between the date of the adjournment and the reconvening) be so great as reasonably to require the dispersion of the members in going to and returning from such called or special session, whether convened by the governor, or by an act or a resolution of the legislature itself, they would be entitled to mileage. * * * The length of time between the adjournment and the cessation of the business of legislation and the time fixed for reconvening was so great, as to furnish a reasonable inference that it was contemplated the members should return to their respective homes and constituency. It may have been right and proper that they should so return, to be advised by their constituents respecting their will with regard to important measures before the general assembly. Be this, however, as it may, we are not permitted to go behind the adjournment, to investigate the causes which led to it. This is a political question which it was for the legislature to decide, and with which we have nothing to do. We must intend that the ground for adjournment was sufficient, and the period which intervened was of such duration as reasonably to require the members to return home. When, therefore, they were going and returning, they were *traveling to and from* the general assembly within the meaning of the 43rd section.

Our opinion in short is, that when an act of legislation involves the presumed necessity of the members returning to their constituents, they are entitled to their allowance for such travel within the meaning of the law. It follows from what we have said that the members are not entitled to *per diem* compensation, but are entitled to mileage."

In the opinion of the Justices, 69 Maine, 596, in construing the statute of Maine, the court reaches a like result. The decision in this case is against mileage, but the court bases its decision on the fact that the statute provides for mileage as follows: "two dollars for every ten miles' travel from his place of abode *once* in each session." The statute thus expressly limits the mileage to once in a session. The Iowa statute does not so provide. The court bases its decision upon the use of the word "once" and impliedly holds that were the word "once" not used, then the members would be entitled to mileage.

There are members of this general assembly whose actual traveling expenses will be more than the *per diem* allowed for this adjourned

session. The state of Iowa cannot be presumed to profit at the expense of the members of the legislature. Such a construction as would deprive the members of the legislature from mileage would, in our opinion, be strained and would result in a grave injustice which in government should not be allowed. It is therefore, the opinion of the department that for each mile traveled to and from the place where the general assembly is held, each member is entitled to mileage as provided by law.

This opinion must not be construed to the effect that the legislature would have power to increase the rate of mileage. Once the rate is established by statute, it cannot be changed during the term under the constitutional provision. The miles traveled, however, is always uncertain, and neither the constitution nor the statute is to be construed as depriving the member of the right to mileage at the rate provided by statute for each mile actually traveled.

It may be advisable for the legislature to adopt a statute which will expressly allow mileage, but in any event we hold, as stated, that each member of the General Assembly is entitled to mileage provided by law.

Respectfully submitted,

BEN J. GIBSON, *Attorney General.*

MOTION TO RECONSIDER CONSIDERED

Senator Bowman called up his motion to reconsider the vote by which Senate File No. 337 failed to pass the Senate.

The motion prevailed.

On the motion of Senator Bowman the vote by which Senate File No. 337 passed to its third reading was reconsidered.

Senator Stoddard withdrew Senate File No. 337 from further consideration.

INTRODUCTION OF BILLS

Senate File No. 340, by committee on highways, a bill for an act to amend chapter twenty-five (25) of the acts of the extra session of the fortieth general assembly, relating to road, bridge and culvert construction, reconstruction and repairs upon inter-county primary roads.

Read first and second times and placed on the calendar.

Senator Price raised the point of order that the Senate could not constitutionally consider Senate File No. 340 for the following reason: The present session of the Senate cannot at this time consider the subject matter and substance of this bill for the reason that the Constitution of the State of Iowa provides that the same matter can not twice be considered by either house

at the same session of the legislature. It is apparent that the record of the substance and subject matter of this bill is as follows:

At the present session of the legislature there was a bill reported by the highways committee, which contained in substance the present bill. That bill was passed by the Senate, messaged to the House and the House acting on the bill struck therefrom the part containing the substance and subject matter of the present bill. The bill was then returned to the Senate. After concurring in the bill as amended, the Senate refused to concur in the amendment striking from the original bill the substance and subject matter of the present bill. The House refused to recede from its amendment and insisted on same, and the Senate did likewise.

The bill was then referred to a conference committee of the House and Senate and the conference committee agreed upon a report which omitted from the original bill the part containing the substance and subject matter of this bill. The conference committee report was adopted by the House and in proper manner and time was adopted by the Senate.

By adopting the conference committee report the Senate concurred in the amendment by the House, which struck from the original bill the substance and subject matter of the present bill, and by that procedure acted upon the substance and subject matter of this bill, and can not consider same at this time.

The President held the point not well taken.

THIRD READING OF BILLS

On motion of Senator Holdoegel, the rules were suspended and Senate File No. 340, a bill for an act to amend chapter twenty-five (25) of the acts of the extra session of the fortieth general assembly, relating to road, bridge and culvert construction, reconstruction and repairs upon inter-county primary roads, a bill by the committee on highways 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 of section one (1) the words "whenever the improvement referred to in the two preceding sections" and inserting in lieu

thereof the following "If, prior to November first, 1924, any bridge provided for in section twenty-six (26) of said chapter twenty-five (25), acts of the Fortieth General Assembly."

Also amend by striking out of line five (5) the word "improvement" and insert in lieu thereof the word "bridge".

Also amend by striking out of line seven (7) the word "improvement" and insert in lieu thereof the word "bridge".

Also amend by inserting after the word "bridge" in line two (2) the following: "and on or near a county boundary line".

Senator Brookhart withdrew his amendment.

Senator Romkey moved the previous question, which motion was lost.

Senator Ethell moved that this bill be made a special order for 10:00 a. m., Saturday, which motion 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, 14.

Banta	Hale	Scott	Thurston
Bergman	Holdoegel	Shaff	Tuck
Brookins	Perkins	Smith	Wichman
Goodwin	Rees		

Nays, 26.

Abben	Darting	Mead	Schmedika
Baird	Dutcher	Nelson	Shane
Brookhart	Hartman	Olson	Shinn
Browne	Haskell	Price	Slosson
Caldwell	Johnston	Reed	Snook
Campbell	Kimberly	Romkey	Stoddard
Cessna	McIntosh		

Absent or not voting, 10.

Adams	Ethell	Horchem	Newberry
Bowman	Fulton	Mantz	White
Buser	Gilchrist		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

COMMITTEE ON MILEAGE APPOINTED

The President appointed as members of the committee on mileage the following Senators: Abben, Perkins, 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. 329, 331 and 336.

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, in the presence of the Senate he had signed Senate Files Nos. 329, 331 and 336.

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 twenty-fifth day of July, sent to the Governor for his approval: Senate Files Nos. 329, 331 and 336.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution No. 15 providing for the adjournment of the extra session of the Fortieth General Assembly sine die.

Also: That the house has passed the following bill in which the concurrence of the House was asked:

Senate File No. 330, a bill for an act to amend chapter four (4), acts of the extra session of the Fortieth General Assembly, relating to the local budget.

Also: That the House has adopted Senate Concurrent Resolution No. 22, in which the concurrence of the House was asked, a resolution relating to the purchase of chairs by members of the Fortieth General Assembly.

A. C. GUSTAFSEN, *Chief Clerk.*

REPORT OF COMMITTEE

Senator T. C. Cessna submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 340, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the Fortieth General Assembly, relating to the accredited area plan for the eradication of bovine tuberculosis, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to whom was referred House File No. 341, a bill for an act to legalize the enrollment by the Secretary of Agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis, begs leave to report it has had the same under consideration and recommends the same do pass.

T. C. CESSNA, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Cessna, the rules were suspended and House File No. 341, a bill for an act to legalize the enrollment by the Secretary of Agriculture of certain counties under the accredited area plan for the eradication of bovine tuberculosis, 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, 31.

Abben	Cessna	Mead	Shinn
Baird	Darting	Newberry	Slosson
Banta	Dutcher	Olson	Smith
Bergman	Hale	Perkins	Snook
Bowman	Hartman	Reed	Stoddard
Brookins	Holdoegel	Rees	Tuck
Caldwell	Kimberly	Scott	Wichman
Campbell	McIntosh	Shaff	

Nays, 2.

Johnston	Nelson
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Absent or not voting, 17.

Adams	Fulton	Horchem	Schmedika
Brookhart	Gilchrist	Mantz	Shane
Browne	Goodwin	Price	Thurston
Buser	Haskell	Romkey	White
Ethell			

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 Cessna, the rules were suspended and House File No. 340, a bill for an act to amend chapter twenty-three (23) of the acts of the extra session of the fortieth (40th) general assembly, relating to the accredited area plan for the eradication of bovine tuberculosis, 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.

Senator Shaff invoked rule 8.

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

Ayes, 27.

Abben	Campbell	McIntosh	Shane
Baird	Darting	Mead	Slosson
Banta	Dutcher	Newberry	Smith
Bergman	Goodwin	Perkins	Snook
Bowman	Haskell	Reed	Stoddard
Brookins	Holdoegei	Scott	Wichman
Caldwell	Kimberly	Shaff	

Nays, 11.

Browne	Hale	Olson	Shinn
Cessna	Johnston	Price	Thurston
Ethell	Nelson	Schmedika	

Absent or not voting, 12.

Adams	Fulton	Horchem	Romkey
Brookhart	Gilchrist	Mantz	Tuck
Buser	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 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 Files Nos. 338 and 339 from further consideration, the companion bills having been passed.

On motion of Senator Stoddard, the rules were suspended and Senate File No. 341, a bill for an act to authorize the refund of

excess moneys paid by any person for the purchase of a copy of the new code, and to make an appropriation therefor.

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	Dutcher	McIntosh	Shaff
Baird	Ethell	Mead	Shane
Banta	Gilchrist	Nelson	Shinn
Bergman	Goodwin	Newberry	Slosson
Bowman	Hale	Perkins	Smith
Brookins	Hartman	Reed	Snook
Browne	Haskell	Rees	Stoddard
Campbell	Johnston	Schmedika	Thurston
Darting	Kimberly	Scott	Wichman

Nays, none.

Absent or not voting, 14.

Adams	Cessna	Mantz	Romkey
Brookhart	Fulton	Olson	Tuck
Buser	Holdoegel	Price	White
Caldwell	Horchem		

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.

INTRODUCTION OF BILLS

Senate File No. 342, by committee on appropriations, a bill for an act to appropriate sufficient funds to pay the salary of the stenographer of the director of the budget.

Read first and second times and placed on calendar.

REPORT OF COMMITTEE ON MILEAGE

Senator Abben offered the following report:

MR. PRESIDENT: Your committee on mileage begs leave to report that it finds the members of the Senate of the extra session of the Fortieth General Assembly are entitled to mileage as follows:

Name	Miles	Amount
Lieut. Gov. Hammill.....	166	\$16.60
Abben	225	22.50
Adams	5	.50
Baird	142	14.20
Banta	155	15.50
Bergman	35	3.50
Bowman	5	.50

Name	Miles	Amount
Brookhart	117	11.70
Brookins	155	15.50
Browne	202	20.20
Buser	156	15.60
Caldwell	62	6.20
Campbell	162	16.20
Cessna	56	5.60
Darting	161	16.10
Dutcher	121	12.10
Ethell	120	12.00
Fulton	117	11.70
Gilchrist	120	12.00
Goodwin	5	.50
Hale	182	18.20
Hartman	242	24.20
Haskell	142	14.20
Holdoegel	89	8.90
Horchem	204	20.40
Johnston	54	5.40
Kimberly	175	17.50
McIntosh	85	8.50
Mantz	107	10.70
Mead	135	13.50
Nelson	81	8.10
Newberry	220	22.00
Olson	65	6.50
Perkins	115	11.50
Price	68	6.80
Reed	215	21.50
Rees	182	18.20
Romkey	168	16.80
Schmedika	64	6.40
Scott	59	5.90
Shaff	235	23.50
Shane	91	9.10
Shinn	166	16.60
Slosson	142	14.20
Smith	35	3.50
Snook	200	20.00
Stoddard	214	21.40
Thurston	55	5.50
Tuck	121	12.10
White	123	12.30
Wichman	125	12.50

All of which is respectfully submitted.

BENJ. ABBEN, *Chairman.*

GEO. B. PERKINS,

J. M. SLOSSON.

On motion of Senator Newberry the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

The Journal of July 24th was corrected and approved.

On motion of Senator Haskell the Senate adjourned until 9:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JULY 26, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Campbell rule 33 was suspended for day.

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and Senate File No. 342, a bill for an act to appropriate sufficient funds to pay the salary of the stenographer of the director of the budget, a bill by the committee on appropriations, was taken up and considered.

Senator Stoddard offered the following amendments and moved their adoption:

Amend the title by inserting immediately after the word "salary" in the first line of said title the words "of the Director of the Budget and the salary".

Also amend section one (1) of said bill by inserting immediately following the word "appropriated" in line two (2) thereof the words "the sum of nine hundred seventy-two dollars and twenty-three cents (972.23) as salary to be paid Fred L. Maytag for services rendered the state as Director of the Budget and"; also amend section one (1) thereof by striking the words "a warrant" where they appear in line five (5) of said section and substituting in lieu thereof the word "warrants".

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.

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

Ayes, 30.

Abben	Dutcher	Newberry	Shinn
Baird	Ethell	Perkins	Slosson
Banta	Gilchrist	Reed	Smith
Bergman	Hale	Rees	Stoddard
Bowman	Hartman	Scott	Thurston
Brookhart	Haskell	Shaff	Tuck
Brookins	Horchem	Shane	Wichman
Campbell	Kimberly		

Nays, none.

Absent or not voting, 20.

Adams	Darting	McIntosh	Price
Browne	Fulton	Mantz	Romkey
Buser	Goodwin	Mead	Schmedika
Caldwell	Holdoegel	Nelson	Snook
Cessna	Johnston	Olson	White

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.

Senator Wichman moved that the secretary of the Senate be requested to get from the reporter all of the papers and transcripts that he has in his possession in regard to the insurance investigation, and that the part which has not been transcribed, be transcribed and filed as a part of the records of the Senate.

Senator Buser moved to amend the motion by adding that when the work is completed a copy of the evidence be sent to Senator Browne and any other Senator that requests same.

The amendment was adopted.

The motion prevailed.

REPORTS 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. 340 and 341.

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: Senate File No. 330.

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, in the presence of the Senate, he had signed Senate File No. 330; and House Files Nos. 340 and 341.

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 twenty-sixth day of July, sent to the Governor for his approval, Senate File No. 330.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Joint Resolution No. 11 relating to mileage of officers of the extra session of the Fortieth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Buser the Senate went into executive session.

EXECUTIVE SESSION

On roll call the Senate refused to confirm the appointment of Hon. Glen C. Haynes, as director of the budget.

Gov. Kendall withdrew from further consideration the name of Hon. Geo. W. Clarke as member of the board of appeal.

The Senate arose from executive session and resumed regular session.

On motion of Senator Banta the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened, President Hammill presiding.

Senator Stoddard moved that the rules be suspended and Senator Shaff be allowed to introduce a bill.

Senator Dutcher invoked rule 8.

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

Ayes, 27.

Abben	Dutcher	Holdoegel	Scott
Baird	Ethell	Horchem	Shaff
Banta	Gilchrist	Kimberly	Slosson
Bergman	Goodwin	Mead	Stoddard
Caldwell	Hale	Newberry	Thurston
Campbell	Hartman	Perkins	Wichman
Cessna	Haskell	Reed	

Nays, 13.

Bowman	Buser	Price	Shane
Brookhart	Johnston	Rees	Shinn
Brookins	Nelson	Schmedika	Snook
Browne			

Absent or not voting, 10.

Adams	McIntosh	Romkey	Tuck
Darting	Mantz	Smith	White
Fulton	Oison		

The motion prevailed.

On motion of Senator Newberry the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and House Joint Resolution No. 11, a joint resolution relating to mileage of officers of the extra session of the fortieth general assembly, reconvening July 22d, and making an appropriation therefor, 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, 40.

Abben	Cessna	Johnston	Scott
Baird	Darting	Kimberly	Shaff
Banta	Dutcher	Mead	Shane
Bergman	Ethell	Nelson	Shinn
Bowman	Gilchrist	Newberry	Slosson
Brookhart	Goodwin	Perkins	Smith
Brookins	Hale	Price	Snook
Browne	Hartman	Reed	Stoddard
Buser	Holdoegel	Rees	Tuck
Caldwell	Horchem	Schmedika	Wichman

Nays, none.

Absent or not voting, 10.

Adams	Haskell	Olson	Thurston
Campbell	McIntosh	Romkey	White
Fulton	Mantz		

The resolution 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 resolution passed the Senate be reconsidered and that th motion to reconsider be laid on the table, which motion prevailed.

FURTHER REPORT FROM COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee on mileage begs leave to report that it finds the officers of the Senate of the extra session of the Fortieth General Assembly are entitled to mileage as follows:

Name	Miles	Amount
Chas. P. Denison, Journal Clerk.....	162	\$16.20
T. D. Doke, Sergeant-at-Arms.....	120	12.00

BENJ. ABBEN, JR., *Chairman*.
GEO. B. PERKINS,
J. M. SLOSSON.

CALL OF THE SENATE FILED

We, the undersigned senators, request a call of the Senate for the consideration of the confirmation of the Governor's nominations for the office of Director of the Budget and to the office of member of the Appeal Board.

P. C. HOLDOEGEL	GEO. B. PERKINS
CARL W. REED	GEO. S. HARTMAN
J. K. HALE	R. P. SCOTT
J. E. WICHMAN	GEORGE S. BANTA
F. C. GILCHRIST	BEN C. ABBEN
B. J. HORCHEM	CHAS. M. DUTCHER
W. T. BAIRD	B. M. STODDARD
BYRON W. NEWBERRY	FRANK SHANE

Senator Reed moved that Senators Fulton and White be excused from the call, which motion prevailed.

Senator Holdoegel moved that the sergeant-at-arms be instructed to see that the absent members, not excused, are here and to undertake such expense as is necessary to accomplish same.

The motion prevailed.

INTRODUCTION OF BILLS

Senate File No. 343, by Senator Shaff, a bill for an act to amend chapter one (1) of chapter four (4), acts of the extra session of the fortieth general assembly. Appointment of budget director.

Read first and second times.

Senator Price moved that the rules be suspended and Senate File No. 343 be placed on the calendar without reference to a committee. The motion prevailed.

The Journal of July 25th was corrected and approved.

On motion of Senator Dutcher the Senate adjourned until 9:00 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JULY 28, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Price, rule 33 was suspended for the day.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that, on July 25, 1924, he had signed Senate Files Nos. 333, 332, 336, 331, 329.

The Senate held a short farewell service.

Senator Price moved that the matter of the farewell service be referred to Mr. Shambaugh, for publication.

The motion prevailed.

MOTION FILED

Senator Holdoegel filed the following motion:

MR. PRESIDENT: I move to amend the Senate rules of the extraordinary session of the Fortieth General Assembly as follows:

Amend by striking out rule forty-three and inserting in lieu thereof the following: "In executive session the method of voting shall be as follows: The Secretary shall call the roll and each senator shall announce his vote as 'Aye' or 'No'. The Secretary shall keep the record and the chair shall announce the result in the following way:

'The confirmation of is agreed to', or, 'The confirmation of is refused'."

Senator Price moved as a substitute motion that the Senate go into executive session.

Senator Buser raised the point of order that it would require the suspension of the rules to consider Senator Holdoegel's motion.

The President held the point well taken and referred the motion to the committee on rules.

Senator Thurston offered the following amendment to the motion:

Amend by adding: "Also that the presiding officer be instructed to read the vote of each member on all confirmations offered at this session."

The amendment was referred to the committee on rules.

Senator Holdoegel moved that the committee on rules be instructed to report on or before 11:00 a. m. this morning.

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

Ayes, 17.

Abben	Haskell	Perkins	Smith
Adams	Holdoegel	Reed	Stoddard
Dutcher	Mantz	Scott	Thurston
Gilchrist	Newberry	Shaff	Wichman
Hale			

Nays, 30.

Banta	Campbell	Kimberly	Romkey
Bergman	Cessna	McIntosh	Schmedika
Bowman	Darting	Mead	Shane
Brookhart	Ethell	Nelson	Shinn
Brookins	Goodwin	Olson	Slosson
Browne	Hartman	Price	Snook
Buser	Horchem	Rees	Tuck
Caldwell	Johnston		

Absent or not voting, 3.

Baird	Fulton	White
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The motion was lost.

Senator Price's motion prevailed and the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Clarence M. Young, as a member of the appeal board, and refused to confirm the appointment of Hon. H. I. Foskett, as director of the budget.

The Senate arose from executive session and resumed regular session.

The Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate reconvened, 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 committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Joint Resolution No. 11.

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 passed the following bill in which the concurrence of the House was asked:

Senate File No. 342, a bill for an act to appropriate sufficient funds to pay the salary of the Director of the Budget and the salary of the stenographer of the Director of the Budget.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 341, a bill for an act to authorize the refund of excess moneys paid by any person for the purchase of the new code, and to make an appropriation therefor.

A. C. GUSTAFSON, *Chief Clerk.*

CONCURRENT RESOLUTION NO. 23

Senator Stoddard offered the following resolution:

Be It Resolved by the Senate, the House concurring: That this extra session of the Fortieth General Assembly adjourn sine die at 3 o'clock p. m., July 28, 1924.

Senator Stoddard moved that the rules be suspended and the resolution be considered at this time.

Senator Haskell invoked rule 8.

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

Ayes, 18.

Abben	Gilchrist	Perkins	Smith
Adams	Hale	Reed	Snook
Balrd	Haskell	Rees	Stoddard
Campbell	Holdoegel	Shaff	Wichman
Ethell	McIntosh		

Nays, 28.

Banta	Caldwell	Mantz	Schmedika
Bergman	Cessna	Mead	Scott
Bowman	Darting	Nelson	Shane
Brookhart	Goodwin	Newberry	Shinn
Brookins	Hartman	Olson	Slosson
Browne	Horchem	Price	Thurston
Buser	Johnston	Romkey	Tuck

Absent or not voting, 4.

Dutcher	Fulton	Kimberly	White
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The motion was lost and the resolution laid over under the rules.

The Journal of July 26th was corrected and approved.

Senator Gilchrist moved that the Senate adjourn until 7:00 p. m. tonight.

Senator Brookhart moved to amend by making the hour 5:00 p. m.

Senator Holdoegel moved as a substitute amendment to make the hour 4:00 p. m.

The substitute amendment was lost.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 5:00 p. m.

EVENING SESSION

The Senate reconvened, President Hammill presiding.

Senator Price moved that the Senate adjourn until 9:00 a. m. Tuesday.

Senator Gilchrist moved to amend the motion by making the hour 7:00 p. m. tonight.

The amendment was lost.

The motion was lost.

The Senate took a recess.

The Senate reconvened.

Senator Stoddard moved that the Senate recess until 8:00 p. m. tonight.

Senator Price moved to amend by making the hour 9:00 a. m. Tuesday.

Senator Smith raised the point of order that there had been no business transacted between this motion and a former motion to adjourn until 9:00 a. m., and this amendment was, therefore, out of order.

The President held the point well taken.

Senator Stoddard withdrew his motion.

On motion of Senator Dutcher the Senate took a 15 minutes recess.

The Senate reconvened.

On motion of Senator Dutcher the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JULY 29, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Shane, rule 33 was suspended.

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. 341 and 342.

F. C. GILCHRIST, *Chairman Senate Committee.*

GEO. F. SIEMMONS, *Acting Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced, that as President of the Senate, in the presence of the Senate, he had signed House Joint Resolution No. 11, and Senate Files Nos. 341 and 342.

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 twenty-ninth day of July, sent to the Governor for his approval, Senate Files Nos. 341 and 342.

F. C. GILCHRIST, *Chairman.*

The report was adopted.

Senator Bergman moved that the Senate go into executive session.

Senator Brookhart moved as a substitute motion, that the Senate go into a committee of the whole.

Senator Price moved to amend the substitute by adding that the committee of the whole be secret.

The amendment was adopted.

The substitute motion was adopted.

The motion prevailed.

Senator Price moved that all officers be excluded, except the secretary and the sergeant-at-arms, which motion prevailed.

The committee of the whole was dissolved and the Senate resumed regular session.

Senator Price moved that rule 43 be amended so that in all executive sessions hereafter held during this special session of the general assembly, all ballots should be taken in the following manner:

The clerk of the executive session shall call the roll and each Senator shall rise in his place and vote "yes" or "no", or not vote.

Senator Brookhart raised the point of order that a question of amending the rules should be referred to the committee on rules.

The President held the point well taken.

On motion of Senator Adams the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

CALL OF THE SENATE FILED

We, the undersigned, hereby request a call of the Senate at all times when the question of confirmation of the Governor's nominees for the office of Director of the Budget is under consideration.

P. C. HOLDOEGEL
 R. P. SCOTT
 J. E. WICHMAN
 FRANK SHANE
 F. C. GILCHRIST
 B. J. HORCHEM
 BEN ABBEN, JR.
 BYRON W. NEWBERRY
 J. M. SLOSSON
 CARL W. REED

CHAS. OLSON
 W. S. BAIRD
 C. S. BROWNE
 A. T. BROOKINS
 A. H. BERGMAN
 GEO. B. PERKINS
 GEO. S. HARTMAN
 GEORGE S. BANTA
 T. C. CESSNA

CONCURRENT RESOLUTION NO. 23 CONSIDERED

Senator Stoddard called up the following resolution for consideration:

Be It Resolved by the Senate, the House concurring: That this extra session of the Fortieth General Assembly adjourn sine die at 3 o'clock p. m., July 28, 1924.

Senator Stoddard moved to amend by striking the words and figures "3:00 o'clock p. m., July 28, 1924" and inserting in lieu thereof the words and figures "9:00 a. m., July 30, 1924".

The amendment was adopted.

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

Ayes, 89.

Abben	Cessna	Mantz	Shaff
Adams	Dutcher	Nelson	Shane
Banta	Ethell	Newberry	Shinn
Bergman	Gilchrist	Olson	Slosson
Bowman	Goodwin	Perkins	Snook
Brookhart	Hale	Price	Stoddard
Brookins	Hartman	Reed	Thurston
Browne	Holdoegel	Romkey	Tuck
Caldwell	Johnston	Schmedika	Wichman
Campbell	Kimberly	Scott	

Nays, none.

Absent or not voting, 11.

Baird	Fulton	McIntosh	Smith
Buser	Haskell	Mead	White
Darting	Horchem	Rees	

The resolution was adopted.

The Journal of July 28th was corrected and approved.

Senator Smith moved that the Senate adjourn until 8:00 a. m., Wednesday.

Senator Romkey moved to amend by making the hour 7:00 a. m., which motion was lost.

The motion by Senator Smith prevailed and the Senate adjourned until 8:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JULY 30, 1924.

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

Prayer was offered by Col. Leon W. Ainsworth, secretary of the Senate.

On motion of Senator Shinn rule 33 was suspended for the day.

COMMUNICATION FROM THE GOVERNOR

A communication was received from the governor announcing that he had on the 29th day of July signed Senate Files Nos. 330, 341 and 342.

MESSAGES FROM 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. 335, a bill for an act to amend section 5418 of the supplement to the compiled code so as to remove from the exemptions to the provisions of the blue sky law the securities of certain corporations organized under the laws of this state.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 22, relating to the adjournment of the extra session of the Fortieth General Assembly sine die.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Baird the Senate went into executive session.

EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. E. L. Hogue of Blencoe, Iowa, as director of the budget.

The Senate arose from executive session and resumed regular session.

SENATE FILE NO. 343 WITHDRAWN

By unanimous consent Senator Shaff withdrew Senate File No. 343 from further consideration.

Senator Stoddard moved that a committee of three be appointed to notify the governor that the Senate is now ready to adjourn sine die.

The motion prevailed and the president appointed as such committee, Senators Stoddard, Price and Slosson.

Senator Brookins moved that a committee of three be appointed to notify the House that the Senate is now ready to adjourn sine die.

The motion prevailed and the president appointed as such committee Senators Brookins, Schmedika and Adams.

The journal of July 29th was corrected and approved.

FINAL ADJOURNMENT

The hour of 9 a. m. having arrived, President Hammill declared the extra session of the Senate of the Fortieth General Assembly adjourned sine die.

HISTORY OF SENATE BILLS IN SENATE

NOTE: Code revision bills, introduced in both houses in identical form, were numbered 1 to 283, inclusive, and 60a, with certain numbers omitted because bills so numbered were disposed of in one way and another at the regular session of the 40th G. A. The numbers thus omitted are 1, 5, 11, 12, 13, 16, 36, 37, 38, 48, 49, 56, 59, 60, 62, 63, 64, 67, 70, 73, 76, 79, 80, 81, 83, 95, 96, 103, 106, 113, 120, 124, 131, 132, 136, 137, 141, 143, 146, 147, 150, 152, 157, 159, 161, 162, 181, 184, 199, 204, 206, 209, 214, 216, 217, 219, 222, 223, 224, 225, 226, 232, 233, 235, 238, 240, 242, 243, 244, 248, 249, 255, 259. (None of these numbers appears in the following pages.)

SENATE FILES PASSED AND APPROVED

7, 9, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 39, 41, 43, 45, 47, 51, 53, 55, 75, 85, 91, 93, 99, 101, 105, 109, 111, 117, 119, 121, 123, 125, 127, 129, 133, 135, 139, 145, 149, 151, 153, 155, 163, 165, 167, 169, 171, 173, 175, 177, 179, 182, 183, 186, 187, 189, 191, 195, 197, 201, 203, 205, 207, 227, 229, 231, 237, 239, 241, 245, 247, 257, 263, 265, 267, 271, 273, 275, 279, 281, 283, 284, 285, 286, 287, 289, 290, 291, 292, 295, 299, 300, 301, 303, 304, 305, 306, 307, 309, 310, 311, 312, 313, 316, 318, 319, 321, 322, 323, 324, 325, 326, 327, 329, 330, 331, 332, 333, 341, 342.

RECORD OF JOINT RESOLUTIONS

S. J. R.	Page	S. F.	Page
1 By Bowman. Extending the credit of the state.		3 By Committee on Code Revision. Recess of General Assembly and discharge of employees.	
Introduced	3	Introduced	1478
Referred	916	Amended, passed; ayes 44, nays 0	1480
Laid on the table.....	1280	Returned to Senate.....	1498
2 By Shane. A committee to investigate insurance and make recommendations to the 41st G. A.		Reconsideration prevailed	1501
Introduced, referred	1384	Withdrawn	1501
Recommends passage	1391	4 By Brookins. Committee to investigate and make recommendations to the 41st G. A. and make appropriations therefor.	
Amended, passed; ayes 27, nays 8	1405	Introduced, amended.....	1531
Received back in Senate.....	1528	Failed to pass; ayes 16, nays 29.	1537

RECORD OF EACH BILL

S. F.	Page	S. F.	Page
2 By Committee on Code Revision. Acquisition of land of this state by U. S.		7 By Committee on Code Revision. Duties of the Governor.	
Introduced, referred	26	Introduced	27
Withdrawn	747	Recommends passage	158
3 By Committee on Code Revision. To provide for a committee on bills.		Amended, passed; ayes 44, nays 0	184
Introduced, referred	26	Received back.....	796
4 By Committee on Code Revision. Copies of laws taking effect by publication.		Referred	849
Introduced, referred	26	Committee recommends concurrence	928
Withdrawn	557	Amendments filed	947
6 By Committee on Code Revision. Sale and distribution of codes and sessions laws.		Action deferred	969
Introduced	26	Made special order.....	1030
Withdrawn	1249	House amendments amended and concurred in	1051-1085
		Senate insists	1161
		Conference committee reports to Senate	1413
		Conference committee's report adopted and concurred in.....	1461
		Reported enrolled	1524
		Signed by President.....	1525

S. F.	Page
Sent to Governor.....	1525
Signed by Governor.....	1540
8 By Committee on Code Revision. Certain duties of Auditor of State—uniform system of accounts of public corporations, and examination of same.	
Introduced.....	27
Withdrawn.....	1123
9 By Committee on Code Revision. Appropriations, drawing and expenditure thereof, and certain powers and duties of treasurer of state, and the security of public funds.	
Introduced.....	27
Recommends passage.....	157
Referred.....	181
Amendment filed.....	193
Committee recommends amendments and passage.....	248
Committee amendments adopted.....	276
Amended, passed; ayes 40, nays 0.....	276
Received back.....	807
Refused to concur.....	896
Conference reported to Senate.....	1207
Conference report adopted and concurred in.....	1247
Reported enrolled.....	1329
Signed by President.....	1329
Sent to Governor.....	1347
Signed by Governor.....	1398
10 By Committee on Code Revision. Department of justice and attorney general.	
Introduced.....	27
Recommends passage.....	100
H. F. 10 substituted.....	103
Withdrawn.....	104
14 By Committee on Code Revision. Executive council—powers, duties and employes thereof.	
Introduced.....	27
Recommends passage.....	375
Amendment filed.....	458
Amendment filed.....	482
Amendment filed.....	756
Withdrawn.....	1527
15 By Committee on Code Revision. Filing and auditing of claims against state.	
Introduced.....	28
Committee recommends amendment and passage.....	297
Committee amendments adopted.....	324
Amendment offered.....	324
Action deferred, made special order.....	325
Substitute amendments filed.....	346
Amended, passed; ayes 43, nays 0.....	359
Received back.....	1503
Concurs.....	1505
Reported enrolled.....	1539
Signed by President.....	1540
Sent to Governor.....	1541
Signed by Governor.....	1541
17 By Committee on Code Revision. Duties of certain state officers.	
Introduced.....	28
Recommends passage.....	158

S. F.	Page
Passed; ayes 43, nays 0.....	181
Received back.....	415
Reported enrolled.....	446
Signed by President.....	447
Sent to Governor.....	447
Signed by Governor.....	480
18 By Committee on Code Revision. Report of public officers.	
Introduced.....	28
Recommends passage.....	375
Withdrawn.....	1527
19 By Committee on Code Revision. Memorial halls—monuments for soldiers, sailors and marines.	
Introduced.....	28
Recommends passage.....	198
Amended, passed; ayes 27, nays 0.....	211
Received back.....	1025
Concurs.....	1106
Reported enrolled.....	1198
Signed by President.....	1198
Sent to Governor.....	1199
Signed by Governor.....	1223
20 By Committee on Code Revision. Times of holding election and terms of office.	
Introduced.....	29
Withdrawn.....	661
21 By Committee on Code Revision. Nominations by primary elections.	
Introduced.....	29
Recommends amendments and passage.....	702
Motion filed to rerefer with instructions.....	714
Motion to rerefer lost.....	733
Committee amendments adopted.....	733
Amended, passed; ayes 37, nays 0.....	734
Received back.....	942
Concurs.....	961
Reported enrolled.....	1088
Signed by President.....	1089
Sent to Governor.....	1089
Signed by Governor.....	1116
22 By Committee on Code Revision. Nominations by caucus, conventions or petitions.	
Introduced.....	29
Withdrawn.....	522
23 By Committee on Code Revision. Nomination and election of judges of supreme, district and superior courts.	
Introduced, referred.....	29
Recommends amendments and passage.....	297
Amendments adopted.....	328
Passed; ayes 36, nays 0.....	328
Received back.....	520
Reported enrolled.....	520
Signed by President.....	569
Sent to Governor.....	570
Signed by Governor.....	605
24 By Committee on Code Revision. Registration of voters.	
Introduced.....	29
Withdrawn.....	394

S. F.	Page
25 By Committee on Code Revision. Method of conducting elections.	
Introduced	29
Recommends amendments and passage	851
Amendments 1 to 7 adopted	936
Action deferred	937
Amendments filed	937
Amendment 8 lost	938
Amendments 9 and 10 adopted ..	939
Passed; ayes 32, nays 0	940
Received back	1043
Concurs	1046
Reported enrolled	1167
Signed by President	1178
Sent to Governor	1198
Signed by Governor	1223
26 By Committee on Code Revision. Canvass of votes at elections.	
Introduced	30
Withdrawn	542
27 By Committee on Code Revision. Right of voter to vote when disabled, when absent from polls, or when in service of government or state.	
Introduced	30
Recommends amendments and passage	470
Amendments adopted	548
Amended, passed; ayes 31, nays 0	549
Received back	942
Refused to concur	960
Conference reports	1191
Report adopted	1191
Reported enrolled	1284
Signed by President	1284
Sent to Governor	1284
Signed by Governor	1301
28 By Committee on Code Revision. Election of presidential electors.	
Introduced	30
Withdrawn	392
29 By Committee on Code Revision. Making statements of expenditures by candidates for office.	
Introduced	30
Recommends amendment and passage	259
Amendments adopted	278
Amended, passed; ayes 38, nays 1	279
Received back	536
Reported enrolled	569
Signed by President	569
Sent to Governor	570
Signed by Governor	605
30 By Committee on Code Revision. Contesting elections of state officers.	
Introduced	31
Withdrawn	732
31 By Committee on Code Revision. Time and manner of qualifying of elected and appointed officers.	

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Introduced	31
Recommends amendment and passage	99
Amended, passed; ayes 42, nays 0	102
Received back	481
Reported enrolled	519
Signed by President	520
Sent to Governor	520
Signed by Governor	545
32 By Committee on Code Revision. Bonds of public officers.	
Introduced	31
Withdrawn	466
33 By Committee on Code Revision. Release of securities on bonds of public officers.	
Introduced	31
Recommends amendments and passage	157
Amendments adopted	177
Passed; ayes 44, nays 0	178
Received back	808
House amendments concurred in	829
Reported enrolled	906
Signed by President	906
Sent to Governor	918
Signed by Governor	926
34 By Committee on Code Revision. Removal from office.	
Introduced	31
Withdrawn	517
35 By Committee on Code Revision. Vacancies in office.	
Introduced	31
Recommends amendments and passage	156
Amendments adopted	176
Passed; ayes 44, nays 0	177
Received back	609
Reported enrolled	641
Signed by President	641
Sent to Governor	642
Signed by Governor	703
39 By Committee on Code Revision. Administration of oaths.	
Introduced	32
Recommends passage	100
Amended, passed; ayes 45, nays 0	104
Received back	149
Falls to concur	151
Conference reports	721
Report adopted	721
Reported enrolled	786
Signed by President	787
Sent to Governor	787
Signed by Governor	794
40 By Committee on Code Revision. Deposit of public funds, salaries, fees, expenses and expenditures of officers and publication of legal notices.	
Introduced	32
Withdrawn	670
41 By Committee on Code Revision. Coal mines, gypsum mines and mining.	

S. F.	Page	S. F.	Page
Introduced	32	50 By Committee on Code Re-	
Recommends amendments and		vision. Suspension of state	
passage	606	officers.	
Amendments adopted	633-635	Introduced	33
Passed; ayes 38, nays 0	635	Withdrawn	733
Received back	736		
House amendments amended and		51 By Committee on Code Re-	
concurrent in	752	vision. Intoxicating liquors.	
Received back	768	Introduced	34
Reported enrolled	856	Recommends amendments and	
Signed by President	856	passage	592
Sent to Governor	856	Amendment filed	597
Signed by Governor	865	Amendment filed	617
		Amendment filed	640
42 By Committee on Code Re-		Amendments adopted	643-647
vision. Employers' liability		Amended, passed; ayes 41, nays 0	649
and workmen's compensation.		Received back	793
Introduced	32	House amendments concurred in	813
Withdrawn	1013	Reported enrolled	906
		Signed by President	906
43 By Committee on Code Re-		Sent to Governor	918
vision. Health and safety		Signed by Governor	926
appliances and industrial ac-			
cidents.		52 By Committee on Code Re-	
Introduced	32	vision. Houses of prostitu-	
Recommends amendments and		tion..	
passage	723	Introduced	34
Amendments amended and		Withdrawn	366
adopted	748		
Amended, passed; ayes 36, nays 1	749	53 By Committee on Code Re-	
Received back	875	vision. State fire marshal—	
Reported enrolled	923	prevention and investigation	
Signed by President	924	of fires.	
Sent to Governor	924	Introduced	34
Signed by Governor	926	Recommends amendments and	
		passage	160
44 By Committee on Code Re-		Amendments amended and	
vision. Child labor.		adopted	185
Introduced	33	Passed; ayes 36, nays 5	191
Withdrawn	678	Received back	609
		Concurs	616
45 By Committee on Code Re-		Reported enrolled	641
vision. Fire escapes and		Signed by President	641
means of escape from fire.		Sent to Governor	642
Introduced	33	Signed by Governor	703
Recommends amendments and			
passage	980	54 By Committee on Code Re-	
Amendments adopted	1011	vision. Propagation and pro-	
Amended, passed; ayes 33, nays 0	1012	tection of fish, game, wild	
Received back	1117	birds and animals.	
Concurs	1125	Introduced	35
Reported enrolled	1198	Withdrawn	843
Signed by President	1198		
Sent to Governor	1198	55 By Committee on Code Re-	
Signed by Governor	1223	vision. State board of con-	
		servation and state parks.	
46 By Committee on Code Re-		Introduced	35
vision. Bureau of labor and		Recommends amendments and	
labor commissioner, his depu-		passage	311
ties and inspectors.		Rereferred to conservation	329
Introduced	33	Recommends amendments and	
Withdrawn	676	passage	459
		Amendments amended and	
47 By Committee on Code Re-		adopted	484
vision. State free employ-		Passed; ayes 28, nays 13	485
ment bureau.		Received back	752
Introduced	33	Concurs	763
Recommends amendments and		Reported enrolled	856
passage	373	Signed by President	856
Amendments adopted	384	Sent to Governor	856
Amended, passed; ayes 43, nays 0	385	Signed by Governor	865
Received back	465		
Reported enrolled	519		
Signed by President	520		
Sent to Governor	520		
Signed by Governor	545		

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57 By Committee on Code Revision. Lost property.	
Introduced	35
Recommends passage	113
Passed; ayes 41, nays 0	126
Reconsiders	1032
Withdrawn	1032
58 By Committee on Code Revision. Professional engineering and land surveying.	
Introduced	35
Withdrawn	183
60-A By Committee on Code Revision. Board of accountancy.	
Introduced	35
Withdrawn	961
61 By Committee on Code Revision. Gold and silver alloys.	
Introduced	36
Withdrawn	103
65 By Committee on Code Revision. Department of agriculture and fruit trees and forest reservations.	
Introduced	36
Withdrawn	971
66 By Committee on Code Revision. State fair and agricultural organizations receiving state aid.	
Introduced	36
Withdrawn	952
68 By Committee on Code Revision. Animal industry.	
Introduced	37
Withdrawn	1346
69 By Committee on Code Revision. Hotels, restaurants, food establishments and cold storage plants.	
Introduced	37
Withdrawn	1527
71 By Committee on Code Revision. Estrays and trespassing animals, licensing of dogs, payments of claims for damages done by dogs and wolves.	
Introduced	37
Withdrawn	690
72 By Committee on Code Revision. Testimony of witnesses in cases of contested elections.	
Introduced	38
Withdrawn	1527
74 By Committee on Code Revision. Limited partnership.	
Introduced	38
Withdrawn	310
75 By Committee on Code Revision. Chattel mortgages, real estate mortgages, creating liens on personal property	

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and conditional sale of personal property.	
Introduced	38
Recommends amendment and passage	117
Amended, passed; ayes 37, nays 0	140
Received back	816
Refused to concur	347
House insists	
Conference reports	992
Senate refuses to concur	1002
Conference committee reports	1199
Conference report adopted and concurred in	1200
Reported enrolled	1284
Signed by President	1284
Sent to Governor	1284
Signed by Governor	1301
77 By Committee on Code Revision. Conveyances.	
Introduced	38
Withdrawn	1000
78 By Committee on Code Revision. Occupying claimants.	
Introduced	38
Withdrawn	604
82 By Committee on Code Revision. Trustees to manage cemetery funds.	
Introduced	38
Withdrawn	837
84 By Committee on Code Revision. Charitable, correctional and penal institutions and the juvenile court.	
Introduced	39
Withdrawn	1294
85 By Committee on Code Revision. Educational—instruction in patriotism.	
Introduced	39
Recommends amendments and passage	543
Made special order	557
Amendments filed	566-567
Amendments amended and adopted	588-590
Passed; ayes 36, nays 9	591
Received back	853
House amendments concurred in	868
Reported enrolled	906
Signed by President	906
Sent to Governor	918
Signed by Governor	926
86 By Committee on Code Revision. Education—superintendent of public instruction.	
Introduced	39
Withdrawn	458
87 By Committee on Code Revision. Educational—vocational.	
Introduced	39
Withdrawn	981
88 By Committee on Code Revision. Educational—board of examiners.	
Introduced	39

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89 By Committee on Code Revision. Educational—normal training high schools.		99 By Committee on Code Revision. Educational—county superintendents.	
Introduced	40	Introduced	42
Committee recommends indefinite postponement	888	Recommends amendment and passage	329
Indefinitely postponed	883	Action deferred	341
		Amendment filed	345
90 By Committee on Code Revision. Educational—state board of education.		Amendment offered	346
Introduced	40	Committee amendments adopted	351
Withdrawn	152.	Amended, passed; ayes 29, nays 9	353
		Received back	505
91 By Committee on Code Revision. Educational—state university and work of bacteriological laboratory.		Concurs	523
Introduced	41	Reported enrolled	569
Recommends passage	493	Signed by President	569
Amended, passed; ayes 31, nays 6	525	Sent to Governor	570
Received back	658	Signed by Governor	605
Concurs	1015		
Reported enrolled	1120	100 By Committee on Code Revision. Educational—school districts.	
Signed by President	1121	Introduced	40
Sent to Governor	1121	Withdrawn	951
Signed by Governor	1347		
		101 By Committee on Code Revision. Educational—school meetings—directors, powers and duties.	
92 By Committee on Code Revision. Educational—medical and surgical treatment of indigent persons.		Introduced	42
Introduced	41	Recommends amendments and passage	619
Withdrawn	528	Amendments adopted	668
		Amended, passed; ayes 38, nays 0	669
93 By Committee on Code Revision. Educational—Iowa state college of agriculture and mechanic arts.		Received back	888
Introduced	41	Action deferred	920
Recommends passage	492	Concurs	1134
Amended, passed; ayes 43, nays 0	527	Reported enrolled	1198
Received back	686	Signed by President	1198
Concurs	708	Sent to Governor	1198
Reconsidered	708	Signed by Governor	1223
Falls to concur	708		
Conference report	1089	102 By Committee on Code Revision. Educational—evening schools.	
Conference report adopted and concurred in	1089	Introduced	43
Reported enrolled	1198	Withdrawn	343
Signed by President	1198		
Sent to Governor	1199	104 By Committee on Code Revision. Educational—special meetings—reports of county superintendent.	
Signed by Governor	1223	Introduced	43
		Withdrawn	343
94 By Committee on Code Revision. Educational—Iowa state teachers college.			
Introduced	41	105 By Committee on Code Revision. Educational—school libraries.	
Withdrawn	1527	Introduced	43
		Recommends amendment and passage	312
97 By Committee on Code Revision. Educational—Iowa soldiers' orphans' home.		Action deferred	333
Introduced	41	Committee amendment adopted	342
Withdrawn	1294	Passed; ayes 37, nays 0	342
		Received back	465
98 By Committee on Code Revision. Educational—Juvenile court.		Reported enrolled	519
Introduced	42	Signed by President	520
Withdrawn	1294	Sent to Governor	520
		Signed by Governor	545
		107 By Committee on Code Revision. Educational—teachers.	
		Introduced	43
		Recommends indefinite postponement	928
		Indefinitely postponed	928

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108 By Committee on Code Revision. Educational—indebtedness of school districts.	
Introduced	43
Withdrawn	456
109 By Committee on Code Revision. Educational—school buildings and sites.	
Introduced	44
Recommends amendment and passage	290
Amendment adopted	303
Amended, passed; ayes 45, nays 0	305
Motion filed to reconsider	311
Motion to reconsider withdrawn	325
Received back	465
Reported enrolled	519
Signed by President	520
Sent to Governor	520
Signed by Governor	546
110 By Committee on Code Revision. Educational—school funds and bonds.	
Introduced	44
Withdrawn	898
111 By Committee on Code Revision. Education—compulsory.	
Introduced	44
Recommends amendments and passage	429
Amendments amended and adopted	452
Passed; ayes 43, nays 0	454
Amended, passed; ayes 43, nays 0	455
Received back	731
House amendments concurred in	811
Reported enrolled	806
Signed by President	866
Sent to Governor	866
Signed by Governor	887
112 By Committee on Code Revision. Educational—text-books.	
Introduced	44
Withdrawn	387
114 By Committee on Code Revision. Educational—state library—historical department.	
Introduced	44
Withdrawn	1359
115 By Committee on Code Revision. Educational—state historical society.	
Introduced	45
Recommends indefinite postponement	1092
Indefinitely postponed	1101
116 By Committee on Code Revision. Educational—Iowa geological survey.	
Introduced	45
Withdrawn	538
117 By Committee on Code Revision. Establishment and alteration of highways and erections and maintenance of bridges.	

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Introduced	45
Recommends amendments and passage	466
Amendments amended and adopted	488
Amended, passed; ayes 35, nays 4	490
Received back	658
Amendments filed to House	
amendments	682
House amendments amended and concurred in	803-804
Received back	854
Reported enrolled	906
Signed by President	906
Sent to Governor	918
Signed by Governor	924
118 By Committee on Code Revision. Highway drainage.	
Introduced	45
Withdrawn	1518
119 By Committee on Code Revision. State highway commission and other officers with duties relating to highways.	
Introduced	46
Recommends amendments and passage	469
Amendments amended and adopted	506-508
Amended, passed; ayes 32, nays 8	510
Received back	658
House amendments amended	671
Failed to concur	672
Conference reported to Senate	956
Failed to adopt conference report	962
Motion filed to reconsider	969
Reconsideration prevailed	1044
Conference report adopted and concurred in	1045
Reported enrolled	1167
Signed by President	1178
Sent to Governor	1198
Signed by Governor	1215
121 By Committee on Code Revision. County roads, bridges, culvert systems and taxation therefor.	
Introduced	46
Recommends amendments and passage	1036
Amendments filed	1085
Made special order	1101
Amendment filed	1156
Committee amendments amended and adopted	1162-1172
Amended, passed; ayes 26, nays 19	1173-1177
Received back	1347
Action deferred	1402
Concurred in certain House amendments and refused to concur in others	1408-1411
Conference reports to Senate	1510
Conference report and supplementary report adopted and concurred in	1516
Reported enrolled	1539
Signed by President	1540
Sent to Governor	1541
Signed by Governor	1215

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122 By Committee on Code Revision. Patrolling of public highways.		Signed by President.....	447
Introduced	46	Sent to Governor.....	447
Withdrawn	342	Signed by Governor.....	480
123 By Committee on Code Revision. Township road system, repair and improvement—duties of officers having jurisdiction.		128 By Committee of Code Revision. Use of public highways.	
Introduced	46	Introduced	47
Recommends amendments and passage	468	Withdrawn	653
Amendments adopted	511	129 By Committee on Code Revision. Board of supervisors.	
Amended, passed; ayes 37, nays 0	512	Introduced	47
Received back	731	Recommends amendments and passage	246
Amendment to House amendments offered	764	Amendments filed	260
House amendments amended and concurred in	799-800	Amendments adopted	274
Received back	854	Passed; ayes 42, nays 0	274
Senate insists	914	Received back	415
Conference reports	1135	Amendment to House amendments filed	427
Conference report adopted and concurred in	1136	Action deferred	427
Reported enrolled	1198	Amendment withdrawn	435
Signed by President.....	1198	Concurs	436
Sent to Governor.....	1198	Reported enrolled	465
Signed by Governor.....	1223	Signed by President.....	466
125 By Committee on Code Revision. Destruction of weeds on private lands and public highways.		Sent to Governor.....	466
Introduced	46	Signed by Governor.....	480
Recommends amendments and passage	313	130 By Committee on Code Revision. Powers and duties of board of supervisors.	
Amendments adopted	337	Introduced	47
Amended, passed; ayes 32, nays 1	338	Withdrawn	697
Received back	658	133 By Committee on Code Revision. County recorders.	
Amendments offered to House amendments	680	Introduced	47
Action deferred	681	Recommends amendments and passage	155
Refused to concur	728	Action deferred	171
Conference reports	928	Amendments withdrawn	175
Rereferred	966	Amended, passed; ayes 42, nays 0	175
Conference committee reports	976	Returned	251
Failed to adopt conference report	982	Concurs; ayes 33, nays 0	256
Conference committee reports	1315	Reported enrolled	281
Conference report adopted and concurred in	1331	Signed by President.....	281
Reported enrolled	1442	Sent to Governor.....	282
Signed by President.....	1443	Signed by Governor.....	301
Sent to Governor.....	1443	134 By Committee on Code Revision. County attorneys.	
Signed by Governor.....	1469	Introduced	48
126 By Committee on Code Revision. Removal from public highways, signs and billboards which obstruct view.		Withdrawn	1091
Introduced	47	135 By Committee on Code Revision. Sheriff.	
Withdrawn	664	Introduced, referred	48
127 By Committee on Code Revision. Road improvement associations.		Recommends passage	116
Introduced	47	Passed; ayes 43, nays 0	128
Recommends amendments and passage	313	Received back	306
Amendments adopted	339	Concurs	314
Passed; ayes 36, nays 0	339	Motion to reconsider	325
Received back	390	Motion to reconsider withdrawn	433
Reported enrolled	430	Reported enrolled	465
		Signed by President.....	466
		Sent to Governor.....	466
		Signed by Governor.....	480
		138 By Committee on Code Revision. Submission of question to voters.	
		Introduced	48
		Withdrawn	433
		139 By Committee on Code Revision. County bonds.	
		Introduced	48

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Recommends amendments and passage	155	Introduced	49
Amendments amended and adopted	169	Recommends passage	198
Passed; ayes 42, nays 0	169	Amended, passed; ayes 42, nays 1	233
Returned to Senate	251	Received back	465
Concurs	257	House amendments amended and concurred in	480
Motion to reconsider filed	271	Reported back	505
Motion to reconsider withdrawn	284	Reported enrolled	545
Reported enrolled	298	Signed by President	546
Signed by President	301	Sent to Governor	546
Sent to Governor	301	Signed by Governor	551
Signed by Governor	329		
140 By Committee on Code Revision. Support of the poor.		153 By Committee on Code Revision. Municipal corporations—incorporation.	
Introduced	48	Introduced	50
Withdrawn	433	Recommends amendments and passage	294
142 By Committee on Code Revision. County public hospitals and detention hospitals for contagious diseases.		Amendments amended and adopted	319
Introduced	49	Passed; ayes 40, nays 0	322
Withdrawn	797	Received back	504
144 By Committee on Code Revision. Relief for soldiers, sailors and marines.		Refused to concur	513
Introduced	49	Conference committee reports	1366
Withdrawn	696	Conference report adopted and concurred in	1401
145 By Committee on Code Revision. Official newspapers.		Reported enrolled	1468
Introduced	49	Sent to Governor	1468
Recommends amendments and passage	156	Signed by Governor	1476
Amendments to section 5 adopted. Others rejected	172		
Amended, passed; ayes 31, nays 10	174	154 By Committee on Code Revision. Municipal corporations—organization and officers.	
Received back	415	Introduced	50
Reported enrolled	466	Withdrawn	694
Signed by President	447		
Sent to Governor	447	155 By Committee on Code Revision. Municipal corporations—civil service commission.	
Signed by Governor	480	Introduced	51
148 By Committee on Code Revision. Changing names of villages.		Recommends amendments and passage	498
Introduced	49	Amendments adopted	532
Recommends amendment and passage	118	Passed; ayes 40, nays 0	532
Withdrawn	180	Received back	609
149 By Committee on Code Revision. Land surveys.		House amendments amended and concurred in	731
Introduced	49	Received back	753
Recommends passage	116	Reported enrolled	786
Passed; ayes 41, nays 0	128	Signed by President	787
Received back	390	Sent to Governor	787
Failed to concur	408	Signed by Governor	794
Conference committee reports	698		
Conference committee report adopted and amendments concurred in	699	156 By Committee on Code Revision. Municipal corporations—ordinances.	
Reported enrolled	786	Introduced	51
Signed by President	787	Withdrawn	211
Sent to Governor	787		
Signed by Governor	794	158 By Committee on Code Revision. Municipal corporations—general powers.	
151 By Committee on Code Revision. Townships and township officers.		Introduced	51
Introduced	48	Withdrawn	455
Withdrawn	433		
142 By Committee on Code Revision. County public hospitals and detention hospitals for contagious diseases.		160 By Committee on Code Revision. Municipal corporations—board of public works.	
Introduced	49	Introduced	52
Withdrawn	797	Withdrawn	455

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163 By Committee on Code Revision. Municipal corporations—juvenile playgrounds.		Amended, passed; ayes 37, nays 0	842
Introduced	52	Received back	1132
Recommends amendments and passage	196	Refused to concur	1203
Amendment adopted	209	Conference committee reports	1516
Passed; ayes 29, nays 0	209	Conference report adopted and concurred in	1517
Received back	306	Reported enrolled	1540
Referred to cities and towns	314	Signed by President	1840
Committee recommends concurrence	324	Sent to Governor	1540
Concurs	326	Signed by Governor	1541
Reported enrolled	381		
Signed by President	381	170 By Committee on Code Revision. Municipal corporations—protection of city property.	
Sent to Governor	400	Introduced	54
Signed by Governor	480	Withdrawn	750
164 By Committee on Code Revision. Municipal corporations—city hall.		171 By Committee on Code Revision. Municipal corporations—street improvements and sewer bonds.	
Introduced	52	Introduced	54
Withdrawn	211	Recommends amendment and passage	119
		Amendments adopted	136
165 By Committee on Code Revision. Municipal corporations—public libraries.		Amended; action deferred	136
Introduced	52	Action deferred	151
Recommends amendments and passage	500	Amended, passed; ayes 34, nays 0	622
Amendments adopted	533	Received back	768
Passed; ayes 39, nays 0	533	Concurs	801
Received back	560	Reported enrolled	866
Failed to concur	585	Signed by President	866
Conference committee reports	622	Sent to Governor	866
Conference report adopted and amendments concurred in	623	Signed by Governor	887
Reported enrolled	714		
Signed by President	714	171 By Committee on Code Revision. Municipal corporations—public utilities.	
Sent to Governor	714	Introduced	54
Signed by Governor	735	Withdrawn	1124
166 By Committee on Code Revision. Municipal corporations—hospitals.		173 By Committee on Code Revision. Municipal corporations—waterworks.	
Introduced	52	Introduced	55
Withdrawn	518	Recommends amendment and passage	118
		Amended, passed; ayes 35, nays 0	137
167 By Committee on Code Revision. Municipal corporations—bridges.		Received back	214
Introduced	53	Reported enrolled	245
Recommends amendment and passage	154	Signed by President	245
Amendments adopted	166	Sent to Governor	246
Passed; ayes 41, nays 0	166	Signed by Governor	260
Received back	333		
Reported enrolled	381	174 By Committee on Code Revision. Municipal corporations—waterworks in cities of one hundred thousand.	
Signed by President	381	Introduced	55
Sent to Governor	400	Withdrawn	466
Signed by Governor	480		
		175 By Committee on Code Revision. Municipal corporations—street railways—regulations.	
168 By Committee on Code Revision. Municipal corporations—streets and public playgrounds.		Introduced	55
Introduced	53	Recommends amendment and passage	118
Withdrawn	695	Amended, passed; ayes 35, nays 0	138
		Received back	504
169 By Committee on Code Revision. Municipal corporations—street improvements and sewers.		Reported enrolled	545
Introduced	53	Signed by President	545
Recommends amendments and passage	738	Sent to Governor	546
Amendments amended and adopted	840-841	Signed by Governor	551
		176 By Committee on Code Revision. Municipal corporations—condemnation.	
		Introduced	55
		Withdrawn	455

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177 By Committee on Code Revision. Municipal corporations—taxation.	
Introduced	56
Recommends amendments and passage	1019
Amendments adopted	1088
Passed; ayes 41, nays 0	1088
Received back	1382
Concurs in House amendments	1383
Reported enrolled	1442
Signed by President	1443
Sent to Governor	1443
Signed by Governor	1469
178 By Committee on Code Revision. Municipal corporations—indebtedness.	
Introduced	56
Withdrawn	1221
179 By Committee on Code Revision. Municipal corporations—bonds.	
Introduced	57
Recommends amendments and passage	857
Amendments adopted	911
Passed; ayes 36, nays 0	912
Received back	1010
Reported enrolled	1120
Signed by President	1121
Sent to Governor	1121
180 By Committee on Code Revision. Municipal corporations—plats.	
Introduced	57
Withdrawn	604
182 By Committee on Code Revision. Municipal corporations—special charter cities.	
Introduced	57
Recommends amendments and passage	1112
Amendments adopted	1184
Amended, passed; ayes 39, nays 0	1184
Received back	1312
Honors House's request	1325
Received back	1328
Concurs	1336
Reported enrolled	1384
Signed by President	1384
Sent to Governor	1389
Signed by Governor	1442
183 By Committee on Code Revision. Taxation.	
Introduced	58
Recommends amendments and passage	995
Amendments filed	1008
Made special order	1098
Amendments adopted	1146-1151
Amended and action deferred	1152-1155
Amendments filed	1156
Amended, passed; ayes 35, nays 11	1160
Received back	1292
Concurred in certain House amendments, refused to concur in one amendment	1308-1311
Motion to reconsider filed	1317
Reconsideration prevailed	1344
Concurs	1345
Reported enrolled	1442
Signed by President	1443
Sent to Governor	1443
Signed by Governor	1469

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185 By Committee on Code Revision. Levees, ditches, drains and water courses.	
Introduced	59
Withdrawn	1318
186 By Committee on Code Revision. Mill dams, races and water power.	
Introduced	59
Recommends substitute bill	1036 and 1043
Substitute amended and adopted	1102
Passed; ayes 28, nays 12	1102
Received back	1197
House request granted	1281
Returned to Senate	1497 and 1348
Refused to concur	1364
Conference committee reports	1456
Conference report adopted and concurred in	1457
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Signed by President	1525
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Signed by Governor	1528
187 By Committee on Code Revision. Condemnation of property for internal improvements or for public purposes.	
Introduced	59
Recommends amendments and passage	247
Amendments adopted	262
Amended, action deferred	268
Failed to pass; ayes 21, nays 18	281
Reconsidered	284
Amendment filed	313
Amended, passed; ayes 44, nays 2	317
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Concurred	637
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Reported enrolled	714
Signed by President	714
Sent to Governor	714
Signed by Governor	735
188 By Committee on Code Revision. Board of railroad commissioners, duties and jurisdiction.	
Introduced	59
Withdrawn	1527
189 By Committee on Code Revision. Commerce counsel.	
Introduced	60
Recommends passage	844
Amended, action deferred	888
Amended, passed; ayes 30, nays 0	370
Received back	609
Concurs	616
Reported enrolled	641
Signed by President	641
Sent to Governor	642
Signed by Governor	703
190 By Committee on Code Revision. Construction and operation of railroads.	
Introduced	60
Withdrawn	1324
191 By Committee on Code Revision. Electric wires, transmission lines and franchises.	
Introduced	60
Recommends	1287
Amendments filed	1294
Amendments adopted, deferred	1380
Amendments adopted	1385-1388

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Received back.....	1469	Amendments amended and adopted	586
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Signed by President.....	1525	Amendment concurred in.....	953
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192 By Committee on Code Re- vision. Taxes in aid of rail- roads.		Sent to Governor.....	1089
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193 By Committee on Code Re- vision. Cattle guards and highway crossing signs.		Introduced	62
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194 By Committee on Code Re- vision. Liability for negli- gence of employees of rail- roads.		Introduced	63
Introduced	61	Recommends amendment and passage	492
Withdrawn from railroads, referred to labor.....	294	Action deferred.....	524
Withdrawn	386	Amendment adopted.....	551
195 By Committee on Code Re- vision. Railway crossings and duty of employees.		Passed; ayes 35, nays 0.....	552
Introduced	61	Received back.....	942
Recommends passage.....	344	Concurs	983
Passed; ayes 31, nays 0.....	371	Reported enrolled.....	1120
Received back.....	520	Signed by President.....	1121
Reported enrolled.....	569	Sent to Governor.....	1121
Signed by President.....	569	Signed by Governor.....	1347
Sent to Governor.....	570	205 By Committee on Code Re- vision. Insurance department.	
Signed by Governor.....	605	Introduced	63
196 By Committee on Code Re- vision. Regulation of car- riers and definition of terms.		Recommends amendments and passage	428
Introduced	61	Amendments adopted.....	463
Withdrawn	1008	Passed; ayes 37, nays 0.....	464
197 By Committee on Code Re- vision. Regulation of car- riers.		Reconsidered	490
Introduced	62	Amended, passed; ayes 38, nays 0	491
Recommends passage.....	344	Received back.....	709
Amended, passed; ayes 34, nays 0	367	Concurs	1027
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Concurs	762	Signed by President.....	1121
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Signed by Governor.....	865	Introduced	63
198 By Committee on Code Re- vision. Schedule of rates and charges of common carriers.		Recommends amendments and passage	1093
Introduced	62	Amendments amended and action deferred	1124-1125-1127
Withdrawn	665	Amended, passed; ayes 33, nays 0	1187
200 By Committee on Code Re- vision. Interurban railways.		Received back.....	1312
Introduced	62	Reported enrolled.....	1384
Withdrawn	979	Signed by President.....	1384
201 By Committee on Code Re- vision. Corporations for pec- uniary profit.		Sent to Governor.....	1389
Introduced	62	Signed by Governor.....	1442
Recommends amendments and passage	494	208 By Committee on Code Re- vision. Banking department.	
		Introduced	63
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		210 By Committee on Code Re- vision. Unfair discrimina- tion.	
		Introduced	63
		Substitute bill filed for S. F. 210, and S. F. 211.....	899
		211 By Committee on Code Re- vision. Unlawful combina- tions, pools and trusts.	

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213 By Committee on Code Revision. Marriages and incest.	
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215 By Committee on Code Revision. Divorce and remarriage.	
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218 By Committee on Code Revision. Adoption, and master and apprentice.	
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220 By Committee on Code Revision. Municipal courts.	
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221 By Committee on Code Revision. Superior courts.	
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227 By Committee on Code Revision. Place of bringing action.	
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228 By Committee on Code Revision. Manner of commencing action.	
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Withdrawn	751
229 By Committee on Code Revision. Pleadings.	
Introduced	66
Recommends amendments and passage	296
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Passed; ayes 37, nays 1	323
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230 By Committee on Code Revision. Evidence.	
Introduced	66
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231 By Committee on Code Revision. Trial and judgments.	
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234 By Committee on Code Revision. Examination of debtors in proceedings auxiliary to execution.	
Introduced	66
Withdrawn	983
236 By Committee on Code Revision. Estate of decedents.	
Introduced	66
Withdrawn	989
237 By Committee on Code Revision. Wills and letters of administration.	
Introduced	67
Recommends amendments and passage	375
Amendment filed	394
Amendments adopted.....	406
Amended, passed; ayes 37, nays 0	407
Received back	686
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Reported enrolled.....	726
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239 By Committee on Code Revision. Distribution of intestate property.	
Introduced	67
Recommends passage.....	101
Passed; ayes 47, nays 0	106
Received back.....	167
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241 By Committee on Code Revision. Foreclosure of mortgages.	
Introduced	67
Recommends amendment and passage	141
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Signed by President.....	504
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245	By Committee on Code Revision. Clerk of supreme court.	257	By Committee on Code Revision. Cigarettes and tobacco.
Introduced	67	Introduced	69
Recommends passage	148	Withdrawn	1086
Amended, passed; ayes 45, nays 0	166	258	By Committee on Code Revision. Nomination and election under commission form of government.
Received back	316	Introduced	69
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Signed by President	381	261	By Committee on Code Revision. Regulations and inspection of foods, drugs and other articles.
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246	By Committee on Code Revision. Procedure in supreme court.	Introduced	71
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Withdrawn	423	Introduced	71
247	By Committee on Code Revision. Carrying dangerous weapons and permits therefor.	Recommends passage	197
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Received back	625	Amendment filed	248
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Conference reports to Senate	1277	Failed to pass; ayes 24, nays 18	289
Conference report adopted and concurred in	1278	Motion to reconsider filed	290
Reported enrolled	1329	Reconsidered	299
Signed by President	1329	Passed; ayes 44, nays 0	299
Sent to Governor	1347	Received back	807
Signed by Governor	1399	Reported enrolled	866
250	By Committee on Code Revision. Magistrates and peace officers.	Signed by President	866
Introduced	68	Sent to Governor	866
Withdrawn	691	Signed by Governor	887
251	By Committee on Code Revision. Taking of security from witnesses in criminal cases.	264	By Committee on Code Revision. Compensation of county attorneys.
Introduced	68	Introduced	72
Recommends amendments and passage	376	Withdrawn	601
Action deferred	386	265	By Committee on Code Revision. Rights of railroads to remove passenger for certain offenses.
Amendments adopted	404	Introduced	72
Failed to pass; ayes 13, nays 25	404	Committee recommends passage	345
252	By Committee on Code Revision. Appeals in criminal cases.	Passed; ayes 38, nays 0	371
Introduced	68	Received back	752
Withdrawn	677	Reported enrolled	786
253	By Committee on Code Revision. Dismissal of criminal proceedings.	Signed by President	787
Introduced	68	Sent to Governor	787
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254	By Committee on Code Revision. Bonds for performance of contracts for public improvements—rights of persons who furnish labor or material.	Withdrawn	983
Introduced	68	267	By Committee on Code Revision. Fees of clerk of district court.
256	By Committee on Code Revision. Guardianship—appointment and bonds—sale or mortgage of estate.	Introduced	72
Introduced	69		
Withdrawn	837		

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Committee recommends passage	148
Passed; ayes 45, nays 0	165
Received back	363
Concurs; ayes 33, nays 0	368
Reported enrolled	394
Signed by President	394
Sent to Governor	400
Signed by Governor	480
Introduced	69
Recommends amendments and passage	592
Amendments adopted	611
Amended, passed; ayes 33, nays 2	613
Received back	768
Amendment concurred in	801
Reported enrolled	866
Signed by President	866
Sent to Governor	866
Signed by Governor	887
 268 By Committee on Code Revision. Statute of frauds.	
Introduced	72
Withdrawn	428
 269 By Committee on Code Revision. Statute of limitations.	
Introduced	72
Committee recommends passage	117
Failed to pass; ayes 2, nays 23	145
Motion to reconsider filed	146
Motion to reconsider withdrawn	171
 270 By Committee on Code Revision. Forfeiture of contracts to sell or to agree to sell an interest in real estate.	
Introduced	72
Withdrawn	393
 271 By Committee on Code Revision. Abstracts of title in partition proceedings.	
Introduced	73
Committee recommends passage	101
Passed; ayes 48, nays 0	107
Received back	273
Reported enrolled	293
Signed by President	301
Sent to Governor	271
Signed by Governor	329
 272 By Committee on Code Revision. Corruption in elections.	
Introduced	73
Withdrawn	208
 273 By Committee on Code Revision. Release of liens on personal property.	
Introduced	73
Committee recommends passage	118
Passed; ayes 31, nays 0	145
Received back	363
Referred	369
Committee recommends refusal to concur	376
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Conference reports	446
Conference report adopted and concurred in	451
Reported enrolled	519
Signed by President	520
Sent to Governor	520
Signed by Governor	545

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274 By Committee on Code Revision. Indictments, trial information, and demurrers thereto.	
Introduced	73
Withdrawn	387
 275 By Committee on Code Revision. Sale of public bonds.	
Introduced	74
Committee recommends passage	197
Amendment filed	216
Amendment filed	218
Amended, passed; ayes 40, nays 0	238
Received back	536
Failed to concur	545
Conference reports	823
Conference report adopted and concurred in	827
Reported enrolled	906
Signed by President	906
Sent to Governor	918
Signed by Governor	924
 276 By Committee on Code Revision. Theatres, pool and billiard rooms and bowling alleys.	
Introduced	74
Withdrawn	447
 277 By Committee on Code Revision. Motor vehicles — travel on highways.	
Introduced	74
Amendments filed	672
Committee recommends amendments and passage	684
Action deferred	709
Amendments filed	710
First three amendments adopted	718
Rereferred	718
Amendment filed	725
Withdrawn	1274
 278 By Committee on Code Revision. Escapes.	
Introduced	74
Withdrawn	318
 279 By Committee on Code Revision. Coroner.	
Introduced	74
Committee recommends passage	117
Passed; ayes 42, nays 0	129
Returned	251
Concurs	257
Reported enrolled	281
Signed by President	281
Sent to Governor	282
Signed by Governor	301
 280 By Committee on Code Revision. Garnishment.	
Introduced	74
Withdrawn	333
 281 By Committee on Code Revision. Future estates.	
Introduced	75
Committee recommends passage	950
Failed to pass; ayes 24, nays 11	986
Motion filed to reconsider	987
Reconsideration prevailed	1045
Passed; ayes 32, nays 14	1045
Received back	1464
Concurs	1467
Reported enrolled	1524
Signed by President	1525
Sent to Governor	1525
Signed by Governor	1528

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282 By Committee on Code Revision. Peremptory challenges, in trial of criminal cases.		287 By Perkins. To legalize acknowledgement of instrument in writing.	
Introduced	75	Introduced	147
Withdrawn	284	Committee recommends passage	180
		Passed; ayes 26, nays 0	208
283 By Committee on Code Revision. Sale and transportation of intoxicating liquors under permits.		Received back	272
Introduced	75	Reported enrolled	293
Amendments filed	550	Signed by President	301
Committee recommends substitute bill	755	Sent to Governor	301
Substitute bill introduced, placed on calendar	755	Signed by Governor	329
Made special order	785		
Made special order	816	288 By Bowman. To legalize the acts of board of directors of independent school district of Waterloo.	
Amendments filed	824	Introduced	164
Amendments filed	864	Committee recommends passage	179
Amendments to original bill adopted	869	H. F. 286 substituted	191
Substitute bill rejected	871	Withdrawn	192
Amendments filed	873		
Amended, action deferred	879-885	289 By Price. To legalize the levy and collection by the board of supervisors and treasurer of Monroe county of a cemetery tax.	
Amendments filed	885-886	Introduced	341
Amended	889-895	Proof of publication	361
Passed; ayes 43, nays 5	896	Committee recommends passage	414
Received back	1117	Passed; ayes 42, nays 0	424
Concurs	1145	Received back	481
Reported enrolled	1223	Reported enrolled	519
Signed by President	1223	Signed by President	520
Sent to Governor	1237	Sent to Governor	520
Signed by Governor	1301	Signed by Governor	545
284 By Baird. To legalize certain warrants, and the issuance and sale of bonds of Council Bluffs.		290 By Committee on Appropriations. To pay the expenses of the Iowa Child Welfare Commission.	
Introduced	75	Introduced	349
Proof of publication	82	Committee recommends amendments and passage	838
Committee recommends passage	89	Amendments adopted	862
Passed; ayes 32, nays 0	90	Passed; ayes 26, nays 16	863
Received back	199	Received back	1091
Reported enrolled	203	Reported enrolled	1167
Signed by President	203	Signed by President	1178
Sent to Governor	203	Sent to Governor	1198
Signed by Governor	205	Signed by Governor	1215
285 By Shane. Payment of compensation and mileage of members of the General Assembly.		291 By Holdoegel. To legalize certain warrants, and the issuance and sale of negotiable bonds thereof of Ft. Dodge.	
Introduced	75	Introduced	389
Amended	76	Committee recommends passage	397
Passed; ayes 47, nays 1	76	Passed; ayes 30, nays 0	399
Received back	89	Proof of publication	401
Reported enrolled	119	Received back	409
Signed by President	119	Reported enrolled	426
Sent to Governor	121	Signed by President	428
Signed by Governor	144	Sent to Governor	427
		Signed by Governor	480
286 By Baird. To legalize a school election held in Council Bluffs, and the issuance and sale of school bonds pursuant thereto.		292 By Campbell. To legalize the action of board of directors of township of Elkhorn in the transfer of certain funds.	
Introduced	86	Introduced	390
Proof of publication	86	Proof of publication	401
Committee recommends passage	89	Committee recommends passage	414
Passed; ayes 33, nays 0	91	Passed; ayes 39, nays 1	424
Received back	199	Received back	521
Reported enrolled	203	Reported enrolled	569
Signed by President	203	Signed by President	569
Sent to Governor	203	Sent to Governor	570
Signed by Governor	205	Signed by Governor	605

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293 By Stoddard. To legalize the issuance of certain warrants of Sioux City and validate said warrants.	
Introduced	483
Withdrawn	956
294 By Smith. Preparation, publication, use, custody, sale and distribution of the laws, —powers and duties of supreme court reporter, state printing board, superintendent of printing, with reference to said laws.	
Introduced	501
295 By Shane. To legalize official acts of Laura Smith Day as notary public.	
Introduced	532
Proof of publication	532
Committee recommends passage	639
Amended, passed; ayes 36, nays 0	678
Received back	807
Reported enrolled	866
Signed by President	866
Sent to Governor	866
Signed by Governor	889
296 By Perkins. To legalize deeds of conveyance executed by Grand Junction.	
Introduced	591
Proof of publication	597
Withdrawn	1109
297 By Schmedika. To legalize a special election at Iowa Falls for erecting and equipping of a liberty memorial building and the issuance of bonds therefor.	
Introduced	624
Committee recommends indefinite postponement	715
Indefinitely postponed	715
298 By Wichman. To legalize the transfer of funds by the city council of Forest City.	
Introduced	624
Committee recommends passage	654
H. F. 293 substituted	697
Withdrawn	698
299 By Ethell. To legalize the transfer of certain funds by the treasurer of Appanoose county.	
Introduced	674
Proof of publication	701
Committee recommends passage	754
Amended, passed; ayes 38, nays 0	757
Received back	1010
Reported enrolled	1120
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1347
300 By Holdoegel. To legalize certain acts and resolutions of the board of supervisors of Calhoun county.	
Introduced	736
Proof of publication	736
Committee recommends passage	754
Passed; ayes 32, nays 0	753
Received back	807
Reported enrolled	837

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Signed by President	837
Sent to Governor	837
Signed by Governor	865
301 By White. To legalize action of board of independent school district of Toledo.	
Introduced	780
Committee recommends amendment and passage	888
Amendment adopted	912
Passed; ayes 32, nays 0	913
Received back	1025
Reported enrolled	1120
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1347
302 By Wichman. Limitations on expenditures of public funds in counties.	
Introduced	851
Made special order	810
Action deferred	934
Special committee appointed to obtain additional information	1090
Special committee reports. 1113-	1115
Action deferred	1116
Amendment filed	1118
Amendment filed	1129
Amendment filed	1156
Action deferred	1181
Amended and action deferred	1225-1226
Passed; ayes 27, nays 18	1238
Received back	1325
303 By Brookins. To legalize all acts and proceedings of the town of Ionia in respect to an election on January 21, 1924.	
Introduced	917
Proof of publication	922
Committee recommends passage	950
Passed; ayes 29, nays 0	972
Received back	1010
Reported enrolled	1120
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1347
304 By Scott. To legalize acts and proceedings of St. Anthony Savings Bank.	
Introduced	917
Committee recommends passage	1000
Passed; ayes 29, nays 0	1006
Received back	1025
Reported enrolled	1120
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1347
305 By Committee on Appropriations. An appropriation to make insurance tax refunds.	
Introduced	923
Passed; ayes 34, nays 0	924
Received back	1010
Reported enrolled	1120
Signed by President	1121
Sent to Governor	1121
Signed by Governor	1347
306 By Bowman. To legalize certain acts and resolutions of the board of supervisors of Black Hawk county.	

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Introduced	995
Proof of publication	995
Committee recommends passage	1000
Passed; ayes 29, nays 0	1007
Received back	1025
Reported enrolled	1100
Signed by President	1101
Sent to Governor	1101
Signed by Governor	1116
307 By Gilchrist. To legalize the transfer of money from the general fund to the schoolhouse fund of district of Laurens, Pocahontas county.	
Introduced	1009
Committee recommends passage	1051
Proof of publication	1111
Passed; ayes 33, nays 0	1116
Received back	1197
Concurs	1219
Reported enrolled	1265
Signed by President	1266
Sent to Governor	1266
Signed by Governor	1301
308 By Committee on Departmental Affairs. Forfeiture of certificate of motor carriers and penalties for violation of the statutes.	
Introduced	1043
Withdrawn	1338
309 By Committee on Appropriations. Purchase by the state of certain lands.	
Introduced	1128
Amendment filed	1129
Made special order	1326
Amended, passed; ayes 29, nays 13	1340
Received back	1364
Concurs	1362
Reported enrolled	1384
Signed by President	1384
Sent to Governor	1389
Signed by Governor	1442
310 By Committee on Judiciary No. 1. To legalize the transfer of \$519,287.76 from the general revenue funds to the support fund of various state institutions.	
Introduced	1131
Passed; ayes 37, nays 0	1188
Received back	1312
Reported enrolled	1384
Signed by President	1384
Sent to Governor	1389
Signed by Governor	1442
311 By Committee on Judiciary No. 1. To legalize the transfer of \$199,839.39 from the general revenue funds to the support fund of various state institutions.	
Introduced, passed; ayes 37, nays 0	1189
Received back	1312
Reported enrolled	1384
Signed by President	1384
Sent to Governor	1389
Signed by Governor	1442
312 By Reed. Shares of stock in cooperative associations.	

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Introduced	1193
Passed; ayes 34, nays 0	1221
Received back	1392
Reported enrolled	1442
Signed by President	1443
Sent to Governor	1443
Signed by Governor	1469
313 By Price. To legalize certain warrants issued by board of supervisors of Monroe county.	
Introduced	1212
Committee recommends passage	1280
Proof of publication	1313
Passed; ayes 32, nays 0	1319
Received back	1400
Reported enrolled	1468
Signed by President	1468
Sent to Governor	1468
Signed by Governor	1476
314 By Committee on Banking. Salaries of bank examiners.	
Introduced	1212
Amended, failed to pass; ayes 23, nays 22	1245
Motion filed to reconsider	1267
Reconsideration prevailed	1462
Withdrawn	1475
315 By Thurston. To legalize a school election of Indianola.	
Introduced	1237
Proof of publication	1265
Withdrawn	1463
316 By Nelson. To legalize the levy, assessment, collection and transfer of certain school taxes in Union township, Cass county.	
Introduced	1263
Committee recommends passage	1280
Proof of publication	1302
Passed; ayes 41, nays 0	1302
Received back	1381
Reported enrolled	1442
Signed by President	1443
Sent to Governor	1443
Signed by Governor	1469
317 By Baird. Jurisdiction in juvenile court cases in cities wherein a municipal court is established.	
Introduced	1280
Committee recommends passage	1300
Withdrawn	1319
318 By Committee on Agriculture. To legalize the establishment of County Area Tuberculosis Eradication Plan.	
Introduced	1292
Amendment filed	1295
Amended	1336
Passed; ayes 28, nays 10	1338
Reported enrolled	1442
Signed by President	1443
Sent to Governor	1443
Signed by Governor	1469
319 By Committee on Appropriations. Appropriation for payments of state and other expenses.	
Introduced	1301
Passed; ayes 35, nays 0	1322
Concurs	1477

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Reported enrolled	1524
Signed by President.....	1525
Sent to Governor.....	1525
Signed by Governor.....	1528
320 By Olson. To legalize the voting of bonds for the extension of water works system at Ames.	
Introduced	1301
Proof of publication.....	1328
Committee recommends passage.....	1390
Withdrawn	1407
321 By Newberry. Qualifications of school officers.	
Introduced	1337
Passed; ayes 41, nays 0.....	1356
Received back	1392
Reported enrolled	1442
Signed by President.....	1443
Sent to Governor.....	1443
Signed by Governor.....	1469
322 By Goodwin. To legalize special election of Valley Junction held to authorize bond issue for extension of water works system.	
Introduced	1376
Proof of publication.....	1399
Committee recommends passage.....	1442
Passed; ayes 43, nays 0.....	1448
Received back	1476
Reported enrolled	1524
Signed by President.....	1525
Sent to Governor.....	1525
Signed by Governor.....	1528
323 By Bergman. Issuance of a patent to certain lands in Jasper county.	
Introduced	1376
Committee recommends passage.....	1390
Passed; ayes 41, nays 0.....	1404
Received back	1476
Reported enrolled	1524
Signed by President.....	1525
Sent to Governor.....	1525
Signed by Governor.....	1528
324 By Committee on Retrenchment and reform. An emergency appropriation for the department of agriculture.	
Introduced	1399
Passed; ayes 32, nays 1.....	1406
Received back	1476
Reported enrolled	1524
Signed by President.....	1525
Sent to Governor.....	1525
Signed by Governor.....	1528
325 By Committee on Judiciary No. 1. To correct cross references in certain section of the Code.	
Introduced	1441
Passed; ayes 33, nays 0.....	1465
Received back	1479
Reported enrolled	1524
Signed by President.....	1525
Sent to Governor.....	1525
Signed by Governor.....	1528
326 By Committee on Banks. Banking department.	
Introduced	1462
Amended, passed; ayes 29, nays 14	1470-1472

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Received back	1503
Concurs	1504
Reported enrolled	1524
Signed by President.....	1525
Sent to Governor.....	1525
Signed by Governor.....	1541
327 By Committee on Appropriations. An appropriation for payment of state and other expenses.	
Introduced	1523
Amended, referred	1527
Withdrawn from committee.....	1532
Passed; ayes 37, nays 6.....	1532
Received back	1536
Reported enrolled	1540
Signed by President.....	1540
Sent to Governor.....	1540
Signed by Governor.....	1541
328 By Committee on Public Schools. Organization of independent districts.	
Introduced	1535
Passed; ayes 43, nays 0.....	1535
329 By Code Supervising Committee. Taxation in cities under special charter.	
Introduced	1543
Referred	1549
Recommends passage	1560
Passed; ayes 30, nays 5.....	1566
Signed by President.....	1590
Sent to Governor	1590
Signed by Governor	1601
330 By Code Supervising Committee. Amending budget law.	
Introduced	1543
Referred	1549
Recommends passage	1552
Amended	1573
Amendment rejected	1582
Passed; ayes 38, nays 8.....	1583
Signed by President.....	1597
Sent to Governor	1597
Signed by Governor	1609
331 By Code Supervising Committee. Legalizing tax levies.	
Introduced	1543
Referred	1549
Recommends amendment and passage	1559
Amended and passed	1565
Signed by President.....	1590
Sent to Governor	1590
Signed by Governor	1601
332 By Code Supervising Committee. Legalizing acts of budget director.	
Introduced	1543
Recommends passage	1553
Passed; ayes 41, nays 0.....	1558
Signed by President.....	1579
Sent to Governor	1580
Signed by Governor	1601
333 By Code Supervising Committee. Appropriation for budget director.	
Introduced	1544
Passed; ayes 36, nays 1.....	1548
Signed by President.....	1579
Sent to Governor	1580
Signed by Governor	1601

S. F.	Page	S. F.	Page
334 By Campbell. Legalizing; Ida Grove.		339 By Bowman. Eradication of bovine tuberculosis.	
Withdrawn	1587	Introduced	1577
		Withdrawn	1592
335 By Judiciary Committee No. 2. Amending the Blue Sky Law.		340 By Committee on High- ways. Roads and highways.	
Introduced	1554	Introduced	1587
Passed; ayes 36, nays 0	1567	Failed to pass; ayes 14, nays 26.	1589
336 By Appropriations Commit- tee. Appropriation of sundry small amounts.		341 By Appropriations Com- mittee. Referred to purchas- ers of Code.	
Introduced	1568	Introduced	1592
Passed; ayes 42, nays 0	1570	Passed; ayes 36, nays 0	1593
Signed by President	1590	Signed by President	1606
Sent to Governor	1590	Sent to Governor	1606
Signed by Governor	1601	Signed by Governor	1609
337 By Appropriations Com- mittee. Mileage.		342 By Appropriations Com- mittee. Pay for budget di- rector's stenographer.	
Introduced	1568	Introduced	1593
Failed to pass; ayes 17, nays 29	1570	Amended	1595
Reconsidered	1587	Passed; ayes 30, nays 0	1596
Withdrawn	1587	Signed by President	1606
		Sent to Governor	1606
338 By Bowman. Legalizing acts of Secretary of Agricul- ture.		Signed by Governor	1609
Introduced	1577	343 By Shaft. Appointment of budget director.	
Withdrawn	1592	Introduced	1600
		Withdrawn	1610

HISTORY OF HOUSE BILLS IN SENATE

HISTORY OF JOINT RESOLUTIONS

H. F.	Page	H. F.	Page
1 By Committee on Retrenchment and Reform. Compensation of employees of special session 40th G. A.		Passed; ayes 26, nays 19	1473
Received	109	Signed by President	1525
Passed; ayes 48, nays 0	110	7 By Venard. Providing for publication of H. F. 100 and H. F. 110.	
Signed by President	162	Referred	1332
2 By Committee on Retrenchment and Reform. Compensation of additional employees of special session 40th G. A.		Recommends amendments and passage	1441
Received	124	Amendments adopted	1466
Passed; ayes 30, nays 0	125	Passed; ayes 31, nays 0	1467
Signed by President	168	Signed by President	1486
3 By Clarke. For publication of House Joint resolution No. 2.		8 By Committee on Judiciary. Certification of teachers, approval of certain schools for state aid and approved of certain schools for tuition.	
Received	216	Received	1528
Passed; ayes 27, nays 0	216	Passed; ayes 32, nays 12	1533
Signed by President	245	Signed by President	1541
4 By Committee on Board of Control. Authorizing board of control to enter into contracts for employment of prisoners.		9 By Hauge. Authorizing Board of Control of state institutions to enter into contracts for employment of prisoners.	
Referred	1206	Received	1586
Amendment filed	1297	Passed; ayes 40, nays 0	1538
Recommends passage	1300	Signed by President	1541
Point of order raised	1439	10 By Carter. Additional employes.	
President held point well taken	1463	Received	1546
6 By Children. An amendment to state constitution relating to apportionment into senatorial districts.		Passed; ayes 43, nays 0	1547
Referred	1329	Signed by President	1580
Recommends amendment and passage	1458	11 By Doolittle. Mileage.	
Amendment adopted	1473	Received	1597
		Passed; ayes 40, nays 0	1599
		Signed by President	1606

HISTORY OF EACH BILL

H. F.	Page	H. F.	Page
2 By Committee on Code Revision. Acquisition of lands of this state by U. S.		system of accounts of public corporations, and examination of same.	
Referred	144	Referred	331
Recommends amendments and passage	723	Recommends amendment and passage	1109
Amendments adopted	746	Amendment adopted	1121
Passed; ayes 37, nays 0	747	Amended, passed; ayes 33, nays 0	1122
Signed by President	800	Signed by President	1399
4 By Committee on Code Revision. Copies of laws taking effect by publication.		10 By Committee on Code Revision. Department of justice and attorney general.	
Referred	364	Referred	93
Recommends passage	543	Substituted for S. F. 10	103
Passed; ayes 36, nays 0	557	Passed; ayes 44, nays 0	103
Signed by President	583	Request for return to Senate	130
8 By Committee on Code Revision. Certain duties of auditor of state and uniform		Received back, action reconsidered	144
		Amended, passed; ayes 40, nays 0	149
		Rereceived	433

H. F.	Page	H. F.	Page
Signed by President.....	520	34 By Committee on Code Re-	
House amendment concurred in	441	vision. Removal from office.	
14 By Committee on Code Re-		Referred	293
vision. Executive Council—		Recommends passage	470
powers, duties and employes		Amended, passed; ayes 38, nays 0	515
thereof.		Reconsidered	528
Referred	1493	Action deferred	528
Recommends passage	1494	Amended, passed; ayes 31,	
Amended, passed; ayes 41, nays 0	1595	nays 11	1027
Signed by President.....	1534	Senate insisted	1134
20 By Committee on Code Re-		Conference report	1366
vision. Time of holding elec-		Conference report	1412
tion and term of office.		Report adopted	1444
Referred	433	Supplementary report adopted.	1481
Recommends amendment and		Signed by President.....	1525
passage	621	40 By Committee on Code Re-	
Amendment adopted	660	vision. Deposit of public	
Passed; ayes 35, nays 0.....	660	funds, salaries, fees, expenses	
Signed by President.....	767	and expenditures of officers	
22 By Committee on Code Re-		and publication of legal no-	
vision. Nominations by cau-		tices.	
cus, conventions, or petitions.		Referred	356
Referred	307	Recommends amendment and	
Recommends amendments and		passage	500
passage	398	Amendments adopted	539
Amendments adopted	420	Amended	539
Failed to pass; ayes 19, nays 0..	422	Failed to pass; ayes 21, nays 16..	540
Motion to reconsider.....	422	Motion to reconsider	541
Motion to defer	422	Action deferred	560
Deferred	426	Action deferred	573
Motion to reconsider.....	426	Reconsideration prevailed	579
Deferred	435	Passed; ayes 32, nays 12.....	580
Deferred	479	Signed by President.....	703
Deferred	506	42 By Committee on Code Re-	
Motion to reconsider.....	522	vision. Employers' liability	
24 By Committee on Code Re-		and workmen's compensation.	
vision. Registration of voters.		Referred	959
Referred	356	Recommends passage	979
Recommends passage	387	Passed; ayes 30, nays 0.....	1013
Passed; ayes 35, nays 0.....	393	Signed by President.....	1180
Signed by President.....	447	44 By Committee on Code Re-	
26 By Committee on Code Re-		vision. Child labor ..	
vision. Canvass of votes at		Referred	610
elections.		Recommends passage	639
Referred	416	Passed; ayes 39, nays 0.....	678
Recommends amendment and		Signed by President.....	714
passage	471	46 By Committee on Code Re-	
Amendments adopted	542	vision. Bureau of labor and	
Passed; ayes 35, nays 0.....	542	labor commissioner, his de-	
Signed by President.....	703	puties and inspectors.	
28 By Committee on Code Re-		Referred	479
vision. Election of presiden-		Recommends passage	640
tial electors.		Passed; ayes 37, nays 0.....	676
Referred	273	Signed by President.....	714
Recommends amendment and		Senate requested return.....	765
passage	388	Amendments filed	779
Amendments adopted	392	Received back	781
Passed; ayes 37, nays 0.....	392	Reconsidered	791
Signed by President.....	458	Amended, passed; ayes 28, nays 0	792
30 By Committee on Code Re-		Signed by President.....	907
vision. Contesting elections		50 By Committee on Code Re-	
of state officers.		vision. Suspension of state	
Referred	687	officers.	
Recommends passage	701	Referred	687
Passed; ayes 31, nays 0.....	731	Recommends passage	701
Signed by President.....	787	Passed; ayes 35, nays 0.....	732
32 By Committee on Code Re-		Signed by President.....	787
vision. Bonds of public of-		52 By Committee on Code Re-	
ficers.		vision. Houses of prostitu-	
Referred	357	tion.	
Recommends passage	428	Referred	307
Passed; ayes 34, nays 0.....	461	Recommends passage	345
Signed by President.....	547	Passed; ayes 35, nays 0.....	365
		Signed by President.....	416

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54 By Committee on Code Revision. Propagation and protection of fish, game, wild birds and animals.	
Referred	687
Recommends amendment and passage	744
Amendments filed	778
Amendments adopted	817
Amended, passed; ayes 28, nays 12	819
Senate insists	897
Conference report	1016
Report rereferred	1017
Report adopted	1030
Signed by President	1180
57 By Committee on Code Revision. Lost property.	
Referred	144
Recommends amendment and passage	993
Amendment adopted	1005
Passed; ayes 29, nays 0	1005
Signed by President	1133
58 By Committee on Code Revision. Professional engineering and land surveying.	
Referred	110
Recommends amendment and passage	158
Amendments adopted	182
Passed; ayes 44, nays 0	182
Signed by President	270
61 By Committee on Code Revision. Gold and silver alloys.	
Referred	81
Recommends passage	100
Passed; ayes 44, nays 0	104
Signed by President	162
65 By Committee on Code Revision. Department of agriculture and fruit tree and forest reservations.	
Referred	687
Recommends amendment and passage	858
Amendment adopted	921
Amended, passed; ayes 30, nays 0	921
Failed to recede	977
Failed to insist	978
Motion to reconsider	978
Reconsideration prevailed	1146
Action deferred	1146
Insisted	1162
Conference report	1315
Report adopted	1346
Supplementary report adopted	1392
Signed by President	1525
66 By Committee on Code Revision. State fair and agricultural organizations receiving state aid.	
Referred	449
Recommends amendment and passage	746
Amendments adopted	773
Amended, passed; ayes 30, nays 7	776
Reconsideration lost	778
Senate insisted	899
Conference report	1228
Failed to adopt report	1223
Motion to reconsider	1237
Reconsideration prevailed	1361
Conference report adopted	1362
Signed by President	1525

H. F.	Page
68 By Committee on Code Revision. Animal industry.	
Referred to agriculture	591
Recommends amendment and passage	1261
Amendments adopted	1333
Amended, passed; ayes 31, nays 0	1334
Received back	1382
Refused to concur	1382
Motion to reconsider	1397
Reconsideration prevailed	1411
Concurred	1412
Signed by President	1525
68-A By Committee on Animal Industry. Eradication of bovine tuberculosis.	
Referred	561
Recommends amendments and passage	692
Amendments adopted	719
Amended, passed; ayes 41, nays 0	719
Signed by President	800
69 By Committee on Code Revision. Hotels, restaurants, food establishments and cold storage plants.	
Referred	710
Recommends amendment and passage	767
Action deferred	781
Amendment filed	785
Amendments adopted	845
Passed; ayes 34, nays 0	846
Senate insisted	968
Conference report adopted	1276
Signed by President	1347
71 By Committee on Code Revision. Estrays and trespassing animals, licensing of dogs, and payments of claims for damages done by dogs and wolves.	
Referred	536
Recommends amendment and passage	656
Amendment filed	682
Amendments adopted	689
Amended, passed; ayes 33, nays 0	690
Senate insisted	724
Conference	793
Report adopted	828
Signed by President	918
72 By Committee on Code Revision. Testimony of witnesses in cases of contested elections.	
Referred	737
Recommends passage	853
Passed; ayes 37, nays 0	910
Signed by President	942
74 By Committee on Code Revision. Limited partnership.	
Referred	262
Recommends passage	280
Passed; ayes 42, nays 4	302
Signed by President	364
77 By Committee on Code Revision. Conveyances.	
Referred	916
Recommends passage	948
Amended, passed; ayes 30, nays 0	991
Signed by President	1133

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78 By Committee on Code Revision. Occupying claimants.		94 By Committee on Code Revision. Education — Iowa State Teachers College.	
Referred	164	Referred	479
Recommends passage	566	Recommends passage	755
Passed; ayes 39, nays 0	604	Passed; ayes 34, nays 0	769
Signed by President	653	Signed by President	866
82 By Committee on Code Revision. Trustees to manage cemetery funds.		100 By Committee on Code Revision. Education — school districts.	
Referred	124	Referred	335
Recommends amendment and passage	606	Recommends amendment and passage	888
Amendments filed	804	Action deferred	937
Amendments adopted	833	Amendments adopted	943
Amended, passed; ayes 35, nays 0	836	Amended, passed; ayes 36, nays 0	947
Signed by President	942	Signed by President	1133
84 By Committee on Code Revision. Charitable, correctional and penal institutions and the juvenile court.		102 By Committee on Code Revision. Education — evening schools.	
Referred	1219	Referred	293
Recommends passage	1236	Recommends amendment and passage	330
Amendment filed	1264	Amendments adopted	343
Amendment filed	1281	Passed; ayes 38, nays 0	343
Amended	1286	Senate insists	386
Amended, passed; ayes 36, nays 4	1293	Conference Report	556
Senate insisted	1361	Refused to concur	571
Conference reports	1518	Motion to reconsider	571
Second conference report	1529	Reconsidered	601
Report and supplementary report adopted	1530	Concurred	602
Signed by President	1541	Signed by President	653
86 By Committee on Code Revision. Education—superintendent of public instruction.		104 By Committee on Code Revision. Education — special meetings—report of county superintendent.	
Referred	380	Referred	262
Recommends amendment and passage	429	Recommends passage	312
Amendments adopted	456	Amended, passed; ayes 33, nays 0	336
Passed; ayes 48, nays 0	457	Signed by President	400
Signed by President	547	108 By Committee on Code Revision. Education—indebtedness of school districts.	
87 By Committee on Code Revision. Educational—vocational.		Referred	380
Referred	916	Recommends passage	430
Recommends passage	927	Passed; ayes 40, nays 0	452
Passed; ayes 28, nays 0	972	Signed by President	504
Signed by President	1089	110 By Committee on Code Revision. Education — school funds and bonds.	
88-A By Committee on Schools and Textbooks. Relating to education.		Referred	572
Referred	1010	Recommends amendment and passage	807
Recommends passage	1099	Amendments adopted	898
Amendment filed	1192	Passed; ayes 41, nays 1	898
Amended, passed; ayes 36, nays 0	1203	Senate insisted	940
Signed by President	1284	Conference reports	1208
90 By Committee on Code Revision. Education — state board of education.		Report adopted	1227
Referred	506	Signed by President	1284
Recommends amendment and passage	1092	114 By Committee on Code Revision. Education — state library — historical department.	
Amendments filed	1128	Referred	1091
Amendments adopted	1268	Recommends passage	1280
Amended, passed; ayes 41, nays 2	1270	Passed; ayes 42, nays 0	1353
Signed by President	1463	Signed by President	1443
92 By Committee on Code Revision. Education — medical and surgical treatment of indigent persons.		116 By Committee on Code Revision. Education—Iowa geological survey.	
Referred	364	Referred	416
Recommends passage	493	Recommends amendment and passage	466
Passed; ayes 43, nays 0	527		
Signed by President	583		

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Amendments adopted.....	537
Amended, passed; ayes 37, nays 0	538
Senate receded.....	583
Signed by President.....	653
122 By Committee on Code Revision. Patrolling of public highways.	
Referred.....	110
Recommends amendment and passage.....	312
Amendment adopted.....	336
Passed; ayes 36, nays 2.....	336
Signed by President.....	400
126 By Committee on Code Revision. Removal from public highways, signs and billboards which obstruct view.	
Referred.....	215
Recommends amendment and passage.....	618
Amendment filed.....	640
Amendments adopted.....	662
Amended, passed; ayes 27, nays 11.....	664
Senate insisted.....	810
Conference report.....	907
Report adopted.....	952
Signed by President.....	1101
128 By Committee on Code Revision. Use of public highways.	
Referred.....	124
Recommends passage.....	617
Passed; ayes 33, nays 0.....	652
Signed by President.....	703
130 By Committee on Code Revision. Powers and duties of board of supervisors.	
Referred.....	416
Recommends passage.....	681
Passed; ayes 40, nays 0.....	697
Signed by President.....	767
134 By Committee on Code Revision. County attorneys.	
Referred.....	710
Referred.....	715
Recommends passage.....	787
Action deferred.....	848
Rereferred.....	853
Committees recommended amendment and passage.....	857
Amended.....	860-861
Amendment withdrawn.....	861
Passed; ayes 40, nays 0.....	861
Failed to recede.....	933
Failed to insist.....	934
Motion to reconsider.....	941
Reconsideration prevailed.....	1136
Senate insisted.....	1136
Conference report adopted.....	1275
Signed by President.....	1327
138 By Committee on Code Revision. Submission of question to voters.	
Referred.....	178
Recommends passage.....	290
Action deferred.....	305
Amended, passed; ayes 37, nays 0	308
Signed by President.....	400
140 By Committee on Code Revision. Support of the poor.	
Referred.....	178
Recommends amendment and passage.....	373

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Amendment adopted.....	381
Passed; ayes 40, nays 0.....	382
Reconsidered.....	382
Amended, passed; ayes 39, nays 0	383
Senate insists.....	512
Conference report.....	596
Report adopted.....	615
Signed by President.....	703
142 By Committee on Code Revision. County public hospitals and detention hospitals for contagious diseases.	
Referred.....	561
Recommends passage.....	754
Action deferred.....	759
Amended, passed; ayes 32, nays 0	771
Signed by President.....	866
144 By Committee on Code Revision. Relief for soldiers, sailors and marines.	
Referred.....	659
Recommends amendment and passage.....	681
Amendment adopted.....	695
Amended, passed; ayes 35, nays 0	696
Senate insisted.....	716
Conference report.....	823
Report adopted.....	909
Signed by President.....	942
148 By Committee on Code Revision. Changing names of villages.	
Referred.....	110
Recommends amendment and passage.....	118
Amended, passed; ayes 43, nays 0	130
Signed by President.....	168
154 By Committee on Code Revision. Municipal corporations—organization and officers.	
Referred to cities and towns.....	306
Recommends amendment and passage.....	682
Amendment adopted.....	693
Passed; ayes 36, nays 0.....	693
Signed by President.....	787
156 By Committee on Code Revision. Municipal corporations—ordinances.	
Referred.....	144
Recommends passage.....	196
Passed; ayes 26, nays 2.....	210
Signed by President.....	245
158 By Committee on Code Revision. Municipal corporations—general powers.	
Referred.....	199
Recommends amendments and passage.....	413
Amendments adopted.....	443
Passed; ayes 40, nays 0.....	445
Senate insisted.....	501
Conference report adopted.....	1275
Signed by President.....	1347
160 By Committee on Code Revision. Municipal corporations—board of public works.	
Referred.....	160
Recommends amendment and passage.....	412
Amendments adopted.....	437
Passed; ayes 43, nays 0.....	437
Signed by President.....	520

H. F.	Page	H. F.	Page
164 By Committee on Code Revision. Municipal corporations—city hall.		Amendments adopted.....	1230
Referred	123	Passed; ayes 34, nays 0.....	1230
Recommends passage.....	196	Senate insisted.....	1322
Passed; ayes 26, nays 0.....	211	Conference report.....	1459
Signed by President.....	245	Report adopted.....	1499
166 By Committee on Code Revision. Municipal corporations—hospitals.		Signed by President.....	1524
Referred	123	180 By Committee on Code Revision. Municipal corporations—plats.	
Recommends passage.....	491	Referred	410
Passed; ayes 36, nays 0.....	518	Recommends amendment and passage.....	555
Signed by President.....	583	Amendments adopted.....	603
168 By Committee on Code Revision. Municipal corporations—streets and public playgrounds.		Passed; ayes 36, nays 0.....	603
Referred	561	Signed by President.....	674
Recommends passage.....	682	185 By Committee on Code Revision. Levees, ditches, drains and water courses.	
Passed; ayes 36, nays 0.....	694	Referred	876
Signed by President.....	767	Recommends amendment and passage.....	1251
170 By Committee on Code Revision. Municipal corporations—protection of city property.		Amendments filed.....	1295
Referred	308	Amendments adopted.....	1297
Recommends passage.....	724	Amended	1298
Passed; ayes 33, nays 1.....	750	Amendments adopted.....	1303
Signed by President.....	800	Passed; ayes 48, nays 0.....	1308
172 By Committee on Code Revision. Municipal corporations—public utilities.		Senate insisted.....	1394
Amendments adopted.....	479	Conference report.....	1507
Amended, passed; ayes 63, nays 30.....	483	Report and supplementary report adopted.....	1510
Referred	450	Signed by President.....	1541
Recommends passage.....	592	188 By Committee on Code Revision. Board of railroad commissioners, duties and jurisdiction.	
Amendment filed.....	597	Referred	521
Amendment offered.....	649	Recommends amendment and passage.....	618
Amended, failed to pass.....	652	Amendments adopted.....	665
Motion to reconsider.....	653	Amended, passed; ayes 40, nays 0.....	666
Reconsideration prevailed.....	720	Signed by President.....	767
Rereferred	720	190 By Committee on Code Revision. Construction and operation of railroads.	
Recommends amendments and passage.....	1109	Referred	809
Amendments adopted.....	1123	Recommends passage.....	927
Amended, passed; ayes 34, nays 0.....	1124	Amended, deferred.....	974
Senate recessed.....	1191	Rereferred	997
Signed by President.....	1266	Recommends passage.....	1283
174 By Committee on Code Revision. Municipal corporations—waterworks in cities of one hundred thousand.		Amended, passed; ayes 37, nays 0.....	1324
Referred	409	Signed by President.....	1399
Recommends passage.....	428	192 By Committee on Code Revision. Taxes in aid of railroads.	
Passed; ayes 37, nays 0.....	463	Referred	700
Signed by President.....	520	Recommends passage.....	927
176 By Committee on Code Revision. Municipal corporations—condemnation.		Passed; ayes 33, nays 0.....	971
Referred	124	Signed by President.....	1089
Recommends amendment and passage.....	413	194 By Committee on Code Revision. Liability for negligence of employees of railroads.	
Amendments adopted.....	439	Referred	215
Amended	440	Rereferred	294
Amended, passed; ayes 40, nays 0.....	446	Recommends passage.....	374
Signed by President.....	520	Passed; ayes 42, nays 0.....	387
178 By Committee on Code Revision. Municipal corporations—indebtedness.		Signed by President.....	447
Referred	769	196 By Committee on Code Revision. Regulation of carriers and definition of terms.	
Recommends amendment and passage.....	1196	Referred	700
		Recommends passage.....	927
		Amendments filed.....	891
		Amended, passed; ayes 32, nays 0.....	1003
		Signed by President.....	1133

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198 By Committee on Code Revision. Schedule of rates and charges of common carriers.	
Referred	572
Recommends passage	618
Passed; ayes 37, nays 0	665
Signed by President	703
200 By Committee on Code Revision. Interurban railways.	
Referred	572
Recommends passage	927
Amended, passed; ayes 30, nays 0	970
Signed by President	1133
202 By Committee on Code Revision. Corporate shares of stock.	
Referred to corporations	506
Substituted for S. F. 202	552
Amendments offered	563
Amended, passed; ayes 31, nays 14	559
Signed by President	653
208 By Committee on Code Revision. Banking department.	
Referred	334
Recommends amendment and passage	605
Amendment adopted	636
Passed; ayes 30, nays 0	630
Signed by President	674
210 By Committee on Code Revision. Unfair discrimination.	
Referred to Judiciary No. 1	81
Returned by committee without recommendations	1442
Combined with S. F. 211 in substitute bill	1445
212 By Committee on Code Revision. Certain special liens.	
Referred	480
Recommends amendment and passage	544
Amendments adopted	558
Passed; ayes 42, nays 0	558
Senate insists	657
Conference report	771
Report adopted	772
Signed by President	866
213 By Committee on Code Revision. Marriages and incest.	
Referred	364
Recommends amendment and passage	388
Amendments adopted	403
Amendment offered	403
Rereferred	403
Amendments filed	431
Recommends passage	448
Made special order	536
Amended, passed; ayes 29, nays 15	566
Made special order	665
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Report adopted	1463
Signed by President	1525
218 By Committee on Code Revision. Adoption, and master and apprentice.	

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Referred	449
Recommends passage	470
Passed; ayes 39, nays 0	517
Signed by President	583
220 By Committee on Code Revision. Municipal courts.	
Referred	572
Recommends amendment and passage	788
Amendments adopted	797
Passed; ayes 38, nays 0	797
Motion to reconsider	825
Reconsideration prevailed	838
Amended, passed; ayes 40, nays 0	839
Senate insisted	920
Conference report	1209
Report adopted	1249
Signed by President	132
221 By Committee on Code Revision. Superior courts.	
Referred	449
Recommends passage	470
Amended, passed; ayes 39, nays 0	516
Signed by President	583
228 By Committee on Code Revision. Manner of commencing action.	
Referred	659
Recommends passage	715
Passed; ayes 39, nays 0	751
Signed by President	800
230 By Committee on Code Revision. Evidence.	
Referred	854
Recommends passage	1300
Passed; ayes 38, nays 0	1321
Signed by President	1347
234 By Committee on Code Revision. Examination of debtors in proceeding auxiliary to execution.	
Referred	123
Recommends passage	396
Passed; ayes 39, nays 0	420
Signed by President	458
236 By Committee on Code Revision. Estate of decedents.	
Referred	625
Recommends amendment and passage	949
Amendments adopted	988
Passed; ayes 30, nays 0	988
Senate insisted	1090
Conference report	1483
Report adopted	1483
Signed by President	1525
246 By Committee on Code Revision. Procedure in supreme court.	
Referred	307
Recommends amendment and passage	397
Amendments adopted	417
Amended, passed; ayes 38, nays 0	418
Senate requested return	484
Signed by President	520
250 By Committee on Code Revision. Magistrates and peace officers.	
Referred	482
Recommends passage	655
Passed; ayes 29, nays 0	691
Signed by President	767

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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.	
Referred	364	Referred	854
Recommends passage	639	Recommends amendment and passage	1262
Passed; ayes 39, nays 0	677	Amendments filed	1296
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254 By Committee on Code Revision. Bonds for performance of contracts for public improvements—rights of persons who furnish labor or material.		Amendments adopted	1350
Referred	688	Amended, passed; ayes 35, nays 3	1352
Recommends amendment and passage	918	Senate insisted	1463
Amendments adopted	974	Conference report	1500
Amended, passed; ayes 27, nays 0	975	Report adopted	1501
Requested return of bill	1101	Signed by President	1541
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Recommends amendment and passage	1131	Referred	854
Amendments adopted	1190	Recommends amendments and passage	949
Passed; ayes 34, nays 0	1190	Amendments filed	978
Signed by President	1266	Amendments adopted	989
256 By Committee on Code Revision. Guardianship—appointment and bonds—sale or mortgage of estate.		Passed; ayes 30, nays 0	990
Referred to judiciary No. 2	688	Signed by President	1133
Recommends amendment and passage	754	262 By Committee on Code Revision. Practice of medicine, surgery, podiatry, osteopathy, chiropractic, nursing, dentistry, optometry, pharmacy and embalming.	
Amendment adopted	760	Referred	981
Amended, passed; ayes 84, nays 0	761	Recommends amendment and passage	1193
Received back	808	Amendment filed	1210
Concurred	832	Amendments adopted	1229
Signed by President	907	Amended, passed; ayes 36, nays 5	1231
258 By Committee on Code Revision. Nomination and election under commission form of government.		Senate insisted	1236
Referred	123	Conference report	1490
Recommends amendment and passage	196	Report adopted	1495
Deferred	214	Signed by President	1541
Amendments adopted	223	264 By Committee on Code Revision. Compensation of county attorneys.	
Amended, passed; ayes 26, nays 0	223	Referred	334
Reconsidered	224	Recommends placing on calendar	498
Passed; ayes 26, nays 0	224	Amended, passed; ayes 41, nays 3	530
Requested to return	260	Signed by President	583
Reconsidered	283	266 By Committee on Code Revision. Jurors.	
Referred	284	Referred	768
Recommends amendments and passage	295	Recommends amendments and passage	919
Amendments adopted	309	Amendments adopted	967
Passed; ayes 41, nays 0	310	Passed; ayes 39, nays 0	968
Signed by President	400	Signed by President	1183
260 By Committee on Code Revision. Public health.		268 By Committee on Code Revision. Statute of frauds.	
Amendments filed	794	Referred	380
Referred	808	Recommends passage	398
Recommends amendment and passage	950	Passed; ayes 36, nays 0	416
Amendments filed	978	Signed by President	458
Amendment filed	991	270 By Committee on Code Revision. Forfeiture of contracts to sell or agree to sell an interest in real estate.	
Action deferred	1008	Referred	293
Amendments adopted	1015	Recommends amendment and passage	376
Action deferred	1015	Amendments adopted	390
Amendments filed	1017	Passed; ayes 36, nays 0	391
Amendments	1033	Reconsidered	392
Amendments adopted	1048	Amended, passed; ayes 38, nays 0	393
Amended, passed; ayes 35, nays 0	1047	Senate receded	460
Received back	1267	Signed by President	520
Concurred	1342		
Signed by President	1498		
Sent to Governor	1653		

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272 By Committee on Code Revision. Corruption in elections.	
Referred	154
Recommends passage	179
Passed; ayes 26, nays 1	207
Signed by President	245
274 By Committee on Code Revision. Indictments, trial information, and demurrers thereto.	
Referred	306
Recommends passage	345
Passed; ayes 38, nays 0	372
Signed by President	416
276 By Committee on Code Revision. Theatres, pool and billiard rooms and bowling alleys.	
Referred	215
Recommends amendment and passage	247
Amendment adopted	268
Amended, passed; ayes 26, nays 12	268
Senate insisted	298
Report of conference committee	410
Re-received in Senate	433
Report adopted	429
Signed by President	504
277 By Committee on Code Revision. Motor vehicles—travel on highways.	
Referred	1118
Recommends amendment and passage	1213
Amended, passed; ayes 43, nays 3	1273
Amendment filed	1216
Amendments adopted	1271
Senate insisted	1348
Conference report	1459
Conference report	1484
Report adopted	1485
Signed by President	1539
278 By Committee on Code Revision. Escapes.	
Referred	185
Recommends passage	296
Passed; ayes 43, nays 0	319
Signed by President	381
280 By Committee on Code Revision. Garnishment.	
Referred	178
Recommends passage	312
Passed; ayes 38, nays 0	327
Signed by President	381
282 By Committee on Code Revision. Peremptory challenges, in trial of criminal causes.	
Referred	199
Recommends passage	247
Passed; ayes 31, nays 6	273
Signed by President	301
284 By Harrison. To legalize an election held in Oakland, Iowa, and the issuance and sale of bonds.	
Referred	185
Passed; ayes 34, nays 0	192
Signed by President	201

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286 By Lichty. To legalize the acts of board of directors of independent school district of Waterloo.	
Referred	184
Substituted for S. F. 288	191
Passed; ayes 33, nays 3	191
Signed by President	201
287 By Parsons. To appropriate sufficient funds to pay assessments and interest of Tow Head Lake.	
Referred	809
Recommends passage	1099
Failed to pass; ayes 23, nays 16	1186
Motion to reconsider	1186
Reconsideration prevailed	1249
Passed; ayes 33, nays 9	1249
Signed by President	1305
288 By Lake and Forsling. To legalize the issuance of certain warrants of Sioux City, and validate said warrants.	
Referred	610
Recommends be referred to judiciary No. 2	655
Referred to judiciary No. 2	655
Recommends passage	928
Passed; ayes 31, nays 8	955
Signed by President	1089
289 By Harrison. Preparation, publication, use, custody, sale and distribution of the laws—powers and duties of reporter of the supreme court, state printing board, superintendent of printing with reference to said laws.	
Referred	1158
Amendment filed	1210
Recommends amendment and passage	1224
Amendments adopted	1242
Amended, passed; ayes 46, nays 0	1244
Signed by President	1395
292 By Miller. To legalize assessment and collection of certain taxes in Jackson township, Shelby county.	
Referred	716
Recommends passage	787
Passed; ayes 32, nays 0	791
Signed by President	866
293 By Vincent. To legalize transfer of funds by city council of Forest City.	
Substituted for S. F. 298	697
Passed; ayes 36, nays 0	697
Signed by President	767
294 By McClune. To legalize transfer of funds by the city council of Oskaloosa.	
Referred	809
Recommends passage	844
Passed; ayes 32, nays 0	849
Signed by President	918
296 By Committee on Code Revision. Municipal corporations.	
Referred	876
Recommends amendments and	

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passage	1018	Recommends amendment and	
Amendment adopted	1086	passage	1196
Passed; ayes 35, nays 0	1087	Amendment adopted	1221
Signed by President	1180	Passed; ayes 34, nays 0	1232
297 By Napier. To legalize acts		Signed by President	1305
and proceedings of Farmers		311 By Vincent. To legalize	
Savings Bank of Beaconsfield.		proceedings of board of super-	
Referred	959	visors of Winnebago county.	
Recommends passage	1000	Referred	1206
Passed; ayes 28, nays 0	1006	Recommends passage	1223
Signed by President	1101	Passed; ayes 39, nays 0	1240
299 By Committee on Land		Signed by President	1305
Titles. Commission on land		312 By Clark. Issuance of a	
titles.		patent to certain lands in	
Referred	916	Winnebago county to William	
Recommends passage	948	E. Cox.	
Passed; ayes 28, nays 0	973	Referred	1206
Signed by President	1089	Recommends passage	1223
300 By Stock. To legalize cer-		Passed; ayes 40, nays 10	1240
tain acknowledgments and		Signed by President	1305
acts of notaries public.		314 By Committee on Code Re-	
Referred	959	vision. Preparation and print-	
Recommends passage	993	ing of session laws of extra	
Passed; ayes 30, nays 0	1004	session.	
Signed by President	1101	Referred	1206
301 By Committee on Public		Recommends passage	1224
Health. Practice of Chiro-		Passed; ayes 43, nays 0	1241
practic.		Signed by President	1305
Referred	933	315 By Hauge. To sell certain	
Recommends passage	951	property of the state and to	
Passed; ayes 37, nays 0	984	buy other property.	
Signed by President	1101	Referred	1312
305 By Committee on Motor		Recommends passage	1338
Vehicles. Forfeiture of cer-		Passed; ayes 38, nays 0	1359
tificate of motor carriers and		Signed by President	1443
penalties for violation of the		316 By Storey. To legalize a	
statutes.		school election of Indianola.	
Referred	1118	Referred	1365
Recommends passage	1214	Recommends passage	1389
Passed; ayes 39, nays 0	1238	Passed; ayes 39, nays 1	1402
Signed by President	1305	Signed by President	1463
306 By Stock. To legalize acts		319 By Edson. Persons subject	
of Waterville school district,		to poll tax in townships.	
Allamakee county.		Referred	1267
Referred	1400	Recommends passage	1292
Recommends passage	1478	Passed; ayes 38, nays 0	1320
Amended, passed; ayes 32, nays 0	1479	Signed by President	1347
Signed by President	1525	320 By Children. Jurisdiction	
307 By Rankin. To legalize		in juvenile court cases in	
consolidation of the Keokuk		cities wherein a municipal	
and Hamilton Mississippi		court is established.	
River Bridge Co. with Han-		Placed on calendar	1313
cock County Bridge Co.		Amended, passed; ayes 40, nays 0	1318
Referred	1218	Reconsideration prevailed	1335
Recommends passage	1224	Amendment withdrawn	1335
Passed; ayes 42, nays 0	1289	Passed; ayes 32, nays 0	1335
Signed by President	1305	Signed by President	1399
308 By Graham. To legalize		322 By Committee on Appropri-	
acts and proceedings of board		ations. Emergency appropri-	
of supervisors of Wapello		ations for the Iowa School of	
county.		the Deaf.	
Referred	1206	Referred to appropriations	1313
Recommends amendment and		Recommends passage	1366
passage	1390	Passed; ayes 42, nays 6	1379
Amendments adopted	1403	Signed by President	1443
Passed; ayes 41, nays 0	1403	323 By Donhowe. To legalize	
Signed by President	1513	bonds for extension of water-	
310 By Committee on Municipal		works system of Ames.	
Corporations. Government of		Received in Senate	1400
cities or towns.		Passed; ayes 40, nays 8	1407
Referred	1118	Signed by President	1463

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324 By Graham. To legalize transfer of funds by board of supervisors of Wapello county.		333 By Code Supervising Committee. Improvement bonds.	
Referred	1400	Referred	1551
Recommends passage	1442	Recommends passage	1554
Passed; ayes 40, nays 0	1448	Passed; ayes 38, nays 0	1563
Signed by President	1513	Signed by President	1580
325 By Committee on Appropriations. An appropriation for Iowa State College of Agriculture and Mechanics Arts.		334 By Code Supervising Committee. Publication of Acts of Assembly.	
Referred	1329	Referred	1551
Recommends passage	1366	Passed; ayes 39, nays 0	1555
Passed; ayes 33, nays 6	1378	Signed by President	1680
Signed by President	1443	335 By Code Supervising Committee. Space in Historical Building.	
326 By Committee on Judiciary. Rate of interest on bonds.		Referred	1552
Referred	1392	Recommends passage	1553
Recommends passage	1470	Passed; ayes 40, nays 0	1564
Passed; ayes 44, nays 0	1474	Signed by President	1580
Signed by President	1525	336 By Aiken. Legalizing; Ida Grove.	
327 By Hempel. Issuance of a patent to certain lands in Clayton county.		Referred	1552
Received in Senate	1476	Recommends passage	1554
Passed; ayes 40, nays 0	1486	Proof of publication	1554
Signed by President	1525	Passed; ayes 34, nays 5	1556
328 By Rankin. Amending H. F. 307, 40th G. A., extra session, relating to Keokuk and Hamilton Bridge Co.		Signed by President	1580
Received in Senate	1469	337 By Committee on judiciary. Legalizing; Union County.	
Passed; ayes 40, nays 0	1474	Referred	1552
Signed by President	1525	Recommends passage	1553
329 By Code Supervising Committee. Insane persons.		Passed; ayes 40, nays 0	1556
Referred	1550	Signed by President	1580
Passed; ayes 43, nays 0	1557	338 By Committee on Military Affairs. Parks, taxation.	
Signed by President	1580	Received	1568
330 By Code Supervising Committee. Sanitary condition of depots.		Passed; ayes 36, nays 1	1571
Referred	1551	Signed by President	1580
Recommends passage	1552	339 By Committee on Code Revision. Fixing price of Code of 1924.	
Passed; ayes 38, nays 0	1561	Received	1569
Signed by President	1580	Passed; ayes 37, nays 6	1572
331 By Code Supervising Committee. Abstracts of record in Supreme Court.		Signed by President	1580
Referred	1551	340 By Committee on Animal Industry. Bovine Tuberculosis.	
Recommends passage	1553	Referred	1581
Passed; ayes 42, nays 0	1562	Recommends passage	1591
Signed by President	1580	Passed; ayes 27, nays 11	1592
332 By Code Supervising Committee. Scale inspection fees.		Signed by President	1597
Referred	1551	341 By Committee on Animal Industry. Bovine tuberculosis.	
Recommends passage	1553	Referred	1581
Passed; ayes 41, nays 0	1562	Recommends passage	1591
Signed by President	1580	Passed; ayes 31, nays 2	1591
		Signed by President	1597

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