

STATE OF IOWA  
1927

---

**Journal of the Senate**  
OF THE  
**Forty-second General Assembly**

---

REGULAR SESSION  
CONVENED JANUARY 10, 1927  
ADJOURNED APRIL 15, 1927

JOHN HAMMILL, Governor  
CLEM F. KIMBALL, President of the Senate  
L. V. CARTER, Speaker of the House

---

Published by  
THE STATE OF IOWA  
Des Moines



# FORTY-SECOND GENERAL ASSEMBLY

## OFFICERS OF THE SENATE

CLEM F. KIMBALL, President.....	Council Bluffs
FRANK SHANE, President Pro Tempore.....	Ottumwa
WALTER H. BEAM, Secretary.....	Martensdale
WILLIAM R. BLAKE, Assistant Secretary.....	Clermont
H. M. HARNEY, Reading Clerk.....	Des Moines
EDYTHE DITTO, Enrolling Clerk.....	Ankeny
HERTHA Z. DUNCAN, Assistant Enrolling Clerk.....	Davenport
GENEVIEVE BURLING, Engrossing Clerk.....	Waterloo
MERYL HOFLE, Journal Clerk.....	Des Moines
CATHERINE HICKLIN, Assistant Journal Clerk.....	Wapello
E. R. HAGGARD, Bill Clerk.....	Sioux City
CLAUDE RICHARDSON, File Clerk.....	Shell Rock
BONNIE JANE MULLEN, Postmistress.....	Fonda
T. D. DOKE, Sergeant-at-Arms.....	Bloomfield
J. W. HACKLEY, Assistant Sergeant-at-Arms.....	Des Moines
O. W. LOWERY, Chief Doorkeeper.....	Des Moines

EXCHANGE

**ELECTIVE STATE OFFICERS**  
**Official Address—Des Moines, Iowa**

Name	Office	Address
John Hammill.....	Governor.....	Britt
Clem F. Kimball.....	Lieutenant Governor.....	Council Bluffs
Walter C. Ramsay.....	Secretary of State.....	Belmond
J. W. Long.....	Auditor of State.....	Ames
Ray E. Johnson.....	Treasurer of State.....	Muscatine
Mark G. Thornburg.....	Secretary of Agriculture.....	Emmetsburg
John Fletcher.....	Attorney General.....	Des Moines
Charles Webster.....	Railroad Commissioner.....	Waucoma
Dwight Lewis.....	Railroad Commissioner.....	Des Moines
B. M. Richardson.....	Railroad Commissioner.....	Cedar Rapids
Agnes Samuelson.....	Superintendent Public Instruction.....	Shenandoah
William D. Evans.....	Judge Supreme Court.....	Hampton
Truman S. Stevens.....	Judge Supreme Court.....	Hamburg
E. G. Albert.....	Judge Supreme Court.....	Jefferson
E. A. Morling.....	Judge Supreme Court.....	Emmetsburg
C. W. Vermillion.....	Judge Supreme Court.....	Centerville
Lawrence DeGraff.....	Judge Supreme Court.....	Des Moines
F. F. Faville.....	Judge Supreme Court.....	Ft. Dodge.

## MEMBERS OF THE SENATE

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Baird, W. S.	Council Bluffs	63	Lawyer, Banker	Rep.	19	Pottawattamie	39, 40, 40 Ex., 41st
Beatty, Frank M.	Sigourney		Lawyer	Rep.	12	Poweshiek, Keokuk	
Benson, C. A.	Elkader		Farmer	Rep.	36	Clayton	41st
Bergman, A. H.	Newton	53	Farmer, Mnfr., Banker	Rep.	29	Jasper	40, 40 Ex., 41st
Booth, Charles D.	Harlan	56	Farmer	Rep.	18	Cass, Shelby	
Breakenridge, W. J.	Rodman	34	Farmer	Rep.	47	Kossuth, Emmet, Palo Alto, Dickinson, Clay	41st
Brookins, A. T.	Bassett	43	Farmer	Rep.	44	Floyd, Chickasaw	40, 40 Ex., 41st
Browne, Charles Steere	Monmouth	51	Farmer	Rep.	23	Jackson	39, 40, 40 Ex., 41st
Brush, S. A.	Chelsea	53	Grain Dealer	Rep.	45	Tama, Benton	
Campbell, Ed. H.	Battle Creek	44	Lawyer	Rep.	46	Cherokee, Ida, Plymouth	34, 39, 40, 40 Ex., 41st
Carden, William	Winfield	50	Life Insurance	Rep.	10	Washington, Henry	29, 30, 31
Cavanaugh, E. E.	Ft. Dodge	45	Attorney	Rep.	27	Webster, Calhoun	41st
Clark, W. A.	Pleasantville	59	Former County Official	Rep.	15	Marion, Monroe	41st
Cleaman, Geo. M.	Oxford	56	Farmer	Rep.	25	Johnson, Iowa	41st
Darting, H. A.	Glenwood	52	Manufacturer	Rep.	8	Mills, Montgomery	39, 40, 40 Ex., 41st
Dean, H. E.	Ocheyedan	53	Farmer	Rep.	49	Osceola, Sioux, Lyon, O'Brien	37, 38, 41st
Dotts, A. G.	Corydon	55	Farmer	Rep.	4	Wayne, Lucas	40, 40 Ex., 41st
Ellis, Lloyd	Moulton	43	Minister	Dem.	3	Appanoose, Davis	41st
Fackler, S. E.	Prescott	59	Merchant and Farmer	Rep.	6	Adams, Taylor	39, 40, 40 Ex., 41st
Fratley, Joseph R.	Ft. Madison	50	Lawyer	Rep.	1	Lee	36, 37, 38, 39
Fulton, Charles J.	Fairfield	66	Manufacturer	Rep.	2	Jefferson, Van Buren	33, 34, 39, 40, 40 Ex., 41st
Glichrist, F. C.	Laurens	58	Lawyer	Rep.	50	Buena Vista, Humboldt, Pocahontas	29, 40, 40 Ex., 41st

Gunderson, O. E.	Forest City	51	Banker, Farmer	Rep.	41	Mitchell, Worth, Winnebago	41st
Hartman, Geo. S.	Fayette	55	Merchant	Rep.	40	Fayette, Allamakee	39, 40, 40 Ex., 41st
Haskell, W. G.	Cedar Rapids	69	Mnfr. and Merchant	Rep.	26	Linn	37, 38, 39, 40, 40 Ex., 41st
Johnston, C. F.	Sheffield	60	Lawyer, Banker, Farmer	Rep.	43	Hancock, Cerro Gordo, Franklin	26, 26 Ex., 27, 41st
Kern, Charles B.	Norwalk	59	Farmer	Rep.	11	Clarke, Warren	37, 38, 41st
Kimberly, D. W.	Davenport	48	Retired Farmer	Rep.	21	Scott	36, 37, 38, 39, 40, 40 Ex., 41st
Klemme, Wm. H.	Ridgeway	77	Merchant	Rep.	42	Winneshiek, Howard	25, 26, 27th
Lange, Otto F.	Dubuque	57	Insurance	Rep.	35	Dubuque	
Langitt, John N.	Greenfield	60	Farmer	Rep.	16	Adair, Madison	37, 38, 41st
McFarlane, Arch W.	Waterloo	41	Commercial Salesman	Rep.	38	Black Hawk, Grundy	36, 37, 38, 39th
McLeland, Wm. E.	Marshalltown	59	Farmer	Rep.	28	Marshall	41st
Merritt, J. G.	Glidden	56	Insurance, Farmer	Rep.	48	Sac, Greene, Carroll	41st
Mills, Redfield C.	Redfield	35	Veterinarian	Rep.	17	Dallas, Guthrie, Audubon	41st
Ramsey, John M.	Clarksville	55	Editor	Rep.	39	Butler, Bremer	39, 40, 40 Ex., 41st
Rigby, Charles L.	Stanwood	52	Farmer, Banker	Rep.	24	Cedar, Jones	41st
Roberts, H. Guy	Mt. Ayr	48	Farmer	Rep.	5	Ringold, Union, Decatur	36, 37, 41st
Shaff, Jay O.	Camanche	41	Farmer	Rep.	22	Clinton	37, 40, 40 Ex., 41st
Shane, Frank	Ottumwa	51	Insurance	Rep.	13	Wapello	34, 40, 40 Ex., 41st
Shinn, A. J.	Woodbine	60	Farmer	Rep.	34	Harrison, Crawford, Monona	40, 40 Ex., 41st
Skromme, Lars J.	Roland	47	Farmer	Rep.	31	Boone, Story	41st
Stemmons, Geo. F.	Independence	51	Farmer	Rep.	33	Buchanan, Delaware	39, 40, 40 Ex., 41st
Stanley, F. C.	Oskaloosa	45	College Professor	Rep.	14	Mahaska	41st
Stoddard, Bertel M.	Sloan	56	Farmer, Grain Dealer	Rep.	32	Woodbury	38, 39, 40, 40 Ex., 41st
*Thompson, Ralph U.	Muscatine	48	Lawyer	Ind- Dem.	20	Muscatine, Louisa	
Topping, Clyde H.	Burlington	42	Real Estate	Rep.	9	Des Moines	
Ulstad, Oscar	Holmes	59	Farmer	Rep.	37	Hamilton, Hardin, Wright	37, 38, 39, 40, 40 Ex., 41st

\*Elected March 18, 1927, to succeed Samuel F. Wilson, deceased.

## MEMBERS OF THE SENATE—Continued

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Wilson, Denver L. ....	Shenandoah .....	57	Attorney .....	Rep.	7	Fremont, Page.....	.....
Wilson, Geo. A. ....	Des Moines .....	42	Lawyer .....	Rep.	30	Polk.....	.....
*Wilson, Samuel F. ....	Wapello.....	56	Farmer, Stockman.....	Rep.	20	Muscatine, Louisa .....	.....

\*Samuel F. Wilson of Louisa County died February 21, 1927. Ralph U. Thompson elected March 18, 1927, to fill vacancy.

MEMBERS OF THE HOUSE  
Forty-second General Assembly

Member	County	Member	County
Aiken	Ida	Kennedy, J. P.	Lee
Akin	Carroll	Kennedy, W. S.	Lee
Allen	Pocahontas	Kent	Lucas
Anderson	Montgomery	King	Clay
Bair	Buena Vista	Kline	Davis
Barnes	Wright	Knudson	Hamilton
Bauer	Washington	Knutson	Cerro Gordo
Berry	Monroe	Krouse	Wayne
Bixler	Adams	Laughlin	Fremont
Blackford	Van Buren	Lichty	Black Hawk
Blythe	Iowa	Lovrien	Humboldt
Buchmiller	Greene	McCaulley	Calhoun
Bush	Cherokee	McIlrath	Poweshiek
Carter	Hardin	McIntosh	Muscatine
Charlton	Polk	McMillan	Benton
Christophel	Bremer	Martin	Jackson
Cole	Delaware	Mathews	Des Moines
Cole	Harrison	Maxfield	Marshall
Copeland	Dallas	Miller	Dallas
Craig	Warren	Miller	Shelby
Crone	Emmet	Nagle	Johnson
Crozier	Mahaska	Nelson	Hancock
Eckles	Butler	O'Donnell	Dubuque
Eden	Clinton	Oliver	Monona
Edge	Jasper	Ontjes	Grundy
Elliott	Polk	Patterson	Kossuth
Fleming	Crawford	Pattison	Jefferson
Forsling	Woodbury	Prichard	Woodbury
Gilmore	Cedar	Quirk	Sac
Greene	Pottawattamie	Ratliff	Henry
Grimwood	Jones	Reimers	Lyon
Griswold	Madison	Rice	Appanoose
Hager	Allamakee	Roberts	Adair
Hagglund	Page	Rust	Franklin
Hale	Howard	Rutledge	Webster
Haney	Mills	Ryder	Dubuque
Hansen	Scott	Saunders	Palo Alto
Hanson	Winnebago	Scott	Appanoose
Harrison	Clarke	Simmer	Wapello
Hattendorf	Oseola	Smith	O'Brien
Heald	Chickasaw	Springer	Decatur
Held	Plymouth	Stepanek	Linn
Hempel	Clayton	Thomas	Audubon
Hill	Floyd	Thompson	Fayette
Hines	Taylor	Torgeson	Worth
Hollingsworth	Boone	Troup	Story
Hollis	Black Hawk	Truax	Buchanan
Hopkins	Guthrie	Vaughn	Ringgold
Hubbard	Pottawattamie	Venard	Sioux
Huff	Case	Wagner	Scott
Hunt	Louisa	Walrod	Clinton
Ickis	Union	Warstad	Mitchell
Istad	Winneshiek	Whiting	Johnson
Johnson	Dickinson	Wilson	Tama
Johnson	Keokuk	Wolfe	Linn
Johnson	Marion		

<sup>1</sup>D. H. Miller of Dallas County died January 20, 1927. Harry F. Copeland elected February 7, 1927, to fill vacancy.

<sup>2</sup>The election of Samuel D. Whiting was contested by Lee Nagle, who was seated January 26, 1927.

<sup>3</sup>Charles Harvey Scott of Appanoose County died December 3, 1926, before qualifying. The House seated D. Fulton Rice as hold-over member from the Forty-first G. A.





# JOURNAL OF THE SENATE

---

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 10, 1927.

Pursuant to law, the Senate of the Forty-second General Assembly convened at 10 o'clock a. m., and was called to order by Lieutenant Governor Clem. F. Kimball, President of the Senate.

Prayer was offered by Rev. J. W. Johnson, of Barnes City, Iowa.

## COMMUNICATION FROM SECRETARY OF STATE

JANUARY 10, 1927.

### PRESIDENT'S GAVEL

*To the Honorable, The President of the Iowa Senate:*

HONORABLE SIR: I beg to hand you herewith a gavel made from a piece of the Washington Elm, which formerly stood at Cambridge, Mass., and under which tree General Washington assumed command of the Continental Army.

This gavel is presented to the Iowa Senate by the city of Cambridge, Mass.

Very truly yours,

W. C. RAMSAY,  
Secretary of State.

### TEMPORARY OFFICERS

Senator Cavanaugh moved that the following persons be made the temporary officers of the Senate of the Forty-second General Assembly:

Secretary—Walter H. Beam of Martensdale, Warren county.  
Assistant Secretary—William R. Blake of Clermont, Fayette county.  
Reading Clerk—H. M. Harney of Des Moines, Polk county.  
Engrossing Clerk—Genevieve Burling of Waterloo, Blackhawk county.  
Enrolling Clerk—Edyth Ditto of Ankeny, Polk county.  
Assistant Enrolling Clerk—Hertha Duncan of Davenport, Scott county.  
First Journal Clerk—Mrs. Meryl Hoefle of Des Moines, Polk county.  
Second Journal Clerk—Catherine Hicklin of Wapello, Louisa county.  
Bill Clerk—E. R. Haggard of Sioux City, Woodbury county.  
File Clerk—Claude Richardson of Shell Rock, Butler county.  
Postmistress—Mabel Saverude, Hardy, Humboldt county.  
Sergeant-at-arms—Major Doke of Bloomfield, Davis county.

Chief Doorkeeper—O. W. Lowery of Des Moines, Polk county.

Assistant Doorkeepers—Jack Heffelfinger of Grundy county, John H. Mills of Redfield, W. H. Foster of Council Bluffs, O. P. Wright, J. E. Fitch of West Union, J. W. Cox of Des Moines, J. Orr of Marshalltown, B. A. Stowe of Grinnell, and Clark Wilson of Audubon.

Cloak Room Janitors—William Tomlin of Des Moines and W. T. Roach of Atlantic.

Wash Room Janitor—Henry Jones of Albia.

Telephone Messenger—Meredith Williams of Des Moines.

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

#### COMMITTEE ON CREDENTIALS

Senator Fulton moved that a committee of five be appointed as a committee on credentials. The motion carried.

The President appointed as such committee Senators Fulton, Browne, Clark, Haskell and Gunderson.

#### REPORT OF COMMITTEE ON CREDENTIALS

Senator Fulton, from the committee on credentials submitted the following report, and moved its adoption:

**MR. PRESIDENT:** Your committee on credentials finds the following named newly elected Senators, as shown by the files, and as certified by the Secretary of State, entitled to seats in the Senate of the Forty-second General Assembly, and all are present:

First District, Joseph R. Frailey.  
 Seventh District, Denver L. Wilson.  
 Ninth District, Clyde H. Topping.  
 Tenth District, Wm. Carden.  
 Twelfth District, Frank M. Beatty.  
 Thirteenth District, Frank Shane.  
 Eighteenth District, Chas. D. Booth.  
 Twentieth District, Samuel F. Wilson.  
 Twenty-first District, D. W. Kimberly.  
 Twenty-second District, J. O. Shaff.  
 Twenty-ninth District, A. H. Bergman.  
 Thirtieth District, Geo. A. Wilson.  
 Thirty-fourth District, A. J. Shinn.  
 Thirty-fifth District, Otto F. Lange.  
 Thirty-seventh District, Oscar Ulstad.  
 Thirty-eighth District, Arch W. McFarlane.  
 Forty-second District, William H. Klemme.  
 Forty-fourth District, A. T. Brookins.  
 Forty-fifth District, S. A. Brush.

Forty-eight District, J. G. Merritt,  
Fiftieth District, F. C. Gilchrist.

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

Second District, Chas. J. Fulton.  
Third District, Lloyd Ellis.  
Fourth District, A. G. Dotts.  
Fifth District, H. Guy Roberts.  
Sixth District, S. E. Fackler.  
Eighth District, H. A. Darting.  
Eleventh District, C. B. Kern.  
Fourteenth District, F. C. Stanley.  
Fifteenth District, W. A. Clark.  
Sixteenth District, John N. Langfitt.  
Seventeenth District, Redfield C. Mills.  
Nineteenth District, W. S. Baird.  
Twenty-third District, Chas. S. Browne.  
Twenty-fourth District, C. L. Rigby.  
Twenty-fifth District, George Clearman.  
Twenty-sixth District, W. G. Haskell.  
Twenty-seventh District, E. E. Cavanaugh.  
Twenty-eighth District, W. E. McLeland.  
Thirty-first District, Lars J. Skromme.  
Thirty-second District, B. M. Stoddard.  
Thirty-third District, Geo. F. Slemmons.  
Thirty-sixth District, C. A. Benson.  
Thirty-ninth District, John M. Ramsey.  
Fortieth District, George S. Hartman.  
Forty-first District, O. E. Gunderson.  
Forty-third District, C. F. Johnston.  
Forty-sixth District, Ed. H. Campbell.  
Forty-seventh District, W. J. Breakenridge.  
Forty-ninth District, H. E. Dean.

CHAS. J. FULTON, *Chairman*,  
C. S. BROWNE,  
W. A. CLARK,  
W. G. HASKELL,  
O. E. GUNDERSON.

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

Ayes, 50.

Baird	Brush	Dotts	Haskell
Beatty	Campbell	Ellis	Johnston
Benson	Carden	Fackler	Kern
Bergman	Cavanaugh	Frailey	Kimberly
Booth	Clark	Fulton	Klemme
Breakenridge	Clearman	Gilchrist	Lange
Brookins	Darting	Gunderson	Langfitt
Browne	Dean	Hartman	McFarlane

McLeland	Roberts	Slemmons	Wilson of Louisa
Merritt	Shaff	Stanley	Wilson of Page
Mills	Shane	Stoddard	Wilson of Polk
Ramsey	Shinn	Topping	
Rigby	Skromme	Ulstad	

Nays, none.

Absent or not voting, none.

The report was adopted and the following newly elected Senators appeared before the bar of the Senate and were duly sworn and subscribed their names to the oath of office:

Joseph R. Frailey	Geo. A. Wilson
Denver L. Wilson	A. J. Shinn
Clyde H. Topping	Otto F. Lange
Wm. Carden	Oscar Ulstad
Frank M. Beatty	Arch W. McFarlane
Frank Shane	William H. Klemme
Chas. D. Booth	A. T. Brookins
Samuel F. Wilson	S. A. Brush
D. W. Kimberly	J. G. Merritt
J. O. Shaff	
A. H. Bergman	

#### ELECTION OF PERMANENT OFFICERS

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

- Secretary—Walter H. Beam of Martensdale, Warren county.
- Assistant Secretary—William R. Blake of Clermont, Fayette county.
- Reading Clerk—H. M. Harney of Des Moines, Polk county.
- Engrossing Clerk—Genevieve Burling of Waterloo, Black Hawk county.
- Enrolling Clerk—Edyth Ditto of Ankeny, Polk county.
- Assistant Enrolling Clerk—Hertha Duncan of Davenport, Scott county.
- First Journal Clerk—Mrs. Meryl Hoefe of Des Moines, Polk county.
- Second Journal Clerk—Catherine Hicklin of Wapello, Louisa county.
- Bill Clerk—E. R. Haggard of Sioux City.
- File Clerk—Claude Richardson of Shell Rock.
- Postmistress—Mabel Saverude of Hardy, Humboldt county.
- Sergeant-at-arms—Major Doke of Bloomfield.
- Chief Doorkeeper—O. W. Lowry of Des Moines, Polk county.

Assistant Doorkeepers—Jack Heffelfinger of Grundy Center; John H. Mills of Redfield, W. H. Foster of Council Bluffs, O. P. Wright, J. E. Fitch of West Union, J. W. Cox of Des Moines, J. Orr of Marshalltown, B. A. Stowe of Grinnell, and Clark Wilson of Audubon.

Cloak Room Janitors—William Tomlin of Des Moines and W. T. Roach of Atlantic.

Wash Room Janitor—Henry Jones of Albia.

Telephone Messenger—Meredith Williams of Des Moines.

Those voting for the above named persons were:

Ayes, 50.

Baird	Clearman	Kern	Shaff
Beatty	Darting	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Frailey	McLeland	Stoddard
Browne	Fulton	Merritt	Topping
Brush	Gilchrist	Mills	Ulstad
Campbell	Gunderson	Ramsey	Wilson of Louisa
Carden	Hartman	Rigby	Wilson of Page
Cavanaugh	Haskell	Roberts	Wilson of Polk
Clark	Johnston		

Nays, none.

Absent or not voting, none.

The motion prevailed and the foregoing officers appeared before the bar and were duly sworn.

#### COMMITTEE TO NOTIFY THE GOVERNOR

Senator Baird moved that a committee of three be appointed 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 Baird, Stoddard and Booth.

#### COMMITTEE TO NOTIFY THE HOUSE

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

The motion prevailed and the President appointed as such committee, Senators McFarlane, Ulstad and Merritt.

#### ADOPTION OF RULES

Senator Dean moved that the Senate be governed by the rules of the Forty-first General Assembly until the committee on rules is ready to report.

The motion prevailed.

## SELECTION OF SEATS

Senator Campbell moved that the hold-over and re-elected senators be granted the privilege of retaining the seats occupied by them at the last session of the general assembly, and the names of the newly elected senators be placed in a hat and drawn out, one at a time, by the secretary of the Senate, and as each name is announced, each newly elected senator shall select his seat from those seats that are unoccupied, and that any hold-over or re-elected senator that did not wish to retain his seat be allowed to cast his lot with the newly elected senators, with the exception of Senator Frailey, who be allowed to select his seat first as he held a seat in the Senate chamber for eight years.

Senator Johnston moved to amend the motion by allowing Senator Wilson of Polk to occupy Seat No. 13, and by allowing Senator Klemme to select Seat No. 4 as his hearing is defective, which amendment was adopted.

Senator Shaff moved to amend the motion by providing that Senator McFarlane be allowed to select his seat, as he had been Speaker of the House, and that Senator Gilchrist be allowed to select his seat on account of defective hearing.

The amendment was adopted.

The motion as amended prevailed.

On motion of Senator Johnston rule 37 was suspended for the day.

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

Baird—28	Ellis—38	Mills—10
Beatty—1	Fackler—25	Ramsey—9
Benson—49	Frailey—40	Rigby—32
Bergman—36	Fulton—50	Roberts—26
Booth—48	Gilchrist—22	Shaff—34
Breakenridge—2	Gunderson—27	Shane—23
Brookins—24	Hartman—46	Shinn—29
Browne—20	Haskell—37	Skromme—12
Brush—11	Johnston—35	Slemmons—8
Campbell—45	Kimberly—33	Stanley—39
Carden—42	Klemme—4	Stoddard—16
Cavanaugh—30	Kern—3	Topping—15
Clark—21	Lange—19	Ulstad—6
Clearman—7	Langfitt—47	Wilson, Denver L.—18
Darting—41	McFarlane—43	Wilson, Geo. A.—13
Dean—14	McLeland—31	Wilson, Samuel F.—17
Dotts—5	Merritt—44	

### REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Senator Baird reported that the committee assigned to notify the Governor that the Senate was opened and ready for business had performed their duty and that the Governor reported that he was ready to receive any communications, and was desirous at all times to cooperate with and work in harmony with the Senate during the Forty-second General Assembly.

### ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Ramsey moved that the secretary be authorized to assign seats to representatives of the press, which motion prevailed.

The secretary assigned the following seats:

Register and Tribune, C. C. Clifton, Seat No. 51.  
Associated Press, J. C. Green, Seat No. 52.  
Capital, Seat No. 53.  
United Press, Seat No. 54.  
Special Correspondent, J. W. Jarnigan, Seat No. 55.  
International News, Amy Byrom, Seat No. 56.  
Homestead, Seat No. 57.  
Iowa Clip-News Service, L. W. Ainsworth, Seat No. 58.  
Wilson News Service, L. J. Wilson, Seat No. 59.  
Midland Schools, Seat No. 60.

### • COMMITTEE ON CHAPLAINS

Senator Carden moved that a committee of three be appointed to provide chaplains for the Senate during the Forty-second General Assembly.

The motion prevailed and the President appointed as such committee Senators Carden, Stanley and Rigby.

### COMMITTEE ON MILEAGE

Senator Topping moved that the President of the Senate appoint a committee of three on mileage. The motion prevailed.

The President appointed the following committee: Senators Topping, Breakenridge and Dotts.

### COMMITTEE ON COMMITTEES ROOMS

Senator Shinn moved that a committee of three be appointed to assign the committee rooms. The motion carried.

The President appointed the following committee: Senators Shinn, Bergman and Fackler.

#### BADGES

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

#### TELLERS OF JOINT CONVENTION

Senator Haskell moved that a committee of three be appointed to act as tellers on the part of the Senate in canvassing the vote for Governor and Lieutenant Governor at the joint convention of the House and Senate to be held for that purpose.

The motion carried and the President appointed Senators Haskell, Darting and McFarlane.

#### COMMITTEE TO EXAMINE COMMITTEE CLERKS

Senator Wilson of Page offered the following resolution and moved its adoption:

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

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

The resolution was adopted and the President appointed as such committee Senators Wilson of Page, Stanley and Beatty.

#### RESOLUTION FOR INAUGURAL COMMITTEE

Senator Johnston offered the following resolution and moved its adoption:

*Resolved by the Senate, the House concurring*, That a joint committee consisting of six members of the Senate be appointed by the President and six members of the House be appointed by the Speaker to arrange for the inauguration of the Governor and Lieutenant Governor.

The resolution was adopted and the President appointed as such committee Senators Johnston, Baird, Roberts, Lange, Wilson of Louisa and Wilson of Polk.



## REPORT OF COMMITTEE TO NOTIFY HOUSE

Senator McFarlane reported that the committee assigned to notify the House that the Senate was open and ready for business had performed their duty.

## ELECTION OF PRESIDENT PRO TEM

Senator Frailey placed the name of Frank Shane in nomination for President pro tempore of the Senate.

Senator Dean moved that Senator Shane be excused from voting, which motion prevailed.

Those voting for Senator Shane were:

Ayes, 49.

Baird	Clearman	Johnston	Roberts
Beatty	Darting	Kern	Shaff
Benson	Dean	Kimberly	Shinn
Bergman	Dotts	Klemme	Skromme
Booth	Ellis	Lange	Slemmons
Breakenridge	Fackler	Langfitt	Stanley
Brookins	Frailey	McFarlane	Stoddard
Browne	Fulton	McLeland	Topping
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Louisa
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 1.

Shane

Senator Shane having been elected President pro tempore of the Senate, the President appointed Senator Frailey to escort Senator Shane to the desk.

Senator Shane spoke as follows:

**MR. PRESIDENT AND MEMBERS OF THE SENATE:** I appreciate very much the honor you have conferred upon me and when it is my duty to preside over this body, I will do so as impartially and fairly as my ability will permit. I thank you.

Senator McFarlane moved that the President appoint the same patronage committee as appointed by the chairman of the caucus to fill an office that is now vacant. The motion prevailed.

Senator Stoddard moved that a committee be appointed to escort ex-Senator White to the chair.

The motion prevailed and the President appointed Senator Stoddard as a committee of one to escort Senator White to the desk.

President pro tempore Frank Shane took the chair at 11:40 a. m.

Senator Stoddard reported that he was unable to find Senator White.

On motion of Senator Rigby the Senate adjourned until 2 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### RESIGNATION OF POSTMISTRESS

MR. PRESIDENT: I hereby tender my resignation as postmistress of the Senate, same to take effect at once.

MABEL SAVERUDE.

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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

*House Concurrent Resolution No. 1* providing for a joint convention of the two houses to be held on January 11, 1927, at 2:00 p. m., also extending an invitation to Governor Hammill to read his message, and also to canvass the vote for Governor and Lieutenant Governor.

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

*House Concurrent Resolution No. 2* providing for a joint committee of six to nominate such additional employees, other than committee clerks, as may be necessary for the work of this session, also recommending the position to be filled and the compensation of each employee so nominated, and the Speaker has appointed as such committee on the part of the House the following:

Saunders, Cole of Delaware and Knutson.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of the candidates for committee clerks begs leave to report that it has made investigations and examinations and finds the following persons competent for the positions to which they have been appointed. Assignments have been made as follows:

Minnie S. Wilder, Senator Shaff.  
Harriett King Card, Senator Haskell.  
Emma Malm, Senator Shinn.  
Gladys Hockersmith, Senator Rigby.  
Gladys Gusten, Senator Campbell.  
Myrtle White, Senator Ulstad.  
Mildred Zug, Senator McLeland.  
Astrid Hanson, Senator Gunderson.  
Neva Colton, Senator Skromme.  
Bird Lynn, Senator Frailey.  
Lenore Zug, Senator Sam Wilson.  
May E. Cronin, Senator Clark.  
Helene Griffin, Senator Fackler.  
Hazel Miller, Senator Wilson of Page.  
LaVon Ramsey, Senator Ramsey.  
Alice Duffy, Senator Slemmons.  
Katherine Southworth, Senator Stoddard.  
Eloise Williams, Senator Kimberly.  
Hannah Millard, Senator Breakenridge.  
Mabel Saverude, Senator Klemme.  
Ann Trainor, Senator Lange.  
May Myers, Senator Roberts.  
Mary Heminger, Senator Fulton.  
Maryann Henderson, Senator Darting.  
Bertha C. Paisley, Senator Carden.  
Hilda P. Moran, Senator Benson.  
Florence Friedman, Senator Topping.  
Bertha Ocheltree, Senator Mills.  
Cecilia Lynch, Senator Baird.  
Hazel Gibson, Senator Hartman.  
Ethel Beakler, Senator Dotts.  
Ruth Aldinger, Senator Dean.  
Lucille O'Hagan, Senator McFarlane.  
Mae McClean, Senator Clearman.  
Margaret Mullen, Senator Gilchrist.

Geo. Robinson, Senator Stanley.  
 Alice Wright, Senator Kern.  
 Maxine Mayer, Senator Booth.  
 Dorothy Myers, Senator Merritt.  
 Sadie M. Lowry, Senator Cavanaugh.  
 Laura Schulze, Lt. Gov. Kimball.  
 Neva H. Lange, Senator Shane.  
 Ercill Knott, Senator Langfitt.  
 Kirk R. Mallory, Senator Johnston.  
 Madge Stanton, Senator Bergman.  
 Minetta B. Furbush, Senator Brookins.  
 Norma Mathis, Senator Brush.  
 Loeta Wright, Senator Ellis.  
 Dorothy Zeck, Senator Wilson of Polk.  
 Frank Holloway, Senator Browne.  
 Tillie Hartley, Senator Beatty.

DENVER L. WILSON, *Chairman.*

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

Ayes, 45.

Beatty	Clearman	Haskell	Roberts
Benson	Darting	Johnston	Shaff
Bergman	Dean	Kern	Shane
Booth	Dotts	Kimberly	Shinn
Breakenridge	Ellis	Lange	Skromme
Brookins	Fackler	Langfitt	Slemmons
Brush	Frailey	McFarlane	Stanley
Campbell	Fulton	McLeland	Topping
Carden	Gilchrist	Merritt	Ulstad
Cavanaugh	Gunderson	Mills	Wilson of Page
Clark	Hartman	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 5.

Baird	Klemme	Rigby	Wilson of Louisa
Browne			

The report was adopted and the foregoing clerks appeared and were duly sworn.

#### HOUSE RESOLUTIONS CONSIDERED

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

#### HOUSE CONCURRENT RESOLUTION NO. 1

*Be It Resolved by the House, the Senate concurring:* That a joint convention of the two houses of the Forty-second General Assembly be held on January 11, 1927, at 2:00 p. m.

*Be It Further Resolved*, That Governor Hammill be invited to read his message at this joint meeting of the two houses of the General Assembly, and that the President of the Senate and the Speaker of the House be designated to deliver the invitation to him.

*Be It Further Resolved*, That at this joint convention the vote for Governor and Lieutenant-Governor be canvassed and the result announced and recorded, as provided by law.

By unanimous consent the resolution was taken up and considered.

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

Ayes, 46.

Baird	Clark	Haskell	Roberts
Beatty	Clearman	Johnston	Shaff
Benson	Darting	Kern	Shane
Bergman	Dean	Kimberly	Skromme
Booth	Dotts	Lange	Slemmons
Breakenridge	Ellis	Langfitt	Stanley
Brookins	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Topping
Brush	Fulton	Merritt	Ulstad
Campbell	Gilchrist	Mills	Wilson of Page
Carden	Gunderson	Ramsey	Wilson of Polk
Cavanaugh	Hartman		

Nays, none.

Absent or not voting, 4.

Klemme	Rigby	Shinn	Wilson of Louisa
--------	-------	-------	------------------

The resolution was adopted.

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

*Be It Resolved by the House, the Senate concurring*: That a joint committee of six members be appointed, three to be members of the Senate, appointed by the President, and three to be members of the House, appointed by the Speaker, to nominate such additional employees, other than committee clerks, as may be necessary for the work of this session, and that the committee recommend the position to be filled and the compensation of each employee so nominated.

By unanimous consent the resolution was taken up and considered.

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

**Ayes, 47.**

Baird	Clark	Haskell	Rigby
Beatty	Clearman	Johnston	Roberts
Benson	Darting	Kern	Shaff
Bergman	Dean	Kimberly	Shane
Booth	Dotts	Lange	Skromme
Breakenridge	Ellis	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Stanley
Brush	Fulton	Merritt	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman		Wilson of Polk

**Nays, none.**

**Absent or not voting, 3.**

Klemme                      Shinn                      Wilson of Louisa

The resolution was adopted and the President appointed as members of such committee on the part of the Senate, Senators Cavanaugh, Roberts and Clearman.

#### APPOINTMENT OF POSTMISTRESS

The committee selected to fill the vacancy of postmistress caused by the resignation of the nominee of the patronage committee, respectfully reports that it has selected as the nominee Miss Bonnie Mullen, Fonda, Iowa.

Respectfully submitted,

E. E. CAVANAUGH, *Chairman*,  
 W. S. BAIRD,  
 WM. CARDEN,  
 H. E. DEAN,  
 O. E. GUNDERSON,  
 W. E. MCLELAND,  
 JOHN M. RAMSEY,  
 H. G. ROBERTS,  
 GEO. F. SLEMMONS,

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

Ayes, 48.

Baird	Clark	Haskell	Roberts
Beatty	Clearman	Johnston	Shaff
Benson	Darting	Kern	Shane
Bergman	Dean	Kimberly	Shinn
Booth	Dotts	Lange	Skromme
Breakenridge	Ellis	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stanley
Browne	Frailey	McLeland	Stoddard
Brush	Fulton	Merritt	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 2.

Klemme                      Wilson of Louisa

The report was adopted and the foregoing officer appeared and was duly sworn.

#### REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your Committee on Mileage begs to submit the following report:

Senator	Miles	Amt.	Senator	Miles	Amt.
Lt. Gov. Kimball.....	142	\$14.20	Johnston .....	102	\$10.20
Baird .....	142	14.20	Kern .....	10	1.00
Beatty .....	87	8.70	Kimberly .....	175	17.50
Benson .....	320	32.00	Klemme .....	278	27.80
Bergman .....	35	3.50	Lange .....	204	20.40
Booth .....	115	11.50	Langfitt .....	112	11.20
Breakenridge .....	190	19.00	McFarlane .....	106	10.60
Brookins .....	162	16.20	McLeland .....	66	6.60
Browne .....	202	20.20	Merritt .....	96	9.60
Brush .....	102	10.20	Mills .....	31	3.10
Campbell .....	162	16.20	Ramsey .....	145	14.50
Carden .....	137	13.70	Rigby .....	175	17.50
Cavanaugh .....	86	8.60	Roberts .....	123	12.30
Clark .....	30	3.00	Shaff .....	235	23.50
Clearman .....	100	10.00	Shane .....	91	9.10
Darting .....	161	16.10	Shinn .....	166	16.60
Dean .....	167	16.70	Skromme .....	57	5.70
Dotts .....	75	7.50	Slemmons .....	141	14.10
Ellis .....	100	10.00	Stanley .....	62	6.20
Fackler .....	103	10.30	Stoddard .....	214	21.40
Frailey .....	217	21.70	Topping .....	168	16.80
Fulton .....	117	11.70	Ulstad .....	99	9.90
Gilchrist .....	120	12.00	Wilson of Louisa .....	177	17.70
Gunderson .....	155	15.50	Wilson of Paige.....	172	17.20
Hartman .....	240	24.00	Wilson of Polk .....	5	.50
Haskell .....	142	14.20			

CLYDE H. TOPPING, *Chairman.*  
 W. J. BREAKENRIDGE.  
 A. G. DOTTS.

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

Ayes, 47.

Baird	Clearman	Johnston	Shaff
Beatty	Darting	Kern	Shane
Benson	Dean	Kimberly	Shinn
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Frailey	McLeland	Stoddard
Browne	Fulton	Merritt	Topping
Brush	Gilchrist	Mills	Ulstad
Carden	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark	Haskell	Roberts	

Nays, none.

Absent or not voting, 3.

Campbell                      Klemme                      Wilson of Louisa

The report was adopted.

Senator Shinn moved that the secretary of the Senate be instructed to send a wire of condolence to Mrs. John R. Price a Albia, and that a special committee be appointed to attend the funeral of Ex-Senator John R. Price.

The motion was carried and the President appointed as such committee Senators Shinn, Clark and Browne.

#### COMMUNICATION FROM SECRETARY OF STATE

*To the Honorable, the President of the Iowa Senate:*

I, Walter C. Ramsay, Secretary of State for the State of Iowa, and keeper and custodian of the election records of said state,

Do hereby certify that attached hereto is a copy of a proposed amendment to the Constitution of Iowa, as certified to the county auditor of each county of the state, and by them submitted to the electorate of said state at the general election held on November 2, 1926, and that also attached hereto is a true and correct copy of the abstract of the state board of canvassers as filed in this department, disclosing the result of such election.

For the amendment, 239,999.

Against the amendment, 133,929.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 5th day of January, A. D. 1927.

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



QUALIFICATIONS OF MEMBERS OF HOUSE OF  
REPRESENTATIVES

(Notice to Voters: For an affirmative vote upon any question submitted upon this ballot, make a cross mark in the square after the word "Yes." For a negative vote, make a similar mark in the square following the word "No".)

"Shall the following Constitutional Amendment,	YES	
being an act of the 41st General Assembly, be adopt-		
ed and approved?"	NO.	

HOUSE JOINT RESOLUTION 1.

*Joint Resolution* agreeing to a proposed amendment to the Constitution of the State of Iowa by striking out the word "male" from section four (4) of article three (3) of said constitution, relating to the legislative department.

*Whereas*, by House joint resolution number five (5) of the Fortieth General Assembly, which resolution was approved February 23, 1923, an amendment to the Constitution of the State of Iowa was proposed; and

*Whereas*, the said proposed amendment was agreed to by a majority of the members elected to the House of Representatives of said Fortieth General Assembly and entered upon its official, printed journal at pages 564 and 565 with the yeas and nays taken thereon, and was agreed to by a majority of the members elected to the Senate of said General Assembly, and entered upon its official, printed journal at page 504 with the yeas and nays taken thereon; and

*Whereas*, said proposed amendment was in words and figures as follows, to-wit:

"Strike out the word "male" from section (4) of article three (3) of said constitution, relating to the legislative department."; and

*Whereas*, the said resolution and proposed amendment have been published as provided by law and have been referred to this, the Forty-first General Assembly, for action thereon; now, therefore,

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

Section 1. That the proposed amendment to the constitution of the State of Iowa as contained in and proposed by said House joint resolution number five (5) of the Fortieth General Assembly, being in words and figures as follows, to-wit: "Strike out the word 'male' from section four (4) of article three (3) of said Constitution, relating to the legislative department.", be and the same is hereby agreed to, enacted and adopted by the Forty-first General Assembly.

Approved March 9, A. D. 1925.

I, Walter C. Ramsay, Secretary of State for the State of Iowa, and custodian of the Laws and Acts of the General Assembly, do hereby

certify that the foregoing is a true and correct copy of a certain enactment of the General Assembly known as Chapter 282, Acts of the Forty-first General Assembly, and was approved by the Governor on March 9, A. D. 1925.

Given under my hand and the seal of my office affixed this 4th day of October, A. D. 1926.

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

STATE OF IOWA, ss.

We, the undersigned Board of State Canvassers of the State of Iowa, do hereby certify that at the General Election held on the 2nd day of November, A. D. 1926, there were Three Hundred Seventy-three Thousand Nine Hundred Twenty-eight (373,928) ballots cast for the Constitutional Amendment State of Iowa, being Chapter 282, Acts of the 41st G. A. of which for the Amendment received Two Hundred Thirty-nine Thousand Nine Hundred Ninety-nine (239,999) votes; against the Amendment received One Hundred Thirty-three Thousand Nine Hundred Twenty-nine (133,929) votes.

We therefore declare the amendment approved.

In testimony whereof, we have hereunto set our hands and caused to be affixed the Great Seal of the State of Iowa, at Des Moines, this 26th day of November, A. D. 1926.

JOHN HAMMILL, *Governor,*  
W. C. RAMSAY, *Secretary of State,*  
J. C. MCCLUNE, *Auditor of State,*  
R. E. JOHNSON, *Treasurer of State,*  
M. G. THORNBURG, *Secretary of Agriculture,*  
*Board of State Canvassers.*

[SEAL]

*To the Honorable, the President of the Iowa Senate:*

I, Walter C. Ramsay, Secretary of the State for the State of Iowa, and keeper and custodian of the election records of said state,

do hereby certify that the attached is a true and correct copy of a proposed amendment to the Constitution of the State of Iowa, known as Senate Joint Resolution No. 1, relating to the apportionment of the state into Senatorial Districts, and that attached hereto is a true and correct list of certain newspapers in the State of Iowa in which such proposed amendment to the Constitution was published for a period of three months prior to the general election held in the year 1926, as is required by the Constitution.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 5th day of January, A. D. 1927.

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

Published by the Secretary of the State of the State of Iowa in accordance with the provisions of the Constitution of the State of Iowa and of Chapter 279 of the Acts of the Forty-first General Assembly.

## SENATE JOINT RESOLUTION

Joint Resolution proposing an amendment to Section Thirty-four (34) of Article Three (3) of the Constitution of the State of Iowa, as said section now appears on page fifty-three (53) Code, 1924, relating to the apportionment of the state into Senatorial Districts.

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

Section 1. Number of Senators. That the following amendment to Section Thirty-four (34) of Article Three (3) of the Constitution of the State of Iowa, as said section now appears on page fifty-three (53) Code, 1924, be and the same is hereby proposed:

That the period (.) at the end of said Section Thirty-four (34) of Article Three (3) of the Constitution of the State of Iowa be stricken and the following inserted:

”, but no county shall be entitled to more than one (1) senator.”

Sec. 2. Be it further resolved that the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next General Assembly, and that the Secretary of State cause the same to be published for three (3) months previous to the date of said election as provided by law.

Approved April 3, A. D. 1925.

I hereby certify that the foregoing is a full, true and correct copy of Senate Joint Resolution No. 1, passed by the Forty-first General Assembly, as the same appears of record in my office.

In testimony whereof, I have hereunto set my hand and affixed my official seal. Done at Des Moines, the capital of the state this ..... day of ....., A. D. 1926.

.....  
*Secretary of State.*

LIST OF NEWSPAPERS IN WHICH WAS PUBLISHED SENATE  
JOINT RESOLUTION NO. 1

Republican, Keosauqua; Republican, Wapello; Republican, Marengo; Leader, Bellevue; Bulletin-Journal, Independence; Herald, Eldora; Argo-Gazette, West Union; News, Osage; Eureka, Anamosa; Chronicle, Toledo; Republican, Bloomfield; Republican, Montezuma; Madisonian, Winterset; Journal, Knoxville; Sentinel, Osceola; Herald, Clarinda; Guthrian, Guthrie Center; Express, Red Oak; Herald, Carroll; Journal, Webster City; Pilot Tribune, Storm Lake; Sun, Sheldon.

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

Senator Dean moved to amend by making the time 11 a. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 11 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 11, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. C. Wm. Bast, pastor of the Congregational Church of Perry, Iowa.

On motion of Senator Stoddard, rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Frailey for the day on request of Senator Browne; Senator Wilson of Louisa for the day on request of Senator McLeland; Senator Shaff for the day on request of Senator Haskell.

## MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate Concurrent Resolution No. 1 relative to the appointment of a joint committee to arrange for the inauguration of the Governor and Lieutenant Governor. The Speaker has appointed as members of such committee on the part of the House, the following: Charlton of Polk, Elliott of Polk, Nelson of Hancock, Eckles of Butler, Hempel of Clayton, and Bauer of Washington.

A. C. GUSTAFSON, *Chief Clerk.*

## APPOINTMENT OF PAGES

I hereby appoint the following persons, pursuant to the provisions of the rules, as pages of the Senate:

Jack Wills, page to the Lieutenant Governor.  
Everett Law.  
Curtis Hartman.  
Maxwell Ross.  
Richard Garwood.  
Harry Ulmquist.  
Carlton Gray.

CLEM F. KIMBALL, *Lieutenant Governor.*

The foregoing pages appeared and were duly sworn.  
 Senator Shane moved that when the Senate adjourn today it be until 9 a. m. Wednesday.

The motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 2

Senator McFarlane offered the following resolution:

*Resolved by the Senate, the House concurring, That when adjournment is had on Thursday afternoon, January 13th, it be to reconvene on Tuesday afternoon, January 18th, at 2 p. m.*

On motion of Senator McFarlane the rules were suspended and the resolution taken up for consideration.

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

Ayes, 40.

Baird	Carden	Gunderson	Ramsey
Beatty	Cavanaugh	Hartman	Roberts
Benson	Clark	Kern	Shane
Bergman	Clearman	Klemme	Skromme
Booth	Darting	Lange	Slemmons
Breakenridge	Dean	Langfitt	Stanley
Brookins	Dotts	McFarlane	Stoddard
Browne	Fackler	McLeland	Topping
Brush	Fulton	Merritt	Wilson of Page
Campbell	Gilchrist	Mills	Wilson of Polk

• Nays, 1.

Haskell

Absent or not voting, 9.

Ellis	Kimberly	Shaff	Ulstad
Frailey	Rigby	Shinn	Wilson of Louisa
Johnston			

The resolution was adopted.

Senator Stoddard 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.

Senator Shane moved that the vote by which his motion to adjourn until 9 a. m. tomorrow be reconsidered. The motion to reconsider carried.

Senator Shane moved to amend his motion by making the hour 11 a. m.

The amendment was adopted.

The motion carried.

## REPORT OF JOINT PATRONAGE COMMITTEE

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

Your joint committee composed of Senators Cavanaugh (Chairman), Roberts and Clearman, and Representatives Saunders (Chairman), Knutson and Cole, appointed to consider applications and to nominate the extra help of the Forty-second General Assembly, begs leave to submit the following report and recommendations:

That the positions following be filled by the persons whose names appear herein at the compensation respectively set forth:

Assistant law research—D. D. Staples, \$6.00 per day.

Assistant research—general—Mary Wheelock, \$4.00 per day.

Authority granted to the librarian to select stenographer at \$4.00 per day.

Page to librarian and his office—James MacGuire, \$4 per day.

Messenger and mail carrier—Robert Burns, \$4.00 per day.

Assistant matron—Mrs. Florence Mally, \$4.00 per day.

Assistant sergeant-at-arms—John W. Hackley, \$5.00 per day.

Elevator tender—Mrs. Minnie Scott, \$100.00 per month.

Elevator tender—Fred Oliver—\$100.00 per month.

Janitor—Fred Miller, \$100.00 per month.

Janitor—Charles Nelson, \$100.00 per month.

Janitor—Burt Wilson, \$100.00 per month.

Respectfully submitted,

E. E. CAVANAUGH,

H. GUY ROBERTS,

GEO. M. CLEARMAN,

*On the part of the Senate.*

WM. E. G. SAUNDERS,

C. G. COLE,

CLARENCE KNUTSON,

*On the part of the House.*

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

Ayes, 42.

Baird	Clark	Haskell	Roberts
Benson	Clearman	Kern	Shane
Bergman	Darting	Klemme	Skromme
Booth	Dean	Lange	Slemmons
Beatty	Dotts	Langfitt	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Fackler	McLeland	Topping
Browne	Fulton	Merritt	Ulstad
Brush	Gilchrist	Mills	Wilson of Page
Carden	Gunderson	Ramsey	Wilson of Polk
Cavanaugh	Hartman		

Nays, none.

Absent or not voting, 8.

Campbell	Johnston	Rigby	Shinn
Frailey	Kimberly	Shaff	Wilson of Louisa

The report was adopted.

#### REPORT OF INAUGURATION COMMITTEE

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

The inaugural ceremonies will be held in the House Chamber at 2 o'clock p. m., Thursday, January 13, 1927. Program and schedule of events as set out in Inaugural Schedule Program attached hereto have been arranged for afternoon and evening.

Respectfully submitted,

C. F. JOHNSTON,  
 SAMUEL F. WILSON,  
 OTTO F. LANGE,  
 W. S. BAIRD,  
 H. GUY ROBERTS,  
 GEO. A. WILSON,  
*On the part of the Senate.*  
 CLYDE B. CHARLTON,  
 FRANCIS JOHNSON,  
 J. C. BAUER,  
 E. A. ELLIOTT,  
 C. H. NELSON,  
 J. G. HEMPEL,

*On the part of the House.*

#### STATE OF IOWA

Inaugural Ceremony

Thursday, January 13th, 1927

Two o'clock in the Afternoon

House Chamber

State House

[Seal of Iowa]

HONORABLE JOHN HAMMILL  
 of Britt  
 Governor



HONORABLE CLEM F. KIMBALL  
of Council Bluffs  
*Lieutenant Governor*

### INAUGURAL PROGRAM

#### Afternoon

- I. Concert—House Chamber, 1:00 to 2:15 o'clock, p. m. Paul Christianson's Orchestra.
- II. Senate and House of Representatives assemble in House Chamber, 2:00 o'clock, p. m.
- III. Joint Assembly called to order, 2:15 o'clock, p. m., by Hon. L. V. Carter, Speaker of the House.
- IV. Committee from Senate and House appointed to escort the Governor's party to House Chamber.
- V. Entrance of Escort—Military Aides of the Governor, Chief Justice William D. Evans, Rev. Arthur A. Brooks, Governor John Hammill, Committee Member, Lieutenant Governor Clem F. Kimball, Committee Member, Supreme Court Justices, Committee Members.
- VI. Invocation—Rev. Arthur A. Brooks, Grace Methodist Church, Des Moines.
- VII. Music—Paul Christiansen's Orchestra.
- VIII. Oath of Office to Governor John Hammill, Lieutenant Governor Clem F. Kimball by Chief Justice William D. Evans.
- IX. Inagural Address—Governor John Hammill.
- X. Band Concert—Argonne Post Band, 4:00 to 6:00 o'clock p. m., 7:00 to 9:30 o'clock p. m.

### RECEPTION PROGRAM

#### Evening

- I. Governor and Mrs. John Hammill receiving in the reception room, executive offices, State House, 8:00 o'clock p. m.

Note:—The public will assemble in the Rotunda on the first floor, and will be admitted to the reception room through the south door of the executive offices.

The members of the Senate and House and their guests holding tickets of admission, will assemble in the Senate Chamber. They will be escorted to the reception room by one of the Governor's Military Aides.

- II. Concert Program—Argonne Post Band, 7:00 to 9:30 o'clock p. m.
  - III. Dancing program starting at 9:30 o'clock p. m. to 11:45 o'clock p. m., will be on first floor and basement of State House.
- Dance Music—Dave Rubinson's Orchestra.

### LEGISLATIVE COMMITTEE ON ARRANGEMENTS

#### Senate

Hon. C. F. Johnston of Franklin, Hon. W. S. Baird of Pottawattamie,

Hon. H. Guy Roberts of Ringgold, Hon. Otto F. Lange of Dubuque, Hon. Samuel F. Wilson of Louisa, Hon. George A. Wilson of Polk.

#### House of Representatives

Hon. Clyde B. Charlton, Hon. E. A. Elliott, Hon. C. H. Nelson, Hon. Francis Johnson, Hon. J. G. Hempel, Hon. J. C. Bauer.

#### General Information

(a) In the afternoon, admittance to the floor of the House Chamber, and the two south balconies will be by ticket only. The north balconies will be open to the public without tickets.

(b) In the evening a space on the basement floor will be set aside for wraps, and for which no charge will be made. It will be understood, however, that the State will not be responsible or accountable for property lost, stolen or damaged.

(c) *It is requested that the public remain seated after the afternoon ceremonies until the Governor's party has left.*

#### ORDER OF POSITION IN RECEIVING LINE INAUGURAL RECEPTION OF GOVERNOR AND MRS. JOHN HAMMILL

Thursday Evening, January 13, 1927, 8 o'clock P. M.

A regrettable error has been made in the arrangement of the receiving line, for which the Adjutant General assumes all blame, and this corrected "Position List" is published for your information and guidance. The one in your possession may be destroyed.

The head of the receiving line will rest on the right of the door leading from reception room to executive clerk's office, and extending along east and north walls of reception room.

#### Receiving Line

1. Governor John Hammill.
2. Mrs. John Hammill.
3. Lieutenant Governor Clem F. Kimball.
4. Mrs. Clem F. Kimball.
5. Speaker of the House L. V. Carter.
6. Mrs. L. V. Carter.
7. Former Governor N. E. Kendall.
8. Former Governor W. L. Harding.
9. Mrs. W. L. Harding.
10. Former Governor George W. Clarke.
11. Mrs. George W. Clarke.
12. Former Governor B. F. Carroll.
13. Mrs. B. F. Carroll.
14. Chief Justice William D. Evans.

15. Mrs. William D. Evans.
16. Justice Truman S. Stevens.
17. Mrs. Truman S. Stevens.
18. Justice Frederick F. Faville.
19. Mrs. Frederick F. Faville.
20. Justice Lawrence E. DeGraff.
21. Mrs. Lawrence E. DeGraff.
22. Justice Charles W. Vermillion.
23. Mrs. Charles W. Vermillion.
24. Justice E. G. Albert.
25. Mrs. E. G. Albert.
26. Justice E. A. Morling.
27. Mrs. Ruth Shover.
28. Secretary of State Walter C. Ramsay.
29. Mrs. Walter C. Ramsay.
30. Auditor of State J. W. Long.
31. Mrs. J. W. Long.
32. Treasurer of State Ray E. Johnson.
33. Mrs. Ray E. Johnson.
34. Secretary of Agriculture Mark C. Thornburg.
35. Mrs. Mark C. Thornburg.
36. Attorney General John Fletcher.
37. Miss Barbara Fletcher.
38. Superintendent of Public Instruction Miss Agnes Samuelson.
39. Railroad Commissioner Charles Webster.
40. Mrs. Charles Webster.
41. Railroad Commissioner Dwight Lewis.
42. Railroad Commissioner B. M. Richardson.
43. Mrs. B. M. Richardson.
44. Director of the Budget E. L. Hogue.
45. Mrs. E. L. Hogue.

NAMES OF OFFICERS ON DUTY DURING THE INAUGURATION  
OF GOVERNOR JOHN HAMMILL

January 13, 1927

1. Major General M. A. Tinley, 34th Division, Council Bluffs.
2. Brigadier General Louis G. Lasher, A. G. D., Adjutant General, Des Moines.
3. Brigadier General Lloyd D. Ross, 67th Infantry Brigade, Des Moines.
4. Colonel Glenn C. Haynes, 168th Infantry, Des Moines.
5. Colonel Park A. Findley, 113th Cavalry, Des Moines.
6. Colonel W. H. Bailey, 133d Infantry, Des Moines.
7. Colonel John C. Loper, A. D. C., Marshalltown.
8. Colonel Charles J. Wilson, A. D. C., Washington.
9. Lieutenant Colonel W. F. Meeley, D. O. L., Infantry Instructor, Des Moines.
10. Lieutenant Colonel O. W. Rethorst, D. O. L., Cavalry Instructor, Des Moines.

11. Lieutenant Colonel Rufus Chase, A. D. C., Des Moines.
12. Lieutenant Colonel Bert Halligan, A. D. C., Davenport.
13. Lieutenant Colonel Ralph Stewart, A. D. C., Hampton.
14. Lieutenant Colonel George A. Bemis, A. D. C., Garner.
15. Lieutenant Colonel Horace F. Wulf, A. D. C., Sioux City.
16. Lieutenant Colonel Alexander Young, A. D. C., Des Moines.
17. Lieutenant Colonel Frank Wenig, A. D. C., Spencer.
18. Lieutenant Colonel Hugo Geiger, A. D. C., Minden.
19. Lieutenant Colonel J. A. Heng, A. D. C., Davenport.
20. Lieutenant Colonel R. S. Whitley, A. D. C., Clinton.
21. Lieutenant Colonel Ben J. Gibson, 34th Division, Des Moines.
22. Lieutenant Colonel Fred S. Hird, 34th Division, Des Moines.
23. Lieutenant Colonel Roy B. Gault, 34th Division, Des Moines.
24. Lieutenant Colonel John W. Ball, 34th Division, Des Moines.
25. Major Knud Boberg, A. G. D., Assistant Adjutant General, Des Moines.
26. Major H. D. Coe, U. S. P. & D. O., Des Moines.
27. Major Robert L. Fulton, O. D., S. S. C. & D., Des Moines.
28. Major Everett L. Pugsley, Q. M., S. S. C. & D., Des Moines.
29. Major Vernon R. Seeburger, J. A., S. S. C. & D., Des Moines.
30. Major Earl B. Bush, M. C., S. S. C. & D., Ames.
31. Major Charles Tillotson, Jr., 67th Inf. Brig., Des Moines.
32. Major Ray Yenter, 113th Cavalry, Des Moines.
33. Major Maxwell A. O'Brien, 113th Cavalry, Des Moines.
34. Major Gilbert C. Greenwalt, 168th Infantry, Des Moines.
35. Captain James E. Thomas, 168th Infantry, Des Moines.
36. Captain Jack P. Tarlton, Q. M., S. S. C. & D., Des Moines.
37. Lieutenant Clint Allen, Q. M., S. S. C. & D., Des Moines.
38. Lieutenant Andrew G. Cumps, O. D., Des Moines.

The report was adopted.

The journal of January 10th was corrected and approved.

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

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### INTRODUCTION OF BILLS

Senate File No. 1, by Senator Johnston, a bill for an act making an appropriation to defray the expense of the inaugural ceremonies.

Read first and second times.

## THIRD READING OF BILLS

On motion of Senator Johnston, Senate File No. 1, a bill for an act making appropriation to defray the expense of the inaugural ceremonies, was taken up and considered.

The bill was read for information.

Senator Johnston moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Baird	Clark	Klemme	Shane
Beatty	Clearman	Lange	Shinn
Benson	Dean	Langfitt	Skromme
Booth	Dotts	McFarlane	Slemmons
Breakenridge	Ellis	McLeland	Stanley
Brookins	Fackler	Merritt	Stoddard
Browne	Fulton	Mills	Topping
Brush	Gunderson	Ramsey	Ulstad
Campbell	Haskell	Rigby	Wilson of Page
Carden	Johnston	Roberts	
Cavanaugh	Kern		

Nays, none.

Absent or not voting, 9.

Bergman	Gilchrist	Kimberly	Wilson of Louisa
Darting	Hartman	Shaff	Wilson of Polk
Frailey			

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.

## REPORT OF COMMITTEE ON COMMITTEE ROOMS

MR. PRESIDENT: Your committee on assignment of committee rooms report the following assignments:

Agriculture—Lieutenant Governor's Room; Wed. 3 p. m.; Fri. 1:30 p. m.

Appropriations—Lieutenant Governor's Room; Mon. 4 p. m.; Thurs. 4 p. m.

Banks—Room 28; Mon. 4; Wed. 3 p. m.

Board of Control—Room 16; Mon. 3; Wed. 3 p. m.

Charitable Institutions—Room 16; Tues. 4; Fri. 4 p. m.

Child Welfare—Room 15; Mon. 4; Wed. 4 p. m.

Cities and Towns—Lieutenant Governor's Room; Mon. 1:30; Wed. 4 p. m.

Claims—Room 20; Wed. 4; Fri. 1:30 p. m.

Code Revision—Room 24; Thurs. 1:30 p. m.

Commerce and Trade—Room 15; Mon. 3 p. m.

Conservation—Room 15; Fri. 3 p. m.

Constitutional Amendments—Room 17; Mon. 4 p. m.

Corporations—Room 28; Tues. 4 p. m.

County and Township Affairs—Room 19; Mon. 1:30; Wed. 3 p. m.  
 Dairy and Food—Room 20; Fri. 4 p. m.  
 Departmental Affairs—Room 20; Mon. 4; Wed. 1:30 p. m.  
 Drainage—Room 21; Wed. 3 p. m.  
 Educational Institutions—Room 21; Tues. 4; Fri. 1:30 p. m.  
 Elections—Room 17; Thurs. 4 p. m.  
 Enrolled Bills—Room 26; ———.  
 Fish and Game—Room 15; Thurs. 3 p. m.  
 Highways—Lieutenant Governor's Room; Tues. 3; Thurs. 3; Fri. 4  
 p. m.  
 Horticulture and Forestry—Room 15; Mon. 4 p. m.  
 Insurance—Room 28; Mon. 3; Wed. 1:30 p. m.  
 Judiciary No. 1—Room 18; Mon. 1:30; Wed. 1:30; Friday 3 p. m.  
 Judiciary No. 2—Room 18; Tues. 1:30; Thurs. 2:30; Sat. 1:30 p. m.  
 Labor—Room 19; Mon. 1:30 p. m.  
 Land Titles—Room 15; Tues. 3 p. m.  
 Manufactures—Room 15; Tues. 2; Fri. 3 p. m.  
 Military Affairs—Room 17; Wed. 4 p. m.  
 Mines and Mining—Room 17; Tues. 4; Thurs. 1:30 p. m.  
 Motor Vehicles—Room 20; Tues. 1:30; Fri. 3 p. m.  
 Pharmacy—Room 17; Mon. 1:30 p. m.  
 Political Districts—Room 16; Thurs. 4 p. m.  
 Printing—Room 21; Fri. 4 p. m.  
 Public Buildings and Lands—Room 21; Mon. 4 p. m.  
 Public Health—Room 21; Tues. 3; Thurs. 1:30 p. m.  
 Public Libraries—Room 16; Mon. 4 p. m.  
 Public Schools—Room 19; Tues. 1:30; Thurs. 1:30 p. m.  
 Public Utilities—Room 19; Wed. 1:30; Fri. 3 p. m.  
 Railroads—Room 28; Wed. 3; Fri. 1:30 p. m.  
 Rules—Press Gallery (any time).  
 Suppression of Intemperance—Room 28; Tues. 1:30; Thurs. 4 p. m.  
 Telegraph and Telephone—Room 16; Tues. 3; Fri. 1:30 p. m.  
 Ways and Means—Lieutenant Governor's Room; Mon. 3; Thurs. 1:30  
 p. m.

A. J. SHINN, *Chairman.*

S. E. FACKLER.

A. H. BERGMAN.

JANUARY 11, 1927.

#### FARM BUREAU INVITATION

*To the Legislative Members of the Forty-second General Assembly:*

The Iowa Farm Bureau Federation extends to each of you a cordial invitation to attend their annual meeting in Des Moines, January 12th and 13th.

Very truly yours,

IOWA FARM BUREAU FEDERATION,

By CHAS. E. HEARST, *President.*

#### COMMITTEE FROM THE HOUSE

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

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

### JOINT CONVENTION

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

The roll was then called and the following members responded:

Those present were:

Aiken of Ida	Fackler	Kennedy, J. P.	Ratliff
Akin of Carroll	Fleming	Kennedy, W. S.	Reimers
Allen	Forsling	Kent	Rice
Anderson	Fulton	Kern	Rigby
Bair	Gilmore	King	Roberts of Adair
Baird	Greene	Klemme	Roberts of
Barnes	Griswold	Kline	Ringgold
Bauer	Gunderson	Knutson	Rust
Benson	Hager	Krouse	Rutledge
Bergman	Hagglund	Lange	Ryder
Booth	Hale	Langfitt	Saunders
Bixler	Haney	Laughlin	Simmer
Blackford	Hansen	Lichty	Skromme
Blythe	Hanson	Lovrien	Slemmons
Brush	Harrison	McCaulley	Smith
Buchmiller	Hartman	McFarlane	Springer
Carden	Haskell	McIvrath	Stanley
Cavanaugh	Hattendorf	McIntosh	Stepanek
Charlton	Heald	McLeland	Stoddard
Christophel	Held	McMillan	Thomas
Clark	Hempel	Mathews	Topping
Clearman	Hill	Maxfield	Torgeson
Cole of Delaware	Hines	Merritt	Troup
Cole of Harrison	Hollingsworth	Miller of Dallas	Truax
Crone	Hollis	Miller of Shelby	Ulstad
Crozier	Hopkins	Mills	Venard
Darting	Hubbard	Nelson	Wagner
Dean	Huff	Oliver	Wamstad
Dotts	Hunt	Ontjes	Whiting
Eckles	Ickis	Pattison	Wilson of Tama
Eden	Istad	Prichard	Wolfe
Edge	Johnson of	Quirk	Mr. Speaker—131
Elliott	Marion	Ramsey	
Ellis	Johnston		

Those absent were:

Beatty	Fraily	Knudson	Vaughn
Berry	Gilchrist	Martin	Walrod
Breakenridge	Grimwood	O'Donnell	Wilson of Page
Brookins	Johnson of	Patterson	Wilson of
Browne	Dickinson	Shaff	Louisa
Bush	Johnson of	Shane	Wilson of
Campbell	Keokuk	Shinn	Polk—27
Craig	Kimberly	Thompson	

The President declared a majority of the members present and the joint session duly organized.

Senator Roberts moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify the Governor that the joint session was ready to receive him.

Motion prevailed and the President appointed Senator Roberts of Ringgold on the part of the Senate, and Representatives Nelson of Hancock and Hunt of Louisa on the part of the House.

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

President Kimball then presented Governor Hammill, who delivered the following message:

#### GOVERNOR HAMMILL'S MESSAGE

*To the Forty-Second General Assembly of Iowa:*

In obedience to a Constitutional mandate and in accordance with an established custom, I purpose to communicate to you information pertaining to certain affairs of our State government, and, advisedly, make such recommendations regarding new legislation as will promote the betterment of our State and contribute to the general welfare of our people. The reports of the several departments and state agencies made to the Governor will be presented to you as soon as printed and available.

A message by the Governor to the General Assembly must necessarily reflect conditions as they exist, affecting the State and the people, and if helpful, must point the way to such additions and modifications in the statutes as will best serve the purposes for which laws are made. However, I admonish you to ever bear in mind that in the making of many laws, alone, there is no virtue.

Cross-currents of opinion and conflict of interests make progress difficult. The needs of government and of institutions of every sort increase as the demands of society increase and advancement made possible. We must expect to pay the price for the marvelous growth and expansion shown in the development of a better and greater State. Too often, we ultimately pay the penalty occasioned by delay in the solution of difficult problems of government because proposed legislation or methods of administration do not conform to our own selfish ideas and interests.



There always exists the temptation to seek the line of least resistance by caring for today and letting tomorrow take care of itself. Experience has demonstrated that this policy in the past has aggravated the problems of today and added to the difficulty of their solution. We should, however, find encouragement in the great interest displayed by our people in the processes of their government. Everywhere the demand grows more insistent that our government be placed upon a sounder business basis than has heretofore obtained. Carrying out a strictly business handling of our State affairs and in accordance with the plan laid down in my Inaugural address of two years ago, I shall regard myself as the head of a great corporation and shall proceed in this message as if it were a report to the directors and stockholders. An official report, mistakenly, is generally considered as a mere record for reference and not for general knowledge by the general public. If correct judgments are to be formed, accurate knowledge is essential. Either for official consideration, or for historic value, the record year by year of the activities of any people is of the highest value.

#### STATE AND BUSINESS ACCOUNTING COMPARABLE

The basis of the method of accounting followed by a corporation is to record and report the accounts so that they will furnish the management with an understanding, not only of facts, but also of the trend of the business, and be an assistance and a guide, to the end that income may be increased and costs reduced. These are some of the reasons why in business, pressure is applied so that statements drawn from accounts may be issued promptly to be useful in conducting the business, and not be wholly a matter of historical value.

The accounting policy of a State, and in this, Iowa stands with practically every other State in the Union, places the fidelity of accounts ahead of the quick usefulness of the accounts. Business has learned that both fidelity and usefulness can be accomplished by the same method of accounting, but State governments have not yet profited from this experience of business.

The practice of the State is not wrong when standing alone, and without allowing for the habit of mind of the citizens who should understand the facts disclosed by financial statements. When considered from the standpoint of the citizen it may be found that very few of those to whom the reports are given understand them, and still fewer make use of them. The reason being, or at least seeming to be, that they are not in the form and not in the language used by the people in such matters.

Much of the method of accounting practiced by the State is the result of the provisions used in legislative acts, and undoubtedly the long line of capable and faithful officials and clerks have done all they could with the requirements hedged about as they are by acts of appropriation and authorization.

State legislation is usually written from the standpoint of the law-maker, rather than from that of those who are called upon to make the legislation work. Our State tax laws are made complex largely as the result of the way legislation is drawn.

### GOVERNMENT ACCOUNTING

Active discussions are now being conducted by State officials and economists concerning important questions in accounting for government incomes and expenditures. Practically all of the States and many of the municipalities exceeding 30,000 population, keep their accounts and make reports on what is known as a cash basis; that is to say, no entries of either income or out-go are made in the books excepting those for which cash or its equivalent has passed into or out of the treasury of the State. Business does not do its accounting on this basis, but uses what is known as the accrual method, which is, to enter in the accounts all items due to or from the business when the fact of the amount is ascertained. This results in the setting up in the balance sheet of items showing the amount due the business but not yet collected, and amounts due by the business but not yet paid.

There is also the question of the calculation of depreciation in physical property owned by the State that this sum may annually be put into the cost of running the State.

Another question is that which concerns the centralization at the State capitol or the decentralization to the institutions operated by the State of the accounting for the institutions. A subject of very live discussion among economists is the effect upon the bookkeeping of State appropriations made by the legislature; whether they shall be carried as liabilities or be treated in a balance sheet when the appropriation is alive or has expired. This is a question which may affect the whole method of making appropriations by State legislatures when the question is clearly settled.

There is also the budget. Everywhere municipalities and States are falling in line with business and the Federal government, and most of the successful families in private life. Budgets are everywhere. They are in use and in discussion and they are the subject of many books and pamphlets in all lines of endeavor. A standard system of accounting will be of real assistance to the administration and the legislature, and to help stabilize and guide taxation through the means of budgeting.

These subjects are rather fundamental in business, and business does not understand why they should have been delayed in the accounting policy of State governments.

### THE PUBLIC IN THE POSITION OF STOCKHOLDERS

Bookkeeping of government is different largely in detail, but should not be much different in method, when compared with the practice of

modern business concerns. Any business big enough to take in from all sources millions of dollars a year and pay out as much, would be expected by its stockholders to so record and report the important facts that they could easily be understood, and further, it would be expected to conform to standards that would permit it to be compared with others in a similar business. It seems certain that government must meet the needs of the public habit of thought in regard to financial statements as well as political policy. Methods and reports which make it so difficult for the people to become interested, and to understand the financial problems of government, should be changed promptly and thoroughly. Business has been quick to see that it must meet the changed habits and changed needs of the people since the war, and it is quite within the fact to say that since the armistice the method of doing business has completely changed because the mental attitude, the desires and the point of view of the people have likewise changed. It seems necessary then, that governments should change their former accounting or reporting methods to new ones that will be interesting to the people.

War has brought an increase in taxation of which the people see little else in the individual effect. The problems of government and the problems of government finance and taxation are all one in effect. The clearer the people see and understand the interconnection of these things, the more intelligent will be the attitude of the people toward them.

### RECOMMENDATIONS

I desire, then, to recommend that the State adopt:

(1) A balance sheet that will show in popular form the financial status of the State. By popular form is meant to so word the items that they may be understood by those without special financial education.

(2) The income and disbursements should be so set up that non-governmental income and disbursements will be shown separately from the income and expenses of government. This will permit capital outlays and capital borrowing to stand out by themselves and be valued in accordance with the usefulness of the expenditure and the method of borrowing.

(3) A thorough-going budget plan should be provided and made to work, patterned after the Federal system.

(4) Accounting and other financial reports should be changed, not only to adopt a standard classification, but the change should avoid the present somewhat contradictory duplicate sets of accounts kept by the State and at our various institutions.

## THE BUDGET

Under the provisions of Code Section 334, the Governor is directed at the time of delivering his Biennial Message, to transmit to the Senate and House of the General Assembly the State appropriation bill prepared by the Budget Director. In accordance with the provisions of said section, I now present in a separate document accompanying this message, the budget as prepared by the Director. Under our law, budgets are made at the regular biennial session of the legislature for the two ensuing years. The budget as submitted contains complete information, showing the total amount of the askings of the various departments, the receipts from other sources and the amount necessary, in addition to the receipts, in the way of revenue to carry on the various departments. The budget thus formed is then submitted to the Governor for his approval or modification, and is now in your hands for your careful consideration and guidance. It has been the endeavor of the Budget Director and myself to make a thorough and exhaustive investigation of the demands and necessities of the several State administrative bodies. The Budget Director has estimated and promulgated a budget, fixing the limitations and providing maximum amounts that may be appropriated in order to come within the estimated receipts. There have been sharp decreases from the askings of the Departments and it is our opinion that we have suggested a sufficient amount to maintain an efficient administration of the law without detriment to the public service. I call particular attention to the demands of the Budget Director for rigid economy and concur therein, the Budget Director having endeavored to establish a fair and just budget.

## DEPARTMENT OF HEALTH

The State's greatest asset is the health of her people. In addition to the regular routine work of the Health Department, several activities have had special attention.

One of these has been the attention given the abatement of nuisances due to stream pollution. The principle that has underlain the activities of this Department has been that, while we cannot expect to maintain or restore the primeval purity of our streams in a thickly populated rural State such as Iowa, we can at least prevent the development of nuisances, and should so safeguard water supplies that the health of our people will not be endangered, while at the same time having due regard for the cost to our municipalities and industries, resulting from the treatment of sewage and industrial wastes.

The Sanitary Engineering Division of this Department has been able to advise communities as to the measures to be adopted to protect such supplies, to insure the proper disposal of wastes and to obtain the abatement and prevention of nuisances. In many cases already striking improvement has resulted. As a result of studies conducted by the Health Department on Lime Creek, Shell Rock River and Cedar River, findings

were obtained that are pointing the way it is believed, to a solution of pollution problems, and the disposal of manufacturing wastes—a solution that may be of inestimable benefit not only to the localities involved, but to other places within the State as well as to the industries themselves.

Another outstanding recent feature of health work in the State has been the launching and extension of the campaign against diphtheria. While other States have started similar campaigns, there are few of them that have had responses comparable to the splendid results obtained in Iowa. Because of limited funds, the Iowa State Department of Health has not been able to furnish the prophylactic material for this campaign absolutely free as has been done in a number of other States—nevertheless, by supplying a limited number of treatments to initiate the campaign, and by furnishing explanatory literature and general directions for carrying on the work, the State Department of Health has been able to create an unusual interest in this work. The expenditure of a very small sum for the prophylactic material, supplemented by aid from sources which made it possible to provide for the direction of the campaign, has already brought protection and a sense of safety to thousands of Iowa homes.

A vast amount of educational work has been carried on by pamphlets, addresses and correspondence. As many as 50,000 pieces of mail have gone from the State Department of Health in one quarter. Much of the information sent out is to meet immediate need, but the educational effects are not limited to the present and will necessarily later on have far-reaching results in moulding and directing the thought and activities of health agencies in the State.

In accordance with the Iowa law and in order to prevent infant blindness with the consequent handicap to the individual and the State, the Department of Health started a campaign to have all new born babies' eyes prophylactically treated. The appeal carried an offer from the Department of Health to furnish free the prophylactic material to all physicians, and hospitals. The response to this appeal has been state-wide, and it is believed that a very great service has been rendered not only to the children so treated but ultimately to the State.

Now that means of prevention have been so well worked out and so generally accepted, it is desirable that Iowa keep pace with other states in the eradication of disease and the abolition of disabilities that mar the happiness or curb the prosperity of our people. Iowa should not allow other states to outstrip her in preventive measures that her natural rural advantages may be more than outweighed.

#### STATE BOARD OF CONSERVATION

The State of Iowa can justly feel proud of its accomplishments in connection with the creation of state parks. The State Board of Conservation was created, acting jointly with the Executive Council, at first with the Fish and Game Department and later the work was confined to the State Board of Conservation and the Executive Council. The members of the Conservation Board serve without pay. They not only make a

thorough study of the recreational possibilities of the different areas, but also look after the management of these parks and many details connected therewith, as well as the meandered lakes and streams. Iowa ranks fourth in state park systems. Never in the history of the State has there been as much interest in the great out-of-doors as there is today, due to the creation of state parks and the creation of public sentiment for same.

The State Board of Conservation has adopted the policy of receiving gifts and donations—the people of the State having been most generous in this respect. Large sums of money have been given for the creation of these parks and several tracts are outright gifts from individuals to the State.

State parks should be within easy reach and, therefore, should be scattered over the State to provide recreational places for the public. This does not mean that we should create a state park simply because a community wants it but the park should be outstanding from the standpoint of its scientific and recreational value along with its historic features. We owe it to future generations to preserve the rare geologic and scientific areas representing the plant and animal life.

Our lakes are a great asset to the State in that they convey the water supply and that they help to create conditions which will make possible the agriculture of this State. Our agricultural crops are dependent upon a certain amount of moisture and when our lakes and rivers are drained it will lower the water level and make more precarious the cultivation of an agricultural crop. It is therefore, important that the State should guard its water supply and the best way to do it is to preserve and protect our lakes.

The State Board of Conservation and the Executive Council have, under their jurisdiction, an area of 110,000 acres. This includes the meandered lakes and meandered streams and the land purchased for park purposes. The present appropriation is \$70,000.00 annually or for the biennial period \$140,000.00. Every park should have the needed conveniences. In addition to the \$70,000.00 there should be a special appropriation for the highways in the parks. If the parks are to be made useful to the public it is essential that good highways leading to them be maintained and provided for.

The lakes should be taken care of in a special appropriation, which could possibly be accomplished by a special provision extending over a series of years.

#### LABOR AND WORKMEN'S COMPENSATION

We have continued the high standards of administration established in the Labor Department. Inspections and enforcements have been carried out vigorously. The Department has carried on its research and educational work, which is of great value in the many fields touched.

When the Workmen's Compensation Service was started in Iowa in 1913 it was in its experimental stage in the United States and it was with actual misgiving on the part of both workmen and employers that it came into being in this State. In practical operation it has won the cordial support of labor organizations and organized industry. Experience has from time to time developed need of amendment and the law has been greatly changed in several details; chiefly to the advantage of the workmen.

In workmen's compensation all settlements in personal injury cases are submitted for department approval, based upon statutory provision. It affords a medium with which workmen and employers may advise in case of misunderstanding, a process continually exercised with great saving of wasteful litigation and with amiable and equitable agreement. Where litigation is necessary, expense is nominal. Harmony between labor and employment is promoted. The saving to the taxpayers in court expenses amounts to many times the entire amount expended by the State in support of this department.

Assurance may be given that in its further development this service will continue the record of usefulness and progress recorded in the early years of its existence.

Progress has been made in the result of benefits to the injured workmen. Maximum weekly payments have been raised from \$10.00 to \$15.00 and other advantages in the way of burial benefits and medical attention.

There is now no escape from payment to the injured workman or his dependents, while in earlier years grief was common through noninsurance and other bars to relief. This is by no means to say that we have gone to the limit of equity in affording larger and better coverage to the victims of industrial accident, but it does show that we have made substantial progress in the earnest consideration of their misfortunes and the duty of society in their behalf.

#### FISH AND GAME DEPARTMENT

At the time the present incumbent assumed control of the Fish and Game Department the total funds available to the department amounted to \$5,952.87, as shown by the State Accountant's report covering the period, April 1, 1919, to December 31, 1921. The balance in the department's fund, the Fish and Game Protection Fund, at the close of the last biennial period, June 30, 1926, was \$90,463.20.

In addition to creating a fund of this amount, which insures the carrying out of the department's program, the department has effected a noteworthy expansion and increase in results in every way. At the beginning of the administration, fish hatcheries were located at Spirit Lake, Lansing and Sabula. In addition to improving and enlarging these, new hatcheries have been constructed at Clear Lake and Strawberry Point,

a stripping station has been erected at Arnolds Park, and bass hatching ponds constructed near Lansing.

Receipts have increased annually, permitting greater activity by the Department.

The Department is entirely self-supporting, that is, no appropriation is made by the legislature, the Department operating solely upon fees collected through sources specified by law. Although benefiting the State as a whole, the expense of the Department is borne by those directly benefiting therefrom, inasmuch as the main source of revenue is the resident hunting and fishing license.

Rough fish, which are detrimental to propagation of game fish, have been removed annually from State waters, improving conditions for game fish as well as supplying the State with an appreciable revenue.

Aside from protection of fish and game, an important function of the Department is the propagation of game fish. During the present administration facilities for doing so have been extensively increased with proportionate results.

#### INSURANCE DEPARTMENT

The insurance activities in our State are one of great importance. It not only affects the business but the home life of the people. Through this Department a considerable sum is contributed to the maintenance of our State government. Iowa has become one of the insurance centers of the world, as is shown by the following figures from the Insurance Department:

There are twenty-eight (28) life insurance companies, fifteen (15) fire insurance companies, and thirty-six (36) casualty and miscellaneous companies organized and existing within the State of Iowa, also one hundred sixty-one (161) county mutual companies. In addition to the above, there are one hundred forty-one (141) life insurance companies, two hundred forty-nine (249) fire insurance companies, and one hundred twenty-nine (129) casualty and miscellaneous companies licensed to do business within the State of Iowa, making a total of seven hundred fifty-nine (759) companies licensed to do business within this State.

The receipts of the Department for the year 1925 were: Taxes \$1,219,429.40, license fees \$101,862.40, other fees \$81,778.67, a total of \$1,403,070.47, of which amount \$4,884.00 was for publication fees and disbursed by the Department. The balance, \$1,352,267.40, was remitted by the Department to the State Treasurer as contemplated by statute. It is estimated that the amount to be remitted to the State Treasurer for the year 1927 will be in excess of the amount above stated by the sum of at least \$25,000.00. The total expenditure for departmental operation (exclusive of examiners' salaries and examination expense which is paid by the companies examined) for the year 1926, in round figures, was \$39,500.00.



As an indication of the growth of the Department, it will be of interest to note that the total reserves on deposit with the Department on January 1, 1926, were slightly in excess of \$228,000,000.00. As of January 1, 1927, the deposit will be in excess of \$252,000,000.00.

From the above figures you will note that this has become a Department of far-reaching responsibility, requiring greater diligence and care in the administration of the work of the Department and the very nature of the business is such that it is a department that is expanding and increasing each year.

### STATE FIRE MARSHAL

Some of the outstanding features of the State Fire Marshal's Office for the year 1926 are as follows:

One hundred thirty-three investigations of suspicious fires in sixty-one different counties, which resulted in securing nineteen confessions for burning, five of which were from persons temporarily insane. Of the confessions secured, one was sentenced to 15 years, eight for 10 years, and five are at the present time awaiting sentence. In addition to these confessions there were ten additional indictments, and ten other cases sent to the County attorneys for their consideration and submission to the grand jury.

Inspection and the issuing of orders directing changes necessary for correction of unsafe conditions has materially reduced fires.

Educational work is carried on through Fire Prevention Programs and Bulletins for school purposes. The Fire Prevention campaigns carried on by speakers on Fire Prevention before Clubs, Chambers of Commerce, Schools, etc., has had a wonderful effect along the line of cooperation in removing fire hazards and educating the people concerning the causes and dangers of fire.

### STATE INSTITUTIONS

The management of our State institutions is a large business proposition. The State, in connection with the institutions under the Board of Control, owns 12,265.79 acres of land valued at \$2,890,862.49. About 11,000 acres of this land is devoted to farm crops, orchards and gardens, the balance being used for institutional grounds. In addition 2,437 acres are rented by the State.

The Board reports to me that the value of all live stock, milk and crops raised on the farms for the biennial period ending June 30, 1926, was \$1,581,794.76, showing a net profit of about \$512,000.00. The value of live stock of all kinds is \$420,524.33. The value of milk produced for the period is \$412,000.00, showing a net profit of \$256,704.14. The average production of each cow is 9,980 pounds.

There is owned on the farms 789 head of pure-bred Holstein cattle. The sale of young thoroughbred bulls for the last period brought a little

over \$14,000.00. The sales of live stock during the period totaled \$284,000.00, a splendid showing and each legislator should visit these institutions as they furnish an inspiration for better farming and better live stock.

The institutional farm known as the Flynn farm has during the past year been thoroughly changed in manner of operation, and this farm which was a losing proposition to the State has been transformed under the management of the Board of Control to a profit paying institution, the State selling at the present time from \$1,200.00 to \$1,400.00 of milk monthly in addition to what is used on the farm. There are eighty cows on this farm at this time and it is the plan of the Board to raise the number to one hundred. In the past this farm has been recommended for sale by former administrations, but in my judgment, located as it is in the close proximity to the capital city, and in view of the fact that within a short time we must have additional institutions, this farm should be continued and successfully managed and operated until the need demands its use for some other purpose. We must also keep in mind that underlying this farm is a large body of coal, which can be mined in due time by the State and the fuel furnished our institutions, if it is found advisable. The State itself is an extensive farm operator. Our farms are more productive today than ever in the history of the State, and are operated for our benefit and not for profit. Incidentally, they are of substantial benefit to the taxpayers because they relieve us of the necessity of purchasing many products that we are able to grow for our own use.

#### THE PARNELL ACT

By an act of Congress, known as the Parnell Act, which authorized an endowment for agricultural experiment stations and for other purposes, I was called upon either to reject or approve an appropriation of \$20,000.00 for the year 1925 and \$30,000.00 for the year 1926, in the nature of Federal Aid to the State Agricultural College.

I accepted and approved the said appropriation. Whether or not this aid is continued to the State, will depend upon the action of this legislature.

The appropriation allotted to Iowa for the third year is \$40,000.00 and for the fourth year \$50,000.00, and \$60,000.00 annually thereafter. This is a direct appropriation from the Federal Government and the State is not called upon in any manner to match said appropriation.

I recommend to you the acceptance and continuance of this Federal Aid for the State Agricultural College at Ames.

A measure will be presented to you by the State Board of Education in which the conditions as to the acceptance of this aid will be fully presented for your consideration and approval.

## STATUS OF AGRICULTURE

Any comprehensive business program for agriculture, either for Iowa or any other agricultural State, presents three phases which are, of course, interrelated. Any discussion of the subject which deals only with one phase and disregards the others must of necessity be incomplete and unsatisfactory.

First, we have to consider what the individual farmer can do by and for himself in adjusting his business so as to best fit his economic environment. Secondly, there should be taken into account what the farmers collectively through organization can accomplish in such a business program, and finally we have to take into account what organized society can do for the farming industry.

In this discussion I desire to deal with the responsibility resting upon organized society to develop a national policy that promotes equality between agriculture and other important population groups in this country. For a number of years it has been growing increasingly clear that our national policies, however well they may have suited the times that developed them, are operating to the disadvantage of agriculture, even to the extent of crippling it.

It is evident even to the most casual observer that we have developed in this country an agricultural plant far greater in its capacity to produce the essential basic crop than is required by the needs of our domestic market. It is not so clear to many people, however, that this condition is a direct result of the working out of government and State policies. Therefore, in considering a constructive national program for the business of farming, it is first necessary to examine these past policies and their effect on agriculture.

Our present farm plant was developed in an era of "free land." The homesteading and land settlement policies of the government aimed to "settle up" the frontiers at the earliest possible moment and to expand our farm production to the limit. During this era farmers who took the land were compensated for the unprofitable price of their products by the rise in the value of the land itself.

The homesteading era is largely past. This is not true, however, with other forces that developed at the same time and are still actively at work.

The United States Government for years has been committed to the policy of reckless reclamation, aimed to add new acres and new producers to our present productive total. Some of the States join hands in this—all seeking to encourage new irrigation, drainage and cut-over land settlement projects.

The war shifted gold supplies to the United States; it reversed our situation as a debtor nation to our present status as the leading creditor nation of the world. These facts automatically restrict the volume of our exports by making it more difficult for other nations to trade with us.

In the face of these conditions, which would seem to demand from the nation the greatest care in the world to see that our agricultural export interests are safeguarded, we have plunged headlong into a new policy diametrically opposite to the one which national common sense should adopt. This new policy is one of extreme favoritism to industry, an incessant craze to expand industrial exports, regardless of what may happen to our farmers, with their exportable surpluses on our hands.

Our national policy encourages a monopoly of our export trade by our industries. Our Federal laws are definitely aimed to stabilize and protect labor, industry, transportation, finance and other important elements. Their organization, operating back of such protective legislation, enabled them to resist the influences that crucified agriculture during and following the deflation of 1920.

The accumulative effect on agriculture of these past and continued policies of our government are apparent on every hand. The first evidence has been prices that fail to return the cost of production to the producers of our most important crops.

Many people do not understand why there has not been an economic readjustment of agriculture which would correct these disadvantages. We must remember that the farmer has a fixed investment in his plant which is fitted for certain kinds of production, and cannot shift easily from an unprofitable to a profitable occupation. It is hard for him to leave the farm without tremendous sacrifices. The farmer inevitably tries to make up for low prices by growing more of the crops his farm is adapted to bear.

The question is what can organized society do in the way of a sound national program for agriculture. I believe we have in the United States brains and leadership sufficient to address this problem successfully. I am impressed with several things, which in my judgement, should be done in the development of such a national program as I have been discussing—one that I think would put the farm business in Iowa on a much sounder foundation. To be sure, this would call for a drastic change in State and national policies, but I feel that I am only one of an increasing number of men in this country who believe that these changes must come to pass.

We should put the Federal Government back of a program on agricultural stabilization to just the degree necessary to accomplish the purpose summed up in the slogan, "equality for agriculture."

Realizing the condition of agriculture in January, 1926, I called an Agricultural Conference of eleven States. Those present at that conference in the truest sense represented the interests of their respective States, industrial, financial and commercial as well as agricultural, brought together a consensus of intelligent opinion on the farm situation in States whose prosperity directly or indirectly is bound up with that of agriculture. From first-hand knowledge they had no illusions as to the manner in which long standing national policies are working out to the disadvantage of the business of farming.

With the goal of a new national policy for agriculture directly aimed to secure and maintain economic equality for the farmer, the Conference provided for an executive committee of two from each participating State to work in that direction with the other great farm organizations.

The object sought by the Conference is to put agriculture on a business parity with other business enterprises. It recognizes that legislation plays an important part in all national policies, and so it will strive for the enactment of laws to promote the right kind of a farm policy for America. For the same reason it will work to prevent the enactment of laws inimical to agricultural improvement and equality. In every proper way it will support and encourage organization of farmers to carry out their business, social and legislative policies.

The legislative and economic program that has been started should be carried on and broadened with each opportunity to develop a better agricultural policy for this nation. This means that constant and competent study of the farm problem and of sound means to meet it, should be carried on. Legislation embodying the principles agreed upon should be brought to the best possible form in advance of the session at which it is to be presented. Facts and reasons should be prepared for presentation to Congress, and finally, the utmost effort should be made to secure enactment of the measures that are endorsed and proposed.

### INDUSTRIAL COMMISSION

Shortly after my inauguration I appointed a commission of ten representative citizens of Iowa, and assigned to this commission the duty of studying the economic problem as it relates to the State of Iowa.

Iowa occupies a central geographic position in the production of the staple food articles of the National. Why should there develop a depression that is fast becoming ruinous to the great farming interests? It is no exaggeration to say that agriculture must be put on a level with other essential industries or national decay will soon set in.

Primarily I feel that there should be a closer relationship between agriculture and the industries. President Coolidge, in his address to the Land Grant Colleges, intimates that this country would soon be "preponderantly industrial," and an importer of agricultural commodities. We challenge this proposition as open to debate. Does it not indicate a purpose to build up large industries centered in the East and utilize the middle west for food production which will more than ever be dictated by eastern consumers?

The Commission has made its report and has rendered a splendid public service. I submit their findings as a worthy contribution touching the present economic situation.

### CORN BORER

From the standpoint of agricultural production, the threatened invasion of the European corn borer is of paramount importance.

The corn borer presents a problem of science, with particular reference to that of entomology. To meet this situation I recommend that the enactment of such measures in the form of quarantine and other regulations and appropriations be made as will enable the State, so far as possible consistent with constitutional limitations, to safeguard itself from the invasion of this pest.

### IOWA AT THE NATIONAL DAIRY SHOW

Iowa was again successful in winning the United States championship at the Dairy Show at Detroit, Michigan, in 1926. This makes the team eligible to compete in the International contest in England, in a similar contest in which the Franklin County team competed in 1924, giving Iowa the honor of winning twice at the National Dairy Show in the past three years. The Franklin County team in 1924 had their trip financed by the State. The winning team this year comes from Clayton County. Agriculture must be encouraged and in no better way can this be done than by rewarding the splendid efforts of the boys and girls who participate in these contests. There are from twenty-five to thirty States competing and while Iowa has been successful in winning twice in the past three years, it may look to some as though it might be setting a precedent, but I am of the opinion that Iowa, the greatest of our agricultural States with its natural resources, can afford to go on record with a permanent policy of sending the winners in a contest of this kind and character to the International Contest. For this reason I recommend that you appropriate the sum of \$4,000.00, which is an appropriation similar to the one made two years ago for the purpose of deferring the expenses of the team from Franklin County.

### IOWA NEEDS FACTORIES

Iowa is the greatest food producing area of any similar section of the nation or of any other nation, and yet the 1925 Census shows an increase of only 188,074 in population during the past twenty-five years. For the same period a natural excess in births over deaths should have shown an increase of 673,126 persons. This, without taking into consideration any increase from without the State, shows that we contributed almost a half million Iowa citizens to other localities. The Census further shows that our sixteen cities of the first class increased 263,405 in population during the period, or a total equal to the entire increase of the State plus 75,331, thus showing the trend from rural to urban communities. This trend is inevitable because of the use of improved and more efficient machinery and methods used in agriculture. Iowa is especially well fitted to employ such improved machinery and methods and that she does so, is indicated by Census returns showing this to be the most efficient State in the Union in man power applied to agriculture. There is no doubt but that greater efficiency and effectiveness in food production will continue, and that the trend from rural to urban population will be inevitable until such time as the urban populations of the State build up productive industries that will support fully employed workers at

adequate wages, and in numbers sufficient to produce a local market of sufficient size to make profitable a more intensive cultivation.

The Census of Manufacturers shows an average employment for the factories of the State for 1900, 44,420 persons. This number by 1909 had increased to 61,635 and by 1919 to 80,551. By 1923 the number had dropped to 77,842. This is approximately the present figure as indicated by available data.

This growth is in no way sufficient to employ the trend of population from country to city, let alone the natural increase of population to which we are entitled, and unless more of the products of the farm and the mine can be fabricated by Iowa factories into articles for use and consumption, there is very little chance for material growth in our State population.

With the methods of production above noted in handling the work of the farm, much of the labor heretofore employed is displaced and consequently forced into the cities, and is adding to the unskilled and partly skilled workers of these communities, in numbers sufficient to create at this time a surplus and consequent unemployment which if permitted to continue indefinitely will produce conditions elsewhere so costly. An idle man is never for long an asset but must in the end become a liability which will leave an imprint upon society and will act as a check upon our economic progress. Unless the farm and the mine and the factory can be built up co-ordinately, there is little chance for the full employment of labor now available, and certainly none to take care of a natural increase in population, or for the general advancement of dependent lines of industry.

There are few States that have so equitable a distribution of cities and towns throughout their area. Few of even our own citizens know, or at least appreciate the large diversity of the products of our factories. Our workmen are equal in skill to those of any other locality and the general intelligence of our citizenship is of a superior order. These elements coupled with our extraordinary natural resources should make Iowa one of the leading States not only in production of raw materials but in the fabrication of such materials into articles for use and consumption. Every encouragement should be given to foster and promote industrial enterprises; to make known to our citizens what is done and can be done industrially by our people; to extend industrial education among our workers, and to foster a system of distribution equitable and just to all interests.

So far as possible all interests should be harmonized so that we can have a united forward movement in industrial development that will place our State in its proper relation in population, growth and economic welfare.

#### FINANCIAL CONDITION OF THE STATE

It is a pleasure to report to you the financial condition of the State. The State has no outstanding obligations, except the Soldier Bonus

Bonds, which amount to \$17,600,000.00, and on January 1, 1927, it contained in its Treasury an unencumbered balance of \$13,236,248.24 as compared with \$9,900,828.74 on the first day of January, 1925. The balances referred to include all State funds in the hands of the County Treasurers.

## PARDONS, COMMUTATIONS, SUSPENSIONS AND REMISSIONS

In the past two years I have issued pardons, commutations, suspensions and remissions, as set out fully in a separate report presented to the General Assembly for its examination as provided by law. I have taken such action in each case as I believed the facts warranted, and as was recommended by the Board of Parole, or the Judge who presided at the trial and the County Attorney who prosecuted the case. In almost every instance, such clemency was also advised by a number of representative citizens residing in the community where the crime was committed. No action was taken in any case except as recommended by the Board of Parole, the Judge or the County Attorney, as indicated above.

## PAROLES

I have given a great deal of study to the question of paroles and I am convinced that the Board of Parole should first make a thorough investigation and then follow with a recommendation to the Governor in each case and that all paroles should have his approval before the prisoner is released. This would insure a closer investigation of each case and fix the responsibility upon the Governor. I recommend that our Parole Law be amended accordingly.

## BUILDING AND LOAN ASSOCIATIONS

In the matter of Building and Loan Associations Iowa occupies a proud position. The laws governing Building and Loan Associations in this State have for many years served as a model for other commonwealths. These laws were written with the direct intention that they should be a protection to persons depositing funds with the associations, and they have operated so well that in thirty-five years there has not been a failure of any association in the State, nor a dollar lost to any investor in any association. Since the laws governing Building and Loan Associations were placed on the statute books in 1896, there have been but two or three slight changes made by the General Assembly. Such changes as have been made have been found necessary to meet changing conditions. All, however, have been of a strengthening character. At present Building and Loan Associations are finding themselves handicapped to a certain extent by the explicit restrictions of the laws regarding the investment of their funds. Funds of the associations at present can be invested only in first mortgage loans on real estate. There is no better investment possible than first mortgage loans on Iowa real estate. At times, however, association find there is a dearth in this character of a market for their funds, and preferably to accumulating large amount of cash these associations should be granted authority to make



other safe investments. To that end it is recommended that the laws be amended so Building and Loan Associations may temporarily invest their idle funds in bonds of the United States, bonds of the State of Iowa, or of any county, city, town or other political subdivision of the State of Iowa.

### ARCHITECTS

In order to safeguard the public from incompetency of those engaged in designing and planning of buildings, I believe a law providing for the registering and licensing of architects would raise the standard of our Iowa architects. This in itself is not sufficient protection, but it is necessary as well to prevent, by law, persons who are unable to pass examinations for a certificate to practice in their home State from coming to Iowa, an open territory. Twenty-nine States, including Illinois, Michigan, Wisconsin, Minnesota and the Dakotas now have in force laws for the registration of architects.

### CLOSED BANKS

The administration of closed banks is difficult. All that can be done is to exercise good business judgment in the handling of the affairs. Cur-tail expenses, conserve assets, make settlements and collections, and wind up affairs as effectively, economically and speedily as possible.

There is no busier department in our State than that of the Banking Department at the present time, with the work of the receivership department, which now handles the affairs of a large number of closed banks with almost ninety millions of assets and 87,000 acres of land and a multiplicity of details in each closed bank. To this has been added the administration of the details involved in the operation of the Lovrien-Brookhart public fund bill.

The Banking Department has made a wonderful record in the economical administration of receiverships. The cost of overhead expense is only one-fourth of one per cent and the total cost in all receiverships has averaged only 4.3 per cent. This, in my judgment, is the lowest cost for the administering of receivership trusts on such a large scale that has been made in this county.

The operation of the Banking Department proper has had a large amount of extra work the past year on account of the conditions in the State, which have been without precedent, and the force in this Department has been obliged to do a very large amount of extra work. Every effort has been made to be of constructive help to the bank under supervision, and the Department has been able to save scores of the smaller, weaker banks in the State which have been in difficulty.

The Banking Department under the present Superintendent has not closed a bank but in every instance the Board of Directors has voluntarily asked the Department to take charge.

## TAXATION

Judge Cooley has said: "Taxes are the enforced proportional contribution from persons and property, levied by the State, by virtue of its sovereignty, for the support of government and for all public needs."

Although it is difficult to secure it, to be viewed as such, taxation is an economic rather than a political problem. It is essential to the material welfare of all the citizens of the State that we have wise and just tax laws, those which will distribute the cost of government as evenly as may be, according to the ability of the taxpayers to meet the impact of the levy, always keeping in mind that that tax is best whose burden is the least and the exaction of which results in the least harmful effects upon business and industry, using those terms in the broad sense. Nobody escapes his share of the tax burden and the cost of government is an important item in the present day cost of living. A large part of the increased cost of government can be accounted for by the increased cost of every household in the State. The State has its own great house-keeping responsibilities to meet. It buys food, clothing, and fuel and all the other things which the householder buys. It even pays rent. These items of recent years have all increased in the same proportion to the State that they have to every household and every business institution. This can be demonstrated by figures which have recently been published, based on statistics gathered by the Federal Government and which show that \$1.71 is now required to pay for what \$1.00 bought in 1914. Under our present system of general property tax, there exists gross inequalities and favoritism as among the several taxpayers. Unjust or unfair taxation is an indictment of democratic government. You should make a comprehensive study of our whole tax system to see what changes may be made which would be of benefit to all of the people. It is undeniable that the general property tax on real property and such personalty as is assessed, is very heavy. It is necessary to establish a plan in this State which will result in a better distribution of the costs of government. Your thoughtful consideration is called to this subject.

## THE NATIONAL GUARD

The National Guard of this State has consistently continued its progressive development in all branches, and the end of 1926 finds this important element of Iowa's obligation toward National Defense more highly trained, better supplied and more adequately equipped to answer an emergency call, in the role of a dependable force.

No one can honestly deny the wisdom of our defense policy as outlined in the "National Defense Act" of 1920. Of this our own National Guard is an active part. Its effectiveness as a force in promoting the security of this State and Nation is well recognized.

In extending our moral and financial support to the Guard we are only meeting our obligation to the Federal Government in its effort to provide an adequate and economical military force for National Defense.

The Guard of Iowa, consisting of 3,664 officers and enlisted men is costing the State of Iowa less than ten cents per capita of our citizenship, which provides for all administrative expense, armories, support allowances, Camp Dodge maintenance and improvements and all other expenses incident to its upkeep, except that of equipping, pay, expense of annual encampments, care and maintenance of animals, and instruction, which is provided by the War Department from Federal funds.

During the period I have been the Chief Executive of this State, nine cavalry stables, a Memorial Recreation building, a baseball and athletic field, and a large hay and horse barn, have been built at Camp Dodge from savings accumulated by the exercise of rigid economies, and without one dollar of appropriation additional to the sum already awarded by the General Assembly.

Our National Guard is composed of the pick of the young men in this State; they are of the highest character, and serve the State and Nation voluntarily. They have my unqualified respect, admiration and encouragement.

The degree to which the National Guard will advance in the State depends on the liberal support we extend to them, support to which I believe they are entitled.

#### WAR ROSTER COMMISSION

This Commission composed of the Governor and the Adjutant General was created by the 38th General Assembly, for the purpose of compiling a roster of Iowa soldiers, sailors and marines who served in the Mexican Border Service of 1916 and 1917, and the World War of 1917, 1918, 1919, and other historical data in connection therewith.

Our soldier and sailor boys made the supreme sacrifice. Some of them were taken by disease in camps, others faced the horrors of modern warfare in the trenches and on the open battlefield. We can honor them but we can never repay them in full for the service they rendered at the call of the Nation.

A permanent record of the service of every man and every woman serving in these emergencies, should be completed and published at the earliest date it can be accomplished.

Every care possible has been exercised by those in charge of the work to make the history and service records as authentic and complete as possible, and it is contemplated that the copy will be submitted for publication before the close of the biennium ending June 30, 1927.

#### WAR TROPHIES

Early in 1926, the Adjutant General reported receipt of all World War Trophies allocated to the State by the War Department. I therefore,

to insure an equitable distribution, appointed a committee composed of:

Hon. E. L. Hogue—Director of the Budget.

Brig. Gen. Louis G. Lasher—The Adjutant General.

Hon. Ray A. Yenter—Commissioner of Insurance.

This committee met on June 30, 1926, and determined on the following:

That all artillery pieces, some 40 in number, would be distributed to State Parks, the State Historical Department, Camp Dodge, and to State Institutions under control of the State Board of Control, the balance of the Trophies, consisting of rifles, bayonets, machine guns, etc., to be distributed to American Legion Posts, Disabled Veterans' Posts, and Veterans of Foreign War Posts, in the State, which have club rooms.

The Adjutant General reports that all military pieces have been distributed and that the smaller items will be in the near future.

### INDEBTEDNESS

An amazing development in finance is taking place among our forty-eight States. It is a question whether the people—the taxpayers—are aware of this development.

The same disease that is affecting so many people and so many families today—that of allowing expenditures to mount above income—also appears to be afflicting the majority of our forty-eight States. Comparatively few of our states are living within their incomes. Like the reckless installment buyer who contracts for more bills than his salary or wages will permit, most of our States are mortgaging their future to the extent of almost countless millions of dollars. Plunging head over heels into debt seems to have become the popular pastime of many States and many of our people.

A girl fifteen years of age was arrested and brought into Juvenile Court. After the court had questioned and admonished the girl regarding her conduct, the judge turned to the mother and said to her, "Will you now take this girl home and look after her?" The mother said, "No, I cannot. There would be no one to look after her. I am working." The judge asked, "Is it necessary, then, that you work?" And the mother replied, "Yes, I am buying an automobile."

The Legislatures of many States are making appropriations so fast and furious that these States are falling far behind in the race to keep their incomes up to the increasingly high levels of their expenditures.

Analyzing a survey of the finances of our States recently made public by the Department of Commerce, we find that for the fiscal year of 1918 the per capita indebtedness of Iowa was 3.14 and that this debt for the fiscal year of 1926 had risen to 4.46.

Analysis of this survey and of previous ones also shows that for the

year 1918 seventeen of the forty-eight States spent more than their income, while for the year 1924 twenty-seven States spent more than their incomes. Expenditures of three states were over twice the amount of their incomes. Taken as a whole, the expenditures of the forty-eight States were greater than their incomes by nearly \$150,000,000.00.

A third outstanding phase of the recent enormous increase in State debts is shown by the huge size of the debts of a number of our larger States as compared with the size of their debts for the year 1918. From 1918 to 1924 forty states showed an increase in their debts.

Only twenty-one States out of the forty-eight did not increase the size of their debts during the fiscal year of 1924.

Reliable data disclose that from January 1, 1920, to January 1, 1926, the forty-eight States as a whole contracted new debts twenty times as fast as they paid off old debts. During this same period, State and local governments combined were plunging into debt more than four and one-half times as fast as they were before the War. Fully 10 per cent of all State expenditures are now required just to pay interest and amortization on the existing State debts. State bond issues have multiplied several times over in the last dozen years.

Considering the four chief aspects of State finances into one comparative sentence, it may be said, that in the forty-eight States taken as a whole, their debts have increased tremendously, their taxes and their expenditures have likewise increased, and their incomes have also mounted, but not in amount equivalent to expenditures.

With this alarming situation you should place upon the statute books of Iowa, that whenever bonds are issued there should be an annual tax big enough not only to pay the interest on the bonds, but also to pay off a part of the principal so that the whole debt would be wiped out within the lifetime of the improvement for which it is contracted. I recommend that this legislature order that no bonds hereafter be issued in Iowa for which retirement in annual payments is not provided. The same principle should also apply to all outstanding bonds when they are renewed; this would be technically entitled amortization and Iowa could not do better than to inaugurate a system of amortization of all public debts.

We have endeavored to give the State a business administration, to eliminate waste—apply the rule of economy and increased efficiency in all departments of government. Economy, waste and efficiency are the three most important words in business, and likewise the three most important words in the administration of government. Some may complain that a demand for economy is detrimental to business, but such people are absolutely wrong in their economics. When money is saved, it is not destroyed. As individual citizens we should seek to liquidate

our obligations and to get out of debt. Nothing, in my judgment, would so help the business situation in Iowa at the present time as a general cutting down of debts.

I have laid before you the problems that I believe to be pressing us for solution. My faith in the recommendations I make in this message is grounded in the belief that they serve the best interests of all the people of our State. For complete success there must be cooperation. I, therefore, urge you to give it to me. I would like every member of the Legislature to feel free to confer with me at any time in relation to any of the subjects in this message or any other matter that may be of interest to the State and its people.

I would be glad to meet with any committee from the Legislature at any time. I would welcome an invitation from either or both of your Honorable Bodies to address you in person or to be publicly questioned by you at any time during the Session on any recommendation which I have made or may hereafter make.

Respectfully submitted,

JOHN HAMMILL,  
*Governor.*

#### CANVASS OF VOTES

The President announced that the time had arrived for the canvass of the votes cast for the offices of Governor and Lieutenant Governor at the general election held on November 2, 1926, and announced as teller on the part of the Senate, Senator Haskell, and as assistant tellers, Senators Darting and McFarlane.

Speaker Carter announced as teller on the part of the House, Representative Wolfe of Linn, and as assistant tellers, Representatives Ryder of Dubuque and Barnes of Wright.

The President further announced that, in accordance with statute, Tellers Haskell of Linn and Wolfe of Linn would constitute the judges of said canvass.

Speaker Carter in the chair.

The Speaker then opened the returns in the presence of the joint convention, and the tellers proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa cast at the general election held on November 2, 1926.

McFarlane of Black Hawk moved that the joint session now recess until 1:45 p. m. Thursday.

The Senate returned to the Senate chamber and resumed regular session.

On motion of Senator McFarlane the Senate adjourned until 11 a. m. Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, JANUARY 12, 1927.

The Senate met in regular session, President Clem. F. Kimball presiding.

Prayer was offered by Rev. S. A. Fulton, pastor of the First Presbyterian Church of Des Moines.

On motion of Senator Ellis, rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Shane for the day, on request of Senator Lange; Senator Clark for the day, on request of Senator Lange; Senator Shaff for the day, on request of Senator Stoddard, Senator Bergman for the day, on request of Senator Stoddard; Senator Frailey for the day, on request of Senator Stoddard; Senator Wilson of Louisa for the day, on request of Senator McLeland; Senator Beatty for the day, on request of Senator Johnston; Senator Rigby for the day, on request of Senator Johnston; Senator Ulstad for the day, on request of Senator Slemmons; Senator Darting for the day, on request of Senator Stanley; Senator Mills for the day, on request of Senator Roberts; Senator Haskell for the day, on request of Senator McFarlane; all Senators absent and not excused for the day, on request of Senator Fackler.

The roll was called to ascertain if there was a quorum present.

The roll call revealed the presence of the following Senators:

Baird	Clearman	Kern	Roberts
Benson	Dean	Klemme	Skromme
Booth	Dotts	Lange	Slemmons
Breakenridge	Ellis	Langfitt	Stanley
Brookins	Fackler	McFarlane	Stoddard
Brush	Fulton	McLeland	Topping
Campbell	Hartman	Merritt	Wilson of Page
Cavanaugh	Johnston	Ramsay	Wilson of Polk

The roll call revealed the presence of a quorum.



## MESSAGES FROM THE HOUSE

The 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. 1, fixing the compensation of the officers of the General Assembly.

Also: That the House has adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 2, providing that when adjournment is had on Thursday afternoon, January 13th, it be to reconvene on Tuesday afternoon, January 18th, at 2:00 p. m.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 1, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 1, a joint resolution fixing the compensation of officers of the Forty-second General Assembly.

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

Section 1. That pursuant to the provisions of section nineteen (19) of the code, 1924, it is provided that the compensation of all officers and employees of the Forty-second General Assembly shall be as follows:

Ten dollars (\$10.00) per day to the secretary of the Senate and to the chief clerk of the House.

Seven dollars (\$7.00) per day to the assistant secretary, the reading clerk, the enrolling clerks, the engrossing clerk, the journal clerks of the Senate and to the assistant chief clerk, the reading clerk, the enrolling clerks, the engrossing clerks, and the journal clerks of the House.

Five dollars (\$5.00) per day to the sergeants-at-arms of the Senate and House, the assistant sergeants-at-arms of the Senate and House, the chief doorkeeper of the Senate, the bill and file clerks of the House and Senate, the lieutenant-governor's clerk, the secretary's clerk, the speaker's clerk and the chief clerk's clerk.

Four dollars (\$4.00) per day to the assistant bill and file clerks of the House and Senate, the postmistress and assistant postmistress, the doorkeepers, the chief janitor, assistant janitors and committee clerks of the House and Senate, also the assistant electrician for the voting machine in the House.

Two and fifty-hundredth dollars (\$2.50) per day to the telephone messengers in the House and Senate, the lieutenant-governor's page and the speaker's page.

Two dollars (\$2.00) per day to the other pages in the House and Senate.

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 Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

Read first and second times.

### THIRD READING OF BILLS

On motion of Senator Cavanaugh House Joint Resolution No. 1, a joint resolution fixing the compensation of officers of the Forty-second General Assembly, was taken up and considered.

The resolution was read for information.

Senator Cavanaugh moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Baird	Cavanaugh	Kern	Skromme
Benson	Clearman	Kimberly	Slemmons
Booth	Dean	Klemme	Stanley
Breakenridge	Dotts	Lange	Stoddard
Brookins	Ellis	McFarlane	Topping
Brush	Hartman	McLeland	Wilson of Page
Campbell	Haskell	Merritt	Wilson of Polk
Carden	Johnston	Roberts	

Nays, none.

Absent or not voting, 19.

Beatty	Fackler	Langfitt	Shane
Bergman	Frailey	Mills	Shinn
Browne	Fulton	Ramsey	Ulstad
Clark	Gilchrist	Rigby	Wilson of Louisa
Darting	Gunderson	Shaff	

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 the motion to reconsider be laid on the table, which motion prevailed.

The journal of January 11th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 11 a. m., Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 13, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. D. D. Buchanan, assistant pastor of the Central Presbyterian church of Des Moines.

On motion of Senator Benson, rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ulstad for the day, on request of Senator Browne; Senator Slemmons for the day, on request of Senator Browne; Senator Frailey for the day, on request of Senator Browne; Senator Bergman for the day, on request of Senator Ellis; Senator Shaff for the day, on request of Senator Ellis; Senator Gilchrist for the day, on request of Senator Cavanaugh; Senator Baird for the day, on request of Senator Cavanaugh; Senator Wilson of Louisa for the day, on request of Senator McLeland; Senator McFarlene for the day, on request of Senator McLeland; Senator McFarlane for the day, on request of Senator McLeland; Senator Shinn for the day, on request of Senator McLeland; Senator Rigby for the day, on request of Senator Fulton; Senator Kimberly for the day, on request of Senator Langfitt; Senator Merritt for the day, on request of Senator Hartman; Senator Darting for the day, on request of Senator Stanley; Senator Beatty for the day, on request of Senator Shane.

## INTRODUCTION OF BILLS

Senate File No. 2, by Senator Ellis, a bill for an act to repeal the law as it appears in Chapter thirty-six (36), Acts of the

Forty-first General Assembly, providing for a closed season on muskrats.

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

The Journal of January 12th was corrected and approved.

On motion of Senator Stoddard the Senate recessed until 11:40 a. m.

The Senate reconvened.

On motion of Senator Browne the Senate recessed until 1:30 p. m.

#### AFTERNOON SESSION

The Senate reconvened, following the recess.

#### COMMITTEE FROM THE HOUSE

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

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

## JOINT CONVENTION

JANUARY 13, 1927.

The joint session reconvened, Hon. Frank Shane, President pro tempore of the Senate, presiding.

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

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, IOWA, JANUARY 13, 1927.

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION: Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote-cast for candidates for governor and lieutenant governor at the election held November 2, 1926, beg leave to make the following report of the total vote cast for governor:

John Hammill, 374,015.

Alex R. Miller, 148,078.

Thos. J. Kelly, 1,411.

And the total vote cast for lieutenant governor at the election held November 2, 1926:

Clem F. Kimball, 352,815.

L. W. Housel, 132,535.

All of which is most respectfully submitted.

W. G. HASKELL,  
THOMAS L. WOLFE,

*Judges.*

H. A. DARTING,  
ARCH W. MCFARLANE,  
JOHN RYDER,  
S. A. BARNES,

*Tellers.*

On motion of Senator Haskell of Linn the report was adopted.

President pro tempore of the joint convention announced that John Hammill, having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualifies, and that Clem F. Kimball was duly elected to the office of Lieutenant Governor for the ensuing term, or until his successor is duly elected and qualifies.

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

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, IOWA, JANUARY 13, 1927.

This is to certify that upon a canvass in joint convention of the two houses of the Forty-second General Assembly of the State of Iowa of all the votes cast at the general election held November 2, 1926, for the office of governor of the state of Iowa, it appeared that John Hammill received the highest number of all votes cast for any candidate at said election for said office, and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 13th day of January, A. D. 1927.

FRANK SHANE,  
*President pro tempore of the Senate and  
President of the Joint Convention.*

L. V. CARTER,  
*Speaker of the House.*

W. G. HASKELL,  
*Teller of the Senate.*

THOMAS L. WOLFE,  
*Teller of the House.*

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

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, IOWA, JANUARY 13, 1927.

This is to certify that upon a canvass in joint convention of the two houses of the Forty-second General Assembly of the state of Iowa of all the votes cast at the general election held November 2, 1926, for the office of lieutenant governor of the state of Iowa, it appeared that Clem F. Kimball received the highest number of all votes cast for any candidate at said election for said office, and was thereupon declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 13th day of January, A. D. 1927.

FRANK SHANE,  
*President pro tempore of the Senate and  
President of the Joint Convention.*

L. V. CARTER,  
*Speaker of the House.*

W. G. HASKELL,  
*Teller of the Senate.*

THOMAS L. WOLFE,  
*Teller of the House.*

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

President pro tempore Shane then directed the abstract of votes and certificates of election to be filed with the secretary of state.

Senator Browne of Jackson moved that a committee of five be appointed to notify Governor-elect John Hammill and Lieutenant Governor-elect Clem F. Kimball of the official result of the canvass of the votes.

Motion prevailed, and the President pro tempore named as such committee, Senators Browne of Jackson and Brookins of Chickasaw and Representatives Nelson of Hancock, Greene of Pottawattamie and Blythe of Iowa.

Senator Browne of Jackson, chairman of the joint committee appointed to notify Hon. John Hammill and Hon. Clem F. Kimball of their election to the offices of Governor and Lieutenant Governor, respectively, submitted the following report and moved its adoption:

MR. PRESIDENT: As a committee appointed at the joint session to inform the Honorable John Hammill and Honorable Clem F. Kimball of their election to the office of governor and lieutenant governor, respectively, we beg leave to report that we have performed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of his office.

C. S. BROWNE.  
A. T. BROOKINS.  
C. H. NELSON,  
HARRY M. GREENE.  
FRED R. BLYTHE.

Report adopted.

The sergeant-at-arms announced the arrival of Governor-elect John Hammill and Lieutenant Governor-elect Clem F. Kimball, accompanied by the Governor's staff.

Governor-elect Hammill and Lieutenant Governor-elect Kimball were escorted to the Speaker's station.

Invocation was delivered by the Rev. Arthur A. Brooks.

The oath of office was administered to Lieutenant Governor-elect Clem F. Kimball by the Hon. William D. Evans, chief justice of the supreme court.

Lieutenant Governor Clem F. Kimball, President of the Senate, presiding.

The oath of office was administered to Governor-elect John Hammill by the Hon. William D. Evans, chief justice of the supreme court.

Lieutenant Governor Kimball then presented Governor Hammill, who delivered the following address:

*Mr. President, Mr. Speaker, Senators and Representatives of the Forty-second General Assembly, Ladies and Gentlemen:*

In taking this solemn oath to support the Constitution of the United States and of the State of Iowa, I am profoundly impressed with the great responsibility reposed in me by the voters of our Commonwealth. I am happy to be a citizen of Iowa. I love her farm homes, her beautiful towns and cities, and best of all, her people. Iowa's lands are fertile; her business and agricultural resources are unsurpassed; her schools, colleges and churches are unexcelled. Verily, Iowa is a good place to live.

My wish is that we shall prove worthy of our inheritance, and that our citizenry shall exalt the principles and blessings of Christianity. Fundamentally, these principles if taken as our rule of conduct, will insure confidence in one another; will establish business on a fair and sound basis; will regulate our purposes of living and eventually secure the greatest satisfaction and happiness. I realize that anything less than my best efforts to serve the State officially in the high position to which the people have called me, would be falling short of the confidence placed in me.

Government is defined as "the political machinery by which a community, state, or nation exercises control over its public affairs." Governments have grown, developed, and changed as time advanced and people became more enlightened and capable. The purpose of all government is nowhere better defined than in the preamble to the Constitution of the United States. The best form of government allows the individual the greatest freedom possible so long as his acts do not encroach upon the rights or welfare of others. The common good must always be protected. That is our responsibility.

We have met our responsibility in the right way in recent years concerning great problems affecting personal rights and the public welfare in extending the franchise without regard to sex and in making traffic



in intoxicating liquors illegal. There are questions of import to be settled in connection with wiping out illiteracy, in securing a square deal and right-mindedness between labor and capital, in guarding the rights as between corporate interests and the public, in promoting a peaceful settlement of international disputes, in maintaining a fair income to all occupations alike and in regulating the expense of living by bringing the cost to the consumer closer to the selling price of the producer. The problem of adjusting the cost of living is not one of increasing production when applied to the products of the farm, but of controlling the distribution of foodstuffs. There is an appalling waste of certain foodstuffs in the interests of maintaining higher prices which the producer does not receive but the consumer pays.

Our farms and orchards can be made to yield much more abundantly. The possible productivity of the farm and garden is far from being fully attained. We cannot say that there is a shortage in quantity of products needful that our entire population may be properly fed and comfortably clothed. Providentially we have been greatly blessed that pestilence and famine have not befallen our people. A fair price to the producer for every needful article, excessive costs to the consumer in some instances, and waste, are matters demanding intelligent and serious consideration.

#### DUTIES OF CITIZENSHIP

Under a Republican form of government the citizens are guaranteed certain inalienable rights. We have constant reminders that we possess these privileges but too frequently we do not recognize that consistent with these inalienable rights there are equal duties. One of these duties and one of the principal requirements of good citizenship is the intelligent exercise of the franchise. Every citizen who is eligible to vote should carefully study his ballot, and having done so go to the polls and vote.

One of the most unfortunate conditions of our form of government and serious defects in a representative republic is that not only does the voter vote indiscriminately in favor of public expenditure without having carefully studied the issue but also that large numbers of our people do not vote at all. Many people neglect to vote or vote in favor of all issues in the belief that since they own no tangible property they pay no taxes for such issues. Every individual in the state, whether he owns property or not, pays taxes. Many of these taxes are unseen and are included in the price paid for goods, rent, electricity, clothing, and all of the commodities which must be purchased. In fact, the person of very moderate means pays a greater percentage of his income in unseen and indirect taxes than he does on his regular tax bill.

However, the individual voter must carefully consider the necessities of the state and recognize that progress must not be halted. The voter should analyze the proposals for bond issues himself and apply to each proposal a formula which will determine whether he should be for or against it. Voters should ask themselves, is the thing proposed a proper function of government? Is it necessary? Can it be afforded? Has the proposal been carefully investigated? How much will this proposal increase taxes? Can those least able to pay bear the additional tax levy?

Will this additional tax levy draw business out of the community, bring it in or prevent it from coming in? Will the construction or management of the new proposal be in capable and trained hands? A last and perhaps one of the most important considerations and one which is seldom thought of by the voter is: Will the proposed bond issue so use up our power of bonding that the legal unit will be reached and other measures arising in the immediate future be sacrificed?

It makes no difference what may be proposed, if the questions in this formula cannot be answered satisfactorily the voter should vote no on such propositions. The keynote of the voter's slogan should be first of all—intelligently analyze the measures on the ballot, go to the polls and vote. Protect yourselves against the increase in taxes. Vote against all measures you cannot clearly endorse and above all vote.

### EDUCATION

Education continues to be a matter of major interest and concern to the people of the state. This is as it should be. No civic responsibility can be greater than the provisions that a community and a commonwealth should make for the training of its youth for future citizenship. We have reason to be proud of what has been accomplished in the development of our educational programs. While there are problems to be met, there is cause for real satisfaction that the significant steps which we have taken during the past few years have been in the right direction.

The demands for money for public education, elementary, secondary and higher, have been constantly increasing for years, and they proceed from the people themselves. More and more people are seeking the advantages afforded by our high schools and colleges. Fifteen years ago the high school registration in Iowa was 39,473. Last year it was in excess of 100,000. A recent report submitted to me by the Board of Education contained these significant facts relative to the increased demands made upon our higher institutions of learning:

"To begin with, it should be understood that we are dealing with the mightiest of mighty subjects. There isn't a thoughtful man or woman in America today who does not at least vaguely sense the fact that our development has been so rapid along scientific, industrial and educational lines that it is impossible to keep pace with it. The picture changes while you are looking at it, and you are at once perplexed and bewildered.

"Some things, however, stand out very clearly in the educational field. No matter what changes may take place, this fact needs to be understood and emphasized at the very beginning of any discussion of our educational problem in the Middle West, viz: That we shall have to educate our own people, and that the task of educating them is now and will continue to be a stupendous one. A recent survey of the situation developed the fact that whereas in 1900 there were only 65,800 college students enrolled in all the colleges of the United States, there were, in 1924, 726,124 students in the universities and colleges of the United States. If the rate of increase shown by this report is continued, it means that 50,828 more students will attend the colleges of America each year, and if this be true, colleges and universities must, of course, increase their facilities for educating men and women. Yet a little while and one per cent of our total population will be college students, and approximately five per cent of our population will be college trained."

The study above referred to shows that the long established institutions

of the country in the East, as well as the more recently developed institutions on the Pacific Coast, are limiting their attendance, raising their standards and increasing their fees to the point where no one not connected with these institutions by ties of blood, so to speak—that is, sons and daughters of alumni and alumnae—will be granted admission under any circumstances. In a year Dartmouth had 5,000 applications and accepted 600. Princeton had 3,000 applicants and accepted a like number. There were only two Iowa students in the freshmen class of Harvard last year. The State Board of Education can not hold out any hope that the cost of education in Iowa will decrease. No matter what we do, it will increase or our young people will be turned away from the doors of the institutions under the control of this Board. The only way this situation can be changed would be to have the fathers and mothers of Iowa become less insistent that their children should have the advantages of higher education instead of more insistent, as has been the case during the last two decades. Would any of us advise such a tendency?

It is a source of pride and satisfaction to every citizen of this commonwealth that our own higher educational institutions have been so well received both within and without the State. It is my confident opinion that no State in the Union offers educational advantages superior to those of Iowa. Indeed, the compliments received from around the world regarding the work done at the State Teachers' College, the State College at Ames, and the University, have become so common that they almost fail to register. These educational institutions are priceless in the life of the State of Iowa; and I take this opportunity to congratulate Iowa on the fact that there are now in attendance upwards of 20,000 students coming from every section of the State.

What a wonderful thing it is that the State has been able to secure and to hold such a large number of splendid public servants as are to be found on these faculties.

Every county in the State is represented in each of these institutions. The extension service and experimental work of Ames reaches practically every citizen in Iowa; the State Teachers' College through Saturday classes reaches more than four out of every five public-school teachers in Iowa; the University Hospital cares for more than 10,000 of the State's physically and economically unfortunate. These patients come from every section of the State. There are more than 150,000 bacteriological examinations made in the Division of Epidemiology, each year, including more than 17,000 diphtheria suspects and 400 rabies.

Never before have our educational institutions been of such genuine service to so large a number of people in Iowa. Never before were they called upon for so many different types of service to the citizens of this commonwealth. In response to these needs the State schools have ever turned a sympathetic ear to the development of service not only within but without the institutions. Notable examples are developments in experimental work at Ames, in the utilization of by-products on the farm; the development of the Bureau of Business Research at the University; and the Saturday classes at Teachers' College.

I commend especially the plan of the governing board of these institu-

tions to develop a dairy building at Ames, a library at the University, and a heating plant at Cedar Falls. The Board has asked for nothing more than the above items in the way of new developments, if indeed these can be called new developments. The Board has stated that, because of the situation in the State, their only thought so far as the next biennium is concerned is to take care of what experience has shown to be the normal numerical growth of the institutions. No new projects are even contemplated.

The demands of the State upon its educational institutions are such that they must be kept to a high point of efficiency if they are to serve the State satisfactorily. I am impressed with the fact that the governing board is faced with the necessity of operating these schools on a business basis wherein they find it necessary to pay market prices for all the services that enter into the institutions whether it be heat, light, water, power, or instruction. We must never forget that the future of Iowa is in the hands of the next generation; it is imperative that our young people be equipped to run the race of life. If we would have our best young people live in Iowa after they have completed their education, we must see to it that Iowa continues to afford first-class educational opportunities for all who may apply.

Acting on the resolution of the Forty-first General Assembly, the State Board of Education filed a report of its conclusions in regard to needless duplication within the institutions under its control. I have given this report careful study, and am convinced of the wisdom thereof. I am pleased to say the Board has already directed that these conclusions become operative with the opening of this fiscal year.

### LAW ENFORCEMENT

Let us be grateful and proud of the fact that the Great American Republic has led the way in establishing National Prohibition. There must be no backward steps. Respect for law and the enforcement of the law are paramount. The violation of law means suffering and should mean punishment in the political world as it does in the natural world. It is the inexorable penalty for wrong living and wrongdoing. The principle of obedience to law and respect for the rights and happiness of others constitutes, in a large degree, the safeguard of human freedom. There is no lawbreaker more despicable than the bootlegger. He is one of the greatest menaces to society. The penalty for violating the Eighteenth Amendment should be certain and severe. Respect for law is in exact proportion to its honest enforcement.

Law enforcement, we will concede, is always important. In a way its importance never varies, but the problem of law enforcement does vary. When the means of conveyance throughout the country was slow and difficult, the agencies of destruction commonplace, compared with agencies of the present hour, we had a problem of law enforcement, but it bore very little comparison to the present problem which confronts us. With our high-powered automobiles capable of going seventy-five and more miles per hour, communication between different parts of the

country is becoming constantly more easy. Machine guns, invented since the world war, weighing less than ten pounds, capable by their own recoil of firing five hundred missiles of death per minute, small enough to be hidden under an ordinary overcoat, have increased by several thousand per cent the potential power of criminals. It is startling to contemplate that bold and murderous crimes may be committed in broad daylight in populous communities and that before those who survive the murderous holocaust can phone the sheriff or police the perpetrators of the crime are miles away and lost in the swiftly moving currents of human travel.

The machine gun just referred to has no place except in the hands of the Federal armed forces and in the hands of the National Guard. It cannot be used safely except by one who is utterly regardless of human life. For this reason it is useless in the hands of a peace officer because not once in a thousand times would a peace officer, who has regard for human life, dare to use one of these sleeping tigers. With the exceptions noted, the mere possession of one of these weapons should be prohibited under the most drastic penalties.

The use of an automobile in the perpetration of or as a means of escape from the perpetration of larcenies or such offenses should be a penitentiary offense in itself.

Many years ago we authorized the court to order an amendment to be filed to an indictment, but the authorization was very limited. It should be broadened. The right of the court to order an amendment to an indictment in matters of substance should be put into the law of this state.

Another matter of procedure which should be modified is that part of our law which requires an indictment to charge but one offense. To illustrate: Suppose a gang of men plan a burglary. Paart of the plot is to steal an automobile in the immediate neighborhood in order to carry them to the scene of their crime, or in order to enable them to escape, or both. They steal the automobile on one side of an alley, a little later they break and enter a building on the other side, blow open the safe and do a shocking amount of damage to the property, and close their operations by stealing \$5,000. They have committed four separate and distinct crimes, (1) larceny of an automobile, (2) burglary, (3) malicious destruction of property, and (4) the larceny of \$5,000.

Under our present law these four offenses cannot be included in the same indictment or trial information. We must indict these men four separate times, try them four separate times, and again the public assumes the burden of costs. Why should not all of these connected crimes be charged, in different counts, in the same indictment?

I am not advocating that nonrelated crimes involving disconnected and separate facts should be charged in the same indictment. I am only asking for the privilege of charging, in one indictment, all the connected and related criminal issues which are the outgrowth of one criminal impulse. Why not clean up such a case in one indictment in different counts? The public will then pay the costs of one trial and not the costs of four or more trials.

It may be of interest to you to know that for seventy-three years the following statute has been a part of the federal criminal procedure:

"Barnes' Federal Code. No. 1428. Several charges joined in one indictment.—When there are several charges against any person for the same act or transaction, or for two or more acts or transactions connected together, or for two or more acts or transactions of the same class of crimes or offenses, which may be properly joined, instead of having several indictments the whole may be joined in one indictment in separate counts; and if two or more indictments are found in such cases, the court may order them to be consolidated. (R. S. 1024; Act. Feb. 26, 1853, c. 80, 1, 10 Stat. 162.)"

If the Federal Government has been carrying on its federal prosecutions under the above statute for substantially one-half of the time of our national existence, is it not about time that the states generally, including our own state, wake up to the fact that we are doing business in the criminal courts under a lot of archaic statutes which do not protect innocent men and women but which protect criminals.

I have tried with as much briefness as seemed possible to outline three desirable things:

1. The necessity for drastic provisions of law, punishing the possession of machine guns and the use of automobiles in the commission of crime.
2. The power of the court to order an indictment amended in matters of form or substance.
3. The right to charge connected and interwoven crimes in different counts in the same indictment.

## DEPARTMENT OF HEALTH

Leadership in public health activities naturally emanates from and centers around the central state organization. If the central forces are weak, the extremities inevitably suffer. The State Department of Health has received such inadequate support that it has been unable to do the work it ought normally to do, and consequently has suffered in the esteem and the support of the people. The per capita appropriation to the State Department in this state at the present time is 3c, whereas the average for the forty-eight states in the Union is 10¼c. Iowa's State Department of Health stands last but one, in a list of the states according to per capita appropriation. In order to function in some degree in keeping with the importance and progressiveness of our State, the Department is now asking not for 10¼c but for 4½.

As Iowa's health problems are largely rural and must, therefore, be solved by health activities in the field; and as experience shows that in order to do this economically and efficiently, it is necessary to have full time, qualified service, it is suggested that provision be made for such service in the State of Iowa. The natural unit, or area, of sufficient size to warrant full-time service is the county. A full-time Health Officer with two nurses and some office assistance, can adequately handle the work in a rural county of the average size. The can initiate programs of prevention, supervise all health activities and so coordinate health work, and thus reduce the amount of time lost at school by preventing the development or spread of communicable diseases, that the establishment of such a unit becomes not only a protection, but a measure of economy.

The state, as the fosterer and initiator of economical and efficient measures would be true to its functions by encouraging the adoption of such units; and by aiding counties to get them established.

It is desirable that all physicians who are to practice medicine in the State of Iowa be properly trained. Part of the training should include a year of internship in an accredited hospital. The State Board of Medical Examiners desires to make this year of internship a requirement, but the State Code does not at present demand it. The Medical Practice Act should be so revised as to incorporate in it the interne year as one of the requirements for a state license to practice medicine in the State of Iowa.

Iowa has fifty-six schools of nursing. The curricula and the requirements for graduation in some of these do not measure up to proper standards. It is highly desirable, both to insure proper training for those who are to follow the nursing profession, and that Iowa's graduate nurses may be ranked as high as those graduating in other states, that supervision be given to this feature of health work. As a solution of this disability, the State Department of Health should have a Director of a Division of Nursing Education, whose duty it would be to see that the standards of Iowa are kept at a proper level, and that institutions that are to continue graduating nurses and are now below standard, so modify their curricula and requirements that all Iowa nurse graduates may have adequate training in their profession.

The Nursing Service is a recognized part of every organized Health Department and is one of the necessary agents for public health work. The need for supervision of the work of Public Health Nurses became so acute in Iowa that temporary arrangements were made through the generosity of voluntary agencies to have a supervisor give attention to this work. There should, however, be definite provision made for a Director of Public Health Nursing as a corporate part of the State Department of Public Health.

The work on stream pollution which has made such a favorable beginning should be continued to the end that nuisances may be prevented and the danger from disease diminished. This should be accomplished with such a minimal interference with, or cramping of, our municipal and industrial development as is consistent with the objects to be accomplished.

Provision should also be made for the continuation of the program of health education now being actively prosecuted throughout the State. The provision should include not only the furnishing of literature, but also the providing of some one who can carry a personal direct message that will not merely render a great service to the community, but will put that community definitely in touch with the central organization. This will mean that there will be a constant interchange between State Department and the community and the health work thus once started will become continuous.

We now possess the knowledge by which such diseases as diphtheria, smallpox and possibly also scarlet fever, may be eradicated, and all communicable diseases greatly reduced in number. It is highly desirable that the State Department of Health be given the means by which programs of disease prevention and, if possible, eradication, such as is now

being waged against diphtheria, be extended to other diseases and carried on throughout the State.

### BANKS

The unprecedented condition through which agriculture has been passing has alike enveloped all lines of business. Our sympathy is expressed to the great banking fraternity of our State in the difficult problems with which they have been wrestling. We feel sure the bankers of our State, whether they be officers, directors or stockholders, recognize the fundamental necessity of making for Iowa the strongest possible financial institutions and we commend to their attention how essential it is to have the utmost in efficiency, administrative ability, quality of loans, the creation and accumulation of a reserve to be invested in approved securities defined by law, which may serve as adequate protection to the depositors and others in the event of unforeseen difficulties that may arise.

With the endeavor to secure the results I have just outlined I desire to submit the following as suggestions intended to strengthen the present banking code of Iowa, feeling that the interests of Iowa should be studied and served without special regard to laws enacted in other states designed to meet conditions which perhaps in Iowa do not exist. In other words, I have undertaken to thoroughly study the Iowa situation, her needs and her problems, without particular relation necessarily to banking laws in other states except for the purpose of making comparisons, otherwise there would seem to be no need for other than the one banking system—the National System.

I believe the only way to legally strengthen the banking business of Iowa, and build up the character of the banks of the State, is to carefully investigate the person applying for a bank charter before it is granted and not after, because it is then too late. This speaks for the future development of banking in Iowa.

Accordingly I recommended:

(a) That proposed subscribers to capital stock of State banks must furnish a financial statement showing they are worth at least two times, over and above their exemptions, in unencumbered property the amount of their stock subscriptions; the Banking Department to be required not only to investigate the financial circumstances of subscribers to stock, but to determine whether or not they are the character of men who have and will hold the respect and confidence of the community as bankers. Subsequent statements of financial conditions of stockholders to be furnished semiannually and filed with the Banking Commissioner.

(b) The stockholders should be required to deposit with the Banking Department securities defined by the law to insure the prompt and full payment of any assessment which they may be called upon in the future to pay. This requirement should be made effective at once on any NEW banks or TRANSFER of stock in old banks, stockholders in existing banks to receive not to exceed six per cent annual dividends until this assessment liability is put up in approved securities as aforesaid, which assessment liability requirement might be met either by the stockholder himself or by the bank from its future earnings, acting in his behalf.



(c) Good banks should be made out of going banks rather than of closed banks. The laws of some states and the proposals that have been submitted, proceed from the starting point which has to do with closed banks. We should give our attention to studying the situation as regards live, active institutions, and those yet to be formed, giving, however, due regard to the liquidation requirements of closed banks.

(d) I recommend that the entire capital of a bank be paid in before a bank can transact business; that the capital requirement be raised to \$25,000.00 for cities of 3,000 or less, \$50,000.00 for cities of 6,000 or less, and \$100,000.00 for cities having a population over 6,000. Such capital must be paid in full before the transaction of business, together with an additional subscription of 10 per cent to cover organization expenses, etc., which it is unlikely immediate earnings of a new bank may meet. No dividend should be declared until a surplus of 20 per cent has been built up, and thereafter 20 per cent of the net earnings each year should be set aside until a 50 per cent surplus has been created. A requirement this drastic is not common in banking statutes, and is for the purpose of preventing distribution of earnings as dividends until proper reserves have been set up to protect against unforeseen contingencies. Experience has shown that in times past some banks have been too prone in prosperous years to declare dividends to the full earning capacity, without regard to the possibility of less prosperous periods, during which losses might be incurred.

(e) Officers and particularly directors should give greater attention to the business of the bank. Directors should be held personally liable for any losses resulting from unlawful acts in the management of the bank which they have in any sense approved or ratified. We should surround the operations of the State Banking System with such safeguards and resolutions as will promote better banking, solely without regard to the conveniences and likes or dislikes of the bankers, as they are semi-public servants, but not to so couch the terms of the law as will result in unnecessarily hampering legitimate business transactions to the detriment of the public interest. Iowa industry, agriculture and livestock pursuits must function. Iowa capital must be conserved and made available for the development and operation of Iowa's resources. Remove the present facilities of the State banking system, without a sufficient substitute, and these industries, on which so many depend, could not continue.

(f) That the ratio of capital to deposits is also sufficient to provide a reasonable margin of safety to depositors.

After making a survey of the conditions surrounding some failed banks, it is my opinion that one of the local causes of bank failures is the fact that officers of the banks have been interested in side ventures and have either borrowed or loaned funds of the bank in cases where they were directly or indirectly financially interested. This practice has occurred in many instances with the managing officer of the institution. The first thought is to restrict the operations of the managing officer of a banking institution to the business of the institution which he represents. Restraint to this extent may be unconstitutional. We should, therefore, reach this situation by restricting the loans, the advances that may be made by a banking institution in such cases, and it should be made unlaw-

ful for a bank in this State to loan to a director, officer, or employee thereof, or for a director, officer or employee thereof to borrow from the bank any of its funds, except subject to the following limitations:

1. The indebtedness of an officer, other than a director or an employee shall not exceed five per cent of the paid-up capital stock and surplus of the corporation.

2. No such loan shall be made without first being approved by a majority of the board of directors at a meeting, in the minutes of which such approval shall be recorded in detail. Every such loan shall be acted upon in the absence of the applicant.

3. The combined indebtedness of directors, officers and employees shall not exceed forty per cent of the paid-up capital stock and surplus of the corporation.

4. No officer who is directly engaged in the management of any bank, or any employee, shall BORROW any amount whatever from or discount any note or other commercial paper with the bank by whom employed, except upon good collateral, or other ample security or endowment; and no such loan or discount shall be made until after it has been approved by a majority of the directors or a committee of the board of directors authorized to act.

5. No officer who is actively engaged in the management of any bank, or any employee, SHALL MAKE ANY LOAN for the bank by whom employed in which said officer or employee is personally or financially interested, directly or indirectly, for his own account, for himself, or as the partner or agent of others, except upon good collateral, or other ample security or endorsement, and no such loan shall be made until after such personal interest shall have been disclosed to the board of directors and that fact shown by the minutes of the meeting of the board of directors, and the loan approved by a majority of said board of directors.

It should also be provided that if the directors of any bank permit any of the directors, officers or employees thereof to borrow its funds, or discount notes or commercial paper, in violation of the foregoing recommendation or in an excessive amount, or in a dishonest manner, or in a manner incurring great risk or loss to such bank, any director who participated in or assented to the same should be liable personally for all damage which the bank or its shareholders may sustain by reason of such loan.

Then bank failures in the state have brought forth the question of a compulsory guarantee of bank deposits. I know of no model bank guaranty law. Only eight states out of the Union have ever attempted such a law. No state has passed such an Act since 1917. All such laws were put to the test when the general period of deflation set in in 1920. Since that time the failure of at least half a dozen or more of them has been calamitous. Whatever the cost of thoroughly competent and efficient examinations, it is a proper charge against banks. Whatever laws are devised to make sure that banks are given this sort of supervision, they will have economic justification. Adequate examination and control encourage good banking and discourage bad banking. Bank guaranty laws work contrariwise.

I am inclined to the belief that the soundest and most effective safeguard to bank deposits is a mutual examination system similar to the one devised by the Chicago Clearing House Association. This system has been in effect in Chicago for a number of years and has been accepted by the banks thereof, and while there have been occasional failures, no depositor of a member bank has ever lost a dollar since the examination

system was established. I believe it is feasible to divide the State into districts and to organize the banks in each district in a mutual examination association, which can make use of the clearing house system effectively. Once institute such an organization and the strong banks would get in for the possible advantage that it would offer. Then competition would force other banks to become strong enough to warrant membership.

The bankers and the bank depositors of each State should make sure that the bank examinations department is efficiently managed and amply provided with men and money. As the banks themselves pay all the costs of the department, the public cannot object to this. In my judgment if they would do this, they would set up the soundest and most effective instrument of safeguarding deposits yet devised.

Our own banking department needs more men and money to hire still more competent men. The head of the department should be able to earn and he should be paid as much as the president of a good sized bank. Under such conditions we should have no epidemic of bank failures and no demand for a guaranty law. Iowa should adopt a banking policy that is sound, that will make each banker stand for a policy that will protect his own bank and the depositors therein.

Let us apply ourselves to develop and encourage better bankers, more careful examination of banks and require banking laws to be more rigidly enforced. The responsibility of the poor banker and the fraudulent banker should not be charged to the honest and efficient banker or the public in general.

Let us be fair and remember again that the economic conditions through which we have been passing have been unprecedented. Borrowers, whether business, professional men or farmers, representing in normal times some of our financially strongest and best citizens, have, due to existing conditions become financially embarrassed or "gone broke." Credit has been extended to them legitimately and in good faith. These borrowers have been unable to pay their notes or interest. The stockholders of banks throughout the state have been making up those losses so far as they could and in a vast number of instances they have GIVEN THEIR ALL in the effort to make up those losses caused by legitimate borrowers, in order that their banking institution might survive and their depositors be protected.

Proper experience, proper financial ability, proper business integrity on the part of the banker, has, does now, and always will safeguard the depositors' funds. The essential thing, the paramount necessity, is that legislative action should enhance rather than nullify the necessity for such, as all of the banking experiences of the country in all these years have demonstrated the soundness of this contention and the futility and the danger of banking sedatives.

Affirmative legislative specifications concerning investment of a bank's funds are dangerous and offer an opportunity for unsound banking, while broad general restrictions as to investment of any and all of the funds of the bank, provide a feasible and necessary protection for depositors.

With these indispensable qualities our financial institutions should and will attain adequate strength and will be able to serve the fundamental interests of the commonwealth.

## HIGHWAYS

One of the greatest problems that confront you this session is the matter of highway legislation. You must not only be mindful of the fact that our primary highways be constructed, but at the same time you should give attention to a highway building program that will relieve the farming communities of mud.

During the last two years there has been constructed about eight hundred and fifty (850) miles of serviceable hard surface and gravel roads on the state system.

We want to continue road improvement in Iowa with sane and orderly progress, divide and distribute our efforts so as to serve the most people, build hard surfaced roads wherever traffic demands them and funds are available, as well as the less expensive types in other localities. The less costly roads under such a plan of construction will eliminate a lot of mud and entail no net economic loss when the time comes to add material for the more permanent surface. The most potent impetus the cause of better roads in Iowa could receive at the present is not so much additional funds, but a more judicious expenditure of the funds available.

Under our present road system we find the State without an immediate means of completing systematically either the main roads in the primary system or the principal roads in the secondary system. Without adding more money to our road funds we could concentrate upon the improvement of connecting sections of arterial roads now having long gaps of unsurfaced highways by reposing primary road building entirely in the State. By removing this authority and burden from county supervisors and giving them instead full control over the township roads in addition to the county roads they now have, system and saving could be instituted in our important local road building.

Then, if it were still deemed advisable to provide a quicker means of surfacing the entire primary road system than is possible with current funds, a bond issue, as may be proposed to you, remains. Whether such bonds are issued rests entirely with the people and is a question for their sovereign decision, the submission of which must be determined by the members of this assembly. A very important factor for you to determine is whether at the present time economic conditions in Iowa warrant further indebtedness or obligations by the people of the State, directly or indirectly, or whether our financial situation should be stabilized and our credit rehabilitated, before incurring further indebtedness.

The fault in our present highway system lies in our building policy. We have no policy except that laid down by you gentlemen in the laws you pass, for the expenditure of every dime of this State money, as well as all other State money. One of your major tasks at this session is to formulate a new and definite road building policy.

In the early days in Iowa when horse-drawn vehicles were the one means of travel, a journey across a township was a long trip. Then, naturally, the township was the unit of road building. When the motor vehicles came into use and a journey across a county became commonplace, the county became the unit. Ever since the infancy of the motor vehicle, the county has persisted as the unit and while transcontinental motor travel

has become incidental, Iowa is one of the very few States in the Union which retains the county as the unit of highway construction.

I have always contended, since our road policy became more expanded, against the county remaining as a unit of main highway building and in our present day situation in the retention of this unit is not only archaic but is constantly subjecting the State to the most disastrous sort of advertising concerning her roads. The time has long since passed when Iowa should parcel out her primary road building funds among the counties. This system in addition to resulting in uneven improvement of the 6,600 miles of main traveled roads, effectively hinders the continuous improvement of arterial highways from border to border. These cross-state roads do not belong to the counties. They belong to the State. If the individual counties were called upon to build their own segments of primary highways, a criticism that never could be quieted would go up from ninety-nine geographical divisions of the State against the unfair burden imposed upon the taxpayers. Instead of imposing this burden upon the taxpayers, your predecessors have reversed the order and turned back to the individual counties money raised by the State at large for expenditure on roads which did not belong to them.

The State annually accumulates approximately thirty millions for building highways and with an additional one cent in the way of gasoline tax, this fund could be raised to thirty-two million five hundred thousand dollars annually. This is a staggering amount of money when considered in the aggregate, but when it is parceled out over 104,000 miles of roadway outside of the city and towns throughout 56,147 square miles of territory, the whole sum almost disappears in-so-far as visible construction additions are concerned.

Of the thirty-two million five hundred thousand dollars annually available for highways, provided the one cent gas tax is added to present funds, about fifteen million two hundred thousand dollars is in the primary road fund available for use on the primary road system. It requires about five million two hundred thousand dollars per year for maintenance of the primary road system, the payment of interest and principal on bonds and certificates and other fixed charges, leaving about ten million dollars per year available for construction work on the primary road system. Deducting fifteen million two hundred thousand dollars of primary road funds from the total of thirty-two million five hundred thousand dollars leaves seventeen million three hundred thousand dollars per year available for use on the county and township roads, under the county board of supervisors and township board of trustees. Under the present system we expend about eleven million three hundred thousand dollars per year for maintenance and temporary work on the county and township systems, leaving six million dollars per year available for construction work on county and township roads.

The duty of you gentlemen, as I see it, is to abandon the divisional process and leave the State's money in the State's hands. I am not unmindful of the fact that both our arterial highways and the local roadways tributary to them are of equal importance and that both are deserving of the utmost improvement possible. Perfection of both systems is highly desirable and wholly practical, as I believe it can be demon-

strated to you. Neither should there be the slightest feeling on the part of any county or any section of the State that a change in our method of handling our road funds would prove discriminatory to them.

The State could take over the primary roads in their entirety and leave the local roads in the hands of the county board of supervisors. Such a plan would, I am confident, benefit both systems of roads, by centralizing authority in two separate bodies and by providing a more judicious method of financing construction.

The ten million dollars available each year for construction of primary roads, if the additional one cent gas tax is added, would be expended by the state wherever it is most needed to fill in gaps now existing on cross-state roads and the six million dollars now available for county road building would be at least used to best advantage. You should go one step further then and consolidate the township roads with the county roads and place all of them under one head—the county board of supervisors. Most township trustees, to whom road work is a heavy burden, would welcome the change.

But there is a paramount consideration in this regard and that is the waste of township road money in duplication of expenditure for machinery and expenditures on a wide mileage of roads without regard to improvement first of roads most used.

I further desire to call your attention to the fact that on February 14, 1925, I addressed to the Forty-first General Assembly a special message relating to highways, and the same appears in the House and Senate Journals of that date. With but slight modifications occasioned by the legislation of two years ago, and the progress of the two intervening years, said message and the recommendations contained therein are as applicable today as they were then. I wish to renew said suggestions slightly modified to meet present conditions, as follows:

(a) That the road user provide the additional funds for the roads he demands.

(b) That the gasoline tax be increased to one cent per gallon, the proceeds of said additional tax to be devoted to the primary roads.

(c) That the authorization whereby any county may vote primary road bonds if it so desires, be continued, and said county bond law be rewritten, simplified, and made workable.

(d) That the interest and principal of said primary road bonds heretofore or hereafter issued, be paid from the primary road funds.

(e) That special assessments for paving be repealed and assessments heretofore levied be refunded.

(f) That the control of the primary roads be vested in the State.

(g) That county allotments of primary road funds be discontinued.

(h) That the gasoline tax funds used on the secondary roads be under the direct control of the boards of supervisors, subject to review by the State Highway Commission.

(i) That said funds be additional funds and not replacement funds.

(j) That important township roads be subject to participate in said funds.

(k) That surplus county bridge funds be made available for secondary road work.

Of the above recommendations, that relating to the vesting of control of the primary roads in the State is of paramount importance. When the control of the primary roads is placed in the State, when we treat this system as one unit and not as ninety-nine units, then, and not until then, will we secure a unified, coordinated plan of improvement; then, and not until then, will we get results.

To the above recommendations I would add another, as follows:

(1) That the control of township roads be vested in the county board of supervisors.

This change would effect many economies in machinery, etc., on township roads, would promote efficiency and would substitute a coordinated, orderly system of township road work in each county for the present disjointed, haphazard system.

The primary roads have been maintained during the past two years, and construction work has progressed as rapidly as funds will permit. In that time 820 miles have been built to grade, bridged, and drained, 697 miles have been surfaced with gravel, and 153 miles have been paved.

The expenditures on this system in the two years have been as follows:—

For construction,	\$15,290,754.52
For maintenance,	6,841,130.92
Total	\$22,131,885.44

On December 1, 1926, the condition of the primary road system was as follows:

Paved,	650 Miles
Graveled,	2820 "
Graded but not surfaced,	1732 "
Not graded,	1453 "
Total	6654

Fourteen hundred fifty-two miles of the primary road system remain to be graded and bridged, 3,180 miles have no surfacing of any kind, and many miles heretofore surfaced with gravel now carry traffic so heavy that paving is required.

An up-to-date, permanent system of directing and warning signs second to that of no other State has been erected on the primary roads to direct and safeguard traffic thereon. This system of signs conforms with the National system adopted as standard for the whole United States.

During the past year the maintenance of the primary roads has been under the control of the State. Better maintenance has been secured and at no increase in cost if allowance is made for the expenditures due to unprecedented floods in many parts of the State.

The primary road development fund created by the Forty-first General Assembly has enabled the State to fill in many gaps in otherwise long stretches of improved highways. Thanks to this law, we now have two roads surfaced entirely across the State east and west. These roads are U. S. No. 18 from McGregor westerly through Mason City

and Spencer to South Dakota line, west of Doon, and U. S. No. 20 from Dubuque through Waterloo and Fort Dodge to Sioux City. The gaps in at least one and possibly two additional roads across the state will be closed in 1927. Many important gaps have been filled in other roads which not as yet have been extended entirely across the state. This is the first time the State has appeared as an administrative unit in highway affairs. The results warrant your continuing and enlarging its functions.

A year ago, acting under the provisions of Chapter 114 of the Forty-first General Assembly, the State Highway Commission outlined and I approved what has come to be known as the "Three-Year Program" of primary road improvement. The letting of contracts has progressed during the year in substantial accordance with said program except where counties have voted bonds and authorized a higher type of improvement. The underlying principle of the three-year program was to build a connected system of surfaced roads extending all over the state in a minimum time, with funds available. This principle dictated the use of gravel surfacing on many miles where we knew the traffic required paving. The gravel was considered a temporary improvement only, to tide over until a more durable surfacing could be had.

I submit the question to you for careful consideration. Detailed estimates of construction cost, mileage that can be built, income from available sources, bond retirement schedules, etc., can be obtained from the State Highway Commission. After having gone over these estimates carefully, I am satisfied that the information has been carefully and conservatively prepared.

You, as representatives of the people of the State of Iowa, must determine what is for the best interests of your constituents and for the State of Iowa as a whole. When you have determined that question, if it is in favor of building our highways out of the current funds, no further action will be required. It is in favor of a bond issue, then, before there can be an issuance of the bonds, the people themselves must pass upon the question. After the matter has been determined by the Legislature, as the representatives of the people, and by the people themselves, whatever in their wisdom they select as the program best serving the interests of the people of the State of Iowa, to such program we should give our earnest support and cooperation.

#### SAFETY ON HIGHWAYS

We need to increase the safety of those using our highways. The toll of death and injury is appalling. Adequate provision should be made whereby the criminally careless or incompetent driver is effectively penalized for the misuse of the roads of this State. A proper system of traffic regulations and provisions for punishment of offenders calculated to prevent repetition of the offense, should have your careful attention.

The great number of automobiles, the growth of our industries and the complexity in our civilization itself demands of the American people a far wider degree of cooperation today, if we are to continue



to make progress. In connection with this subject, the proceedings of the national conference on street and highway safety will be of value to you in your deliberations.

### FREE BRIDGES

I feel that we should have free bridges instead of toll bridges at every point where the primary road system of this State makes a connection with a similar road system of our neighboring states separated from us by boundary line streams. At the present time there is just one free bridge (the government bridge at Davenport) across the Mississippi River on our eastern border. At all other points on either the Missouri or Mississippi Rivers where there are bridges located, such bridges are toll bridges.

The toll bridge unquestionably had its place and performed its function in the early days when it was not possible for the local communities to get a sufficient amount of funds together to complete a bridge across such streams as the Missouri and Mississippi Rivers, and the necessity was met by toll bridges. Conditions have changed immensely in the past few years; the development of the automobile has made it more imperative that highway traffic be permitted to flow across these streams without limitation or hindrance. Incidentally, the coming of vast numbers of motor vehicles has pointed the way for the securing of funds with which to complete such structures as the bridges across our boundary line streams, so that, as I see it, there is no longer a necessity for the toll bridge.

We would not think of authorizing some private concern to erect a stone wall north and south across the State of Iowa, constructing gates in such wall at frequent intervals, and charging toll on all vehicles that pass through the gates. Nor would we think of establishing zones, say, two miles wide, north and south or east and west across the state and authorizing some company to construct the highways across such zone and charge toll on such highways.

I have no criticism whatsoever of any company or of any person who has been or is interested in a toll bridge. If people have performed a public service they are entitled to commendation and remuneration for their services, but, in my opinion, the time has come when the toll bridge has served its usefulness and should as rapidly as possible pass on as so many other things have passed on. A general and comprehensive program for the construction of free bridges across our boundary line streams should, in my opinion, be undertaken. This program might take twenty or twenty-five years in its completion. In all probability about one million dollars would be sufficient to construct a free highway bridge across either the Missouri or the Mississippi River at any point where these streams touch this State. About half the cost of each structure would be paid by our neighboring states so that around five hundred thousand dollars or less would be the investment by the State of Iowa in each of these structures.

My thought is that if we could build or acquire one of these structures every year, we would be making very fine progress. Funds therefor could very properly come from the primary road receipts. At the present time the primary road fund consists of about twelve million seven

hundred thousand dollars per year. With the addition of the proceeds of a one cent gas tax, as stated above, the primary road fund would amount to about fifteen million two hundred thousand dollars per year. My thought is that the legislature could very properly authorize the Highway Commission to set aside each year not to exceed four per cent of the primary road fund, to constitute a special bridge fund, which fund would be used for the construction of interstate bridges which constitute connecting links between the primary road system of this State and our neighboring states. Four per cent of the primary road fund, as now constituted, would amount to about five hundred thousand dollars per year. If the one cent addition gas tax is added to the primary road fund, then four per cent of this fund would amount to about six hundred thousand dollars per year.

Of course the work would have to be carried on in cooperation with our neighboring states. There might be some years in which we would be unable to reach an agreement with our neighboring states as to the construction or acquisition of any one of these bridges, but, roughly, in such a way we could carry on a program of about one bridge a year. The use of these funds for interstate bridges would not materially slow up our road construction program and it would be of immense benefit to the traveling public, particularly to the people from those counties along border streams.

I recommend that authority be extended to the Highway Commission to inaugurate and carry out a program which will finally result in the elimination of the toll bridges and the erection, in lieu thereof, of free bridges.

#### DEPARTMENTAL REFORM

Further consolidation in our various departments of government is necessary and essential to efficiency and economy in the conduct of our State's business. We have a tendency in State and National government to bureaucratic conditions. We have too much supervision, too much inspection. Duplication still exists, unnecessary inspection still exists. After a survey of the Division of Accounting under the direction of the Auditor of State as provided in Section 113, Code of 1924, pertaining to the examination of accounts of all counties of the State and of cities and towns within the State having a population of 300 or more, it is my belief that the examinations authorized by said section can be more efficiently and economically conducted if the accounting department, as designated in line 13, page 202, Acts of the 41st General Assembly, and the municipal department, as designated in line 14, page 202, be combined and the work done by one Chief Clerk of Accounting. The duties of the departments are similar and when combined are not of such volume as to require the services of two chief accountants.

We have accounting departments in our various other branches of government and I recommend that you eliminate the elaborate accounting system in the offices of the state institutions under the Board of Control, which now employ about eighty-four persons and costs approximately \$200,000 each biennium. This work largely duplicates the work of the

Central Accounting Division of the office of the Board of Control at Des Moines. The entire system of accounting in the State and all its various departments and activities should be placed under one head, that of the Auditor, and I so recommend.

### RAILROAD COMMISSION

The Valuation Department in the office of the Railroad Commission should be abolished and I recommend that it be eliminated inasmuch as the appraisalment of the railroad properties under this department has no actual relation to the fixing of freight rates within the State and neither is this valuation used in computing taxes to be paid by the railroad companies. The Valuation Department in the office of the Railroad Commission is doing a work in duplication of what has already been done by the Federal Government. I am convinced that this work is not worth what it is costing the State and that it should be abolished and no further appropriation made therefor.

We have built up in the State two legal departments—one under the Attorney General and one under the Railroad Commission. I know there are objections to the consolidation of these two departments, but I am convinced from a study of the question that the public will be just as well served, in fact, I believe better served, by the consolidation of these two departments rather than by the retention of each as a special and distinct organization, and that the taxpayer will be saved a large sum by the consolidation and the State receive more efficient service. With this thought in mind, I recommend that the Department of Commerce Counsel be transferred to the Department of Justice. With the addition of one assistant and one stenographer, the legal work of the Commerce Counsel could be handled efficiently by the Attorney General and would thereby bring the legal functions of the State under one head. The cost for the biennium for the Department of Commerce Counsel amounts to \$29,475.00. A material saving should accrue from the transfer.

### BOARD OF CONSERVATION

The records in the Department of Conservation reveal the fact that the State holds title to thirty-five state parks containing a total of 6,733 acres and costing \$530,036.66.

It would appear to be good business judgment, and not contrary to the general program of conservation, to discontinue the policy of acquiring additional parks and in the future devote such funds as may be available to making these numerous public lands of easy access to the public and more inviting to visitors.

Your chief executive believes the people are entitled to the consideration and does now recommend the adoption of such a policy.

### COUNTY FAIRS

Relative to state aid to county fairs as provided in Section 2903, Code of 1924, I recommend that such aid shall be limited to such societies owning or holding under lease a minimum of ten acres of land upon which have been erected and are owned by the society, permanent struc-

tures suitable for fair purposes, having a valuation of at least \$10,000.00; and that in no instance shall state aid be extended to more than one society in any county.

#### SUPERINTENDENT OF PUBLIC INSTRUCTION

I recommend the abolition of the Teachers Placement Bureau. I believe that the establishment and maintenance of an employment agency for a specific vocation at State expense shows discrimination and is opposed to good public practice.

#### STATE AID

I desire to call your attention to the growth of state aid. I recommend a close examination of all appropriations for state aid to the end that those not necessary be eliminated and those that are spent in a manner that does not secure the best results be examined and that economy and efficiency be exercised in connection with the appropriations in order that they may accomplish the purpose for which they were designed.

#### PURCHASING AGENTS

We have too many purchasing agents in Iowa—men in competition with each other and departments in competition with each other. Such a practice is intolerable. I recommend that we have one purchasing department for the State under one head and that sound business methods and principles be applied in the purchasing of all material for the State and all State institutions. In other words, the State should go into the market and purchase her supplies just as a corporation organized for profit does and as far as possible goods and merchandise produced and manufactured in Iowa should be used by Iowa institutions.

#### FREIGHT AND EXPRESS

It has long been the custom for firms and corporations paying considerable sums for freight and express charges to establish a traffic department whose duty is to audit and refigure all bills. Inasmuch as these departments are continuously maintained, it is prima facie evidence that they are revenue-producing agencies. Since the State of Iowa each year pays large sums to common carriers for services rendered, it is my opinion that an auditor should be employed and placed under the Railroad Commission to check all freight and express bills paid by the State. In my judgment a large annual saving would be effected.

#### AMERICAN HOMES NATIONAL CONGRESS—DES MOINES, IOWA

The American Homes National Congress is an event of deepest interest and significance. Dealing with a theme of utmost moment, in an age of unprecedented complexity, the best thought of the nation is to be especially centered upon the American home, its contacts, its preservation, its betterment from every standpoint.

The Congress is sponsored by the General Federation of Women's Clubs, which invites the active cooperation of every person and agency

interested in the improvement of the home from a social, educational, and commercial standpoint.

The home is not an artificial institution but a development out of the profoundest needs of humanity. It is today facing the challenge of the age of science and democracy. There is widespread pessimism as to its stability and its effectiveness. What is the cause of this skepticism? Is the home a failure? Or is it merely passing through the confusion and uncertainty of a transition period of new adjustment? We believe the latter is true.

The General Federation of Women's Clubs, through its Department of the American Home, with the city of Des Moines, supported by governmental, educational, and commercial organizations interested in bettering home life throughout the nation, is sponsoring this American Homes National Congress in the city of Des Moines next March.

You should join in counselling with this organization and aid in interesting the best thought of America in making the home of the twentieth century a more efficient social institution yielding a large satisfaction to the individual and the family.

#### COMMERCIALISM, PROSPERITY AND ALTRUISM

No nation can be at its best unless all classes of workers are equally prosperous. Prosperity is a thing much to be desired and rightly so. Prosperity stimulates activity everywhere. Business, farming, industry, labor, and professional services must prosper alike in order that universal contentment and happiness shall prevail among all classes of people. However, present-day commercialism and the mad rush to get rich quick would define all success in terms of financial gain. As a result, too many have become so obsessed with the greed for gain that it matters not how it may be obtained. The man whose only ambition is to make money has no time for anything else. He is too busy to give any of his time and ability to public and philanthropic enterprises. "Come out to the meeting tonight and help us push for purer city water," a man said to his neighbor, a well-to-do merchant. "Can't spare the time," was the reply, "Too busy hustling for business." When three months later, his little daughter was convalescing from a long and expensive illness of typhoid fever, it may have dawned upon him that some things need attention besides business.

The exploitation of some of our national resources is no less a crime than to rob a child or a widow of their inheritance, and all to accumulate vast fortunes for no one's immediate benefit. Is it not true that every vice that affects the public welfare has back of it a scheme to make money? The seller of blue-sky stocks, the bandit who robs the bank, the bootlegger who peddles moonshine, the white slave trafficker, and the person who misrepresents his merchandise to a purchaser, all are prompted by one great motive—easy money. Commercialism runs rampant, destroys the honor of nations and of individuals. Altruism, which regards the rights of others as well as self, thanks be, predominates and is rapidly gaining ground. The world is growing better.

As factors in solving the mighty problems affecting State and Nation, the home, the school, and the church stand out pre-eminent.

## LEGISLATIVE POWER

The power of the legislature to contribute to the development of the law is so nearly unlimited that commentators dismiss the subject with the statement that Parliament "can do anything but make a man a woman and a woman a man." While our Constitutions, Federal and State, impose restrictions on the legislative power, Congress and the State legislatures have nevertheless found a constantly expanding field for the exercise of their lawmaking powers. The great quantity and the bad quality of our statute law has long been the subject of vigorous criticism. Indeed, there is no more popular after-dinner sport than devising new phases in which to depict our legislative mills grinding out laws in feverish competition for leadership in quantitative production. Current criticism, though more picturesque, adds little to Alexander Hamilton's warning. "The facility and excess of lawmaking," says the Federalist, "seems to be the diseases to which our governments are most liable;" and again, "it will be of little avail to the people that the laws are made by men of their own choice, if the laws are so voluminous that they cannot be read or so incoherent that they cannot be understood." American critics like to contrast the law-ridden state of our people with the freedom from meddling statutory regulation, said to be enjoyed in England; but the following from a recent edition of the Saturday Review indicates that this political disease is no American monopoly: "We have arrived," says the English critic, "at the stage where the aim seems to be the largest possible number of laws and regulations and those such as excite derision." We are apt to overemphasize the number of bills introduced as a legislative evil, forgetting that freedom to introduce bills proposing changes in our laws is a part of the constitutional right to petition the government for redress of wrong. It is a safety valve for the pressure of a sense of injustice or a desire for change. The more serious matter is the selection from this mass of introduced proposals, of those bills which merit legislative approval and the "mechanics of lawmaking" by which the bills selected for enactment are converted into binding rules of law.

We have improved and we may still improve the legislative product with which we are most concerned by not merely opposing undesirable legislation, but by contributing in detail to the development of desirable legislation. My experience with legislation justifies the comment that the desirability of legislation depends, in most instances, not upon any general consideration but upon detail. A workmen's compensation bill is not good or bad in general. It is good or bad in detail and the same may be said of many other current legislative proposals.

The proper administration of the great trust which the people of Iowa have committed to our keeping requires that we should continue fearlessly to oppose undesirable legislative propositions and with equal solicitude should increase our efforts to bring about uniformity, and accuracy in desirable legislation.

The minutes of the joint convention were read and approved.

Senator Stoddard of Woodbury moved that the joint convention be now dissolved.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Frank Shane presiding.

Senator Skromme moved that a committee of three be appointed to escort Lieutenant Governor Clem F. Kimball to his desk.

The motion carried and the President pro tempore appointed as such committee Senators Skromme, Benson and Lange.

Lieutenant Governor Kimball addressed the Senate as follows:

GENTLEMEN OF THE IOWA STATE SENATE: It is customary at this time for the President of the Senate to address the Senate upon its work for the coming session. As I look over this group of Senators, I feel constrained to say that Iowa never sent a finer group of men to the State Senate, though previous sessions have had remarkable men in this body.

Iowa is first in nearly everything. We ought to see that she is first and foremost in the quality of her legislation. Edmond Burke, more than a century ago in the Parliament of England, expressed the idea that a representative of the people was so in a two-fold nature. First, that it was his duty to represent and vote according to the ideas and dictates of his constituency, but that was not all. That secondly, there was the need that he be a student of the questions affecting the welfare of his constituency and of the whole people which he represented, and that he should be a leader particularly in the formulating of the necessary and desirable laws for the commonwealth.

As your presiding officer I urge you, therefore, as representatives of the people, to be both their representative and their leader in legislation. Put aside your selfishness and your selfish interests, if any, and stand for the laws which will give the best to the most people. Not alone must principle be followed in the making of laws, but the details must be carefully worked out. The man who guides the pen in this particular, rules the legislative world. Men are sometimes moved to be against a law because certain people are for it. Others are for law because their opponents are against it. This should not be your attitude. Forgetting the past, with an eye single to the high purposes of the future, we should put our hand to the wheel, take up and prepare for the consideration of the General Assembly those laws which will benefit our people the most.

Never in the history of Iowa, perhaps, has there been the need for safe, sensible and important legislation as there is now. The chief industry of agriculture is in the dumps although we begin to see a hope for improvement. Perhaps the remedies of state law can not be invoked to improve conditions much in Iowa and yet this great industry is affected by nearly every law which is passed in the state. Like every family when the income is shortened, they are forced to economize, so Iowa must do her

economizing in this session of the General Assembly. There is only one way to economize and that is by cutting down and preventing large expenditures. And likewise not waste at the spigot as well as save at the muzzle.

But I have faith in this people of my native state, in the brain and brawn of Iowa and in her representatives in this General Assembly. I believe that this General Assembly is going to accomplish something to make Iowa a better place in which to live—better for the farmer, better for the merchant and the manufacturer and, above all, better for the children of Iowa, and that it must be done with less expenditure of money.

We should not forget the great institutions of our schools and, if possible, maintain them for their full efficiency, and take no backward step with regard to education. Iowa stands first in her lack of illiteracy among all the states of the Union. She should be a leader in educational matters—an example to the other states.

With one of the best banking systems that has been in the power of man to devise, laws favorable to the safety of the banking business should be improved upon. The people of Iowa are looking to this General Assembly to pry her roads out of the mud, and to do it without a tax upon the farms and farm lands. I believe it can be done and I believe something in the nature of improvement of the road question will be done by this General Assembly.

Above all, Iowa expects every man to do his duty and as President of your Senate, I will be ready at all times to aid in any manner that I can, any Senator or group of Senators for any good, progressive, safe and sane legislation. I am not one that believes the state has too many laws. Perhaps, too many that are inefficient or that do not meet the hopes of the people, but even these can be amended and corrected and should be.

Thanking the Senate for your patience and good fellowship in the past, I hope and pray for your indulgence and the same good fellowship for the future.

On motion of Senator Campbell the Senate adjourned to reconvene Tuesday, January 18th, at 2 p. m.



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 18, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. J. E. Drake, pastor of the Presbyterian church of Holland, Iowa.

On motion of Senator Shinn rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wilson of Louisa for the week, on account of illness, on request of Senator McLeland; Senator Topping for the day, on request of Senator Lange; Senator Johnston for the day, on request of Senator Haskell; Senator Frailey for the day, on request of Senator Ellis.

## PETITIONS AND MEMORIALS

The following petition was presented, and referred to the designated committee:

By Senator Shane, from the taxpayers of Wapello county, favoring a law to protect against the destruction of paved highways by heavily loaded vehicles with narrow tires. Committee on motor vehicles.

## MITCHELL MEMORIAL RESOLUTION

Senator Stanley offered the following resolution and moved its adoption:

*Whereas*, Honorable Elmer E. Mitchell, a member of the Senate in the Thirty-seventh and Thirty-eighth General Assemblies, died at his home near New Sharon, Iowa,

*Therefore, Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character, and services to the state.

The resolution was adopted and the President appointed as such committee Senators Stanley, Beatty and Ulstad.

## SENATE COMMITTEES

The President announced the appointment of the following committees:

## AGRICULTURE

Breakenridge— Chairman	Brush Campbell	Kern Langfitt	Roberts Shinn
Benson— Vice Chairman	Clearman Dean	McLeland Mills	Slemmons Stoddard
Browne	Fackler	Rigby	Ulstad

## APPROPRIATIONS

Stoddard— Chairman	Rigby Roberts	Breakenridge Dean	Brookins Booth
Bergman — Vice Chairman	Shaff Langfitt	Clearman Clark	Klemme Lange
Frailey Haskell	Fackler Darting		Merritt

## BANKS AND BANKING

Bergman— Chairman	Fulton Gunderson	Rigby Shane	Baird Beatty
Roberts— Vice Chairman	Johnston Kern	Wilson, D. L. Wilson, Geo. A.	Benson Shaff
Cavanaugh Carden	Lange McFarlane	Brush	Stoddard Breakenridge

## BOARD OF CONTROL

Kimberly— Chairman	Darting Dean	Ramsey Slemmons	Carden Breakenridge
Rigby— Vice Chairman	Bergman Booth	Stoddard Browne	Ellis Brush

## BOUNDARY BRIDGES

Brush, Chairman	Baird	Kimberly	Shinn
McFarlane— Vice Chairman	Frailey Fulton	Lange McLeland	Topping

## CHARITABLE AND CORRECTIONAL INSTITUTIONS

Wilson, S. F.— Chairman	Skromme— Vice Chairman Darting	Brookins Ellis	Klemme Beatty
----------------------------	--------------------------------------	-------------------	------------------

## CHILD WELFARE

Gunderson— Chairman	Clearman— Vice Chairman Cavanaugh	Clark Baird Langfitt	Skromme Stanley
------------------------	---	----------------------------	--------------------

## CITIES AND TOWNS

Haskell— Chairman	Merritt McLeland	Topping Wilson, G. A.	Kimberly Dotts
Wilson, D. L.— Vice Chairman	Shaff Ramsey	Shane McFarlane	Cavanaugh Baird
Frailey Fulton	Stanley	Lange	Stoddard Fulton

## CLAIMS

Browne— Chairman	Dean Hartman	Skromme Slemmons	Roberts Campbell
Langfitt— Vice Chairman	Dotts	Ulstad	Wilson, Samuel F.

## CODE REVISION

Cavanaugh— Chairman	Wilson, Geo. A.— Vice Chairman	Gilchrist Johnston	Wilson, D. L. Beatty
------------------------	-----------------------------------	-----------------------	-------------------------

## COMMERCE AND TRADE

Roberts— Chairman	Topping— Vice Chairman	Haskell Brush	Benson Carden Kern
----------------------	---------------------------	------------------	--------------------------

## COMPENSATION OF PUBLIC OFFICERS

Wilson, Geo. A. —Chairman	Skromme— Vice Chairman	Stoddard Johnston	Kimberly Baird Frailey
------------------------------	---------------------------	----------------------	------------------------------

## CONSERVATION

Rigby— Chairman	Ramsey Slemmons	Haskell Fulton	Brookins Benson
Dean— Vice Chairman	Stanley	Cavanaugh	

## CORPORATIONS

Klemme— Chairman	Lange— Vice Chairman	Skromme Roberts	Browne Brookins Kern
---------------------	-------------------------	--------------------	----------------------------

## CONSTITUTIONAL AMENDMENTS

Fackler— Chairman	Gunderson Gilchrist	McFarlane Skromme	Wilson, D. L. Ulstad
Brush— Vice Chairman	Breakenridge	Stoddard	

## COUNTY AND TOWNSHIP AFFAIRS

McLeland— Chairman	Browne Clark	Klemme Shinn	Wilson, Samuel F. Hartman
Dotts— Vice Chairman	Benson Breakenridge	Slemmons	

## DAIRY AND FOOD

Shinn—Chairman	Slemmons	Mills	Dean
Hartman— Vice Chairman	Skromme Kern	Langfitt Brush	Booth

## DEPARTMENTAL AFFAIRS

Brookins  
ChairmanMcLeland—  
Vice Chairman Lange  
HartmanDean  
Darting  
Bergman

## DRAINAGE

Merritt—  
ChairmanStoddard—  
Vice Chairman Dean  
Kern  
GundersonGilchrist  
Breakenridge  
Wilson, Samuel F.

## EDUCATIONAL INSTITUTIONS

Benson—  
Chairman  
Breakenridge—  
Vice ChairmanClearman  
Baird  
StanleyEllis  
Ulstad  
MillsMerritt  
Carden

## ELECTIONS

Ramsey—  
Chairman  
Clark—  
Vice ChairmanBrowne  
Fulton  
Gunderson  
KimberlyDotts  
Wilson, D. L.  
Clearman  
CardenUlstad  
Klemme  
Booth

## ENROLLED BILLS

Wilson, D. L.—  
ChairmanKlemme—  
Vice Chairman

Dotts

## FISH AND GAME

Dean—  
Chairman  
Shane—  
Vice Chairman  
Browne  
CavanaughCampbell  
Brookins  
Ellis  
Fackler  
Gilchrist  
GundersonHartman  
Mills  
Ramsey  
Slemmons  
Topping  
MerrittMcFarlane  
Wilson, Geo. A.  
Dotts

## HIGHWAYS

Shaff—  
Chairman  
Haskell—  
Vice Chairman  
Gilchrist  
Johnston  
RigbyFrailey  
Cavanaugh  
Clark  
Brookins  
Bergman  
EllisBenson  
Fackler  
Langfitt  
McLeland  
Merritt  
Stoddard  
Wilson, Samuel FStanley  
Booth  
Topping  
Beatty  
Brush  
Carden

## HORTICULTURE AND FORESTRY

Kern—  
ChairmanSkromme  
Vice Chairman Shinn—  
Wilson, Samuel F. Merritt

Ulstad

## INSURANCE

Darting— Chairman	Kimberly Stanley	Carden Lange	Wilson, Geo. A. Wilson, Samuel F.
Merritt— Vice Chairman	Fulton Dotts	Shane Topping	Ulstad Frailey
Haskell	Bergman		

## JUDICIAL DISTRICTS

Lange—Chairman	Campbell	Langfitt	Breakenridge
Gilchrist— Vice Chairman	Klemme	Beatty	

## JUDICIARY NO. 1

Gilchrist— Chairman	Wilson, D. L. Beatty	Rigby Roberts	Browne Shinn
Cavanaugh— Vice Chairman	Ramsey	Lange	

## JUDICIARY NO. 2

Frailey— Chairman	Wilson, Geo. A. Baird	Darting Ellis	Booth Johnston
Campbell— Vice Chairman		Merritt	Benson

## LABOR

Ellis—Chairman	Gilchrist	Cavanaugh	Ramsey
Mills— Vice Chairman	Clark Bergman	Darting Fackler	Shaff Shinn
Fulton	Breakenridge	Kern	Ulstad

## LAND TITLES

Clearman— Chairman	Dotts Fulton	Hartman Johnston	Rigby
Baird— Vice Chairman	Gunderson	Topping	

## MANUFACTURES

Topping— Chairman	Brookins— Vice Chairman	Fulton Hartman	Haskell Kimberly Ramsey
----------------------	----------------------------	-------------------	-------------------------------

## MILITARY AFFAIRS

Mills— Chairman	Campbell Clearman	Fackler Frailey	Wilson, D. L. Ellis
Booth— Vice Chairman	Dean Dotts	Johnston	

## MINES AND MINING

Clark— Chairman	Mills Haskell	Slemmons Skromme	Lange Dotts
Ellis— Vice Chairman	Wilson, Geo. A. Ulstad	McFarlane	Cavanaugh

## MOTOR VEHICLES

Johnston— Chairman	Stoddard Slemmons	Hartman Clark	Bergman Benson
Shaff— Vice Chairman	McLeland Langfitt	Browne Brookins	Beatty Klemme
Roberts	Kern	Booth	

## PHARMACY

Carden— Chairman	Fackler— Vice Chairman	Hartman Stanley Breakenridge	Booth Wilson, D. L. Wilson, Geo. A.
---------------------	---------------------------	------------------------------------	---

## POLICE REGULATIONS

Beatty— Chairman	Darting Fackler	Clark Gilchrist	Kern McLeland
Browne— Vice Chairman	Campbell	Johnston	Ramsey Mills

## POLITICAL DISTRICTS

Dotts—Chairman	Cavanaugh Hartman	McFarlane Slemmons	Klemme
Gunderson— Vice Chairman			

## PRINTING

Booth— Chairman	Dotts Merritt	Slemmons Ulstad	Wilson, Samuel F.
Ramsey— Vice Chairman			

## PUBLIC BUILDINGS AND LANDS

Ulstad— Chairman	Dean Campbell	Skromme Shinn	Brush Topping
Slemmons— Vice Chairman			

## PUBLIC HEALTH

Campbell— Chairman	Shaff Shane	Hartman Fackler	Wilson, Geo. A. Wilson, Samuel F.
Stanley— Vice Chairman	McLeland McFarlane	Darting Clearman	Roberts

## PUBLIC LIBRARIES

Langfitt— Chairman	Kimberly— Vice Chairman	Rigby Gunderson	McLeland Wilson, D. L.
-----------------------	----------------------------	--------------------	---------------------------

## PUBLIC SCHOOLS

Stanley— Chairman	Stoddard Rigby	Baird Brookins Clearman	Ellis Wilson, D. L.
Wilson, Samuel F. —V. Chairman	Johnston Gilchrist		

## PUBLIC UTILITIES

McFarlane— Chairman	Shaff Johnston	Kern Brush	Ellis Haskell Wilson, Geo. A.
Frailey— Vice Chairman	Kimberly		

## RAILROADS

Fulton— Chairman	Bergman Frailey	Shane Stoddard	Kimberly Lange
Johnston Vice Chairman	Haskell Rigby	Wilson, D. L. Carden	Topping Klemme
Baird	Shaff		Roberts

## RULES

Stemmons— Chairman	Ulstad— Vice Chairman	Shane Shinn	Campbell Dotts Stanley
-----------------------	--------------------------	----------------	------------------------------

## SUPPRESSION OF INTEMPERANCE

Skromme— Chairman	Kern— Vice Chairman	Gunderson Stanley Shinn	Mills Fackler Ellis
----------------------	------------------------	-------------------------------	---------------------------

## TELEGRAPH AND TELEPHONES

Hartman— Chairman	Johnston Langfitt	Benson Dotts Shaff	Shane Brookins Beatty
Carden— Vice Chairman	Roberts Frailey		

## WAYS AND MEANS

Baird— Chairman	Kimberly Roberts	Frailey Ellis Beatty	Merritt Wilson, Samuel F. Wilson, Geo. A.
Fulton— Vice Chairman	Shane Stoddard	Carden McFarlane	Topping Rigby
Haskell Langfitt	Benson		

## RETRENCHMENT AND REFORM COMMITTEE

Appropriations— Stoddard	Ways and Means —Baird	Judiciary No. 1— Gilchrist	Ellis Johnston
-----------------------------	--------------------------	-------------------------------	-------------------

## SENATORS AND THEIR RESPECTIVE COMMITTEES

## SENATOR BAIRD

Ways and means— Chairman	Cities and towns Educational institutions	Compensation public officers
Land titles— Vice Chairman	Judiciary No. 2	Boundary bridges
Banks and banking	Public schools	Retrenchment and reform
Child welfare	Railroads	

## SENATOR BEATTY

Police regulations— Chairman	Banks and banking Code revision	Motor vehicles
Charitable and correc- tional institutions— Vice Chairman	Highways Judicial districts Judiciary No. 1	Telegraph and telephones Ways and means

## SENATOR BENSON

Educational institutions— Chairman	Commerce and trade Conservation County and township affairs	Judiciary No. 2 Motor vehicles Telegraph and telephones
Agriculture— Vice Chairman	Highways	Ways and means
Banks and banking		

## SENATOR BERGMAN

Banks and banking Chairman	Board of control Departmental affairs	Labor Motor vehicles
Appropriations— Vice Chairman	Highways Insurance	Railroads

## SENATOR BOOTH

Printing—Chairman	Board of control	Judiciary No. 2
Military affairs— Vice Chairman	Dairy and food Elections	Motor vehicles Pharmacy
Appropriations	Highways	

## SENATOR BREAKENRIDGE

Agriculture—Chairman	Board of control	Drainage
Educational Institu- tions—Vice Chairman	Constitutional amend- ments	Pharmacy Judicial districts
Appropriations	County and township affairs	Labor
Banks and banking		

## SENATOR BROOKINS

Departmental affairs— Chairman	Charitable and correc- tional institutions	Highways Motor vehicles
Manufactures— Vice Chairman	Conservation Corporations	Public schools Telegraph and tele- phones
Appropriations	Fish and game	

## SENATOR BROWNE

Claims—Chairman	Board of control	Elections
Police Regulations— Vice Chairman	Corporations County and township affairs	Fish and game Judiciary No. 1 Motor vehicles
Agriculture		

## SENATOR BRUSH

Boundary Bridges— Chairman	Agriculture Banks and banking	Dairy and food Highways
Constitutional Amend- ments—Vice Chair- man	Board of control Commerce and trade	Public buildings and lands Public utilities



## SENATOR CAMPBELL

Public health— Chairman	Claims	Police regulations
Judiciary No. 2— Vice Chairman	Fish and game	Public buildings and lands
Agriculture	Judicial districts	Rules
	Military affairs	

## SENATOR CARDEN

Pharmacy— Chairman	Banks and banking	Elections
Telegraph and telephones—Vice Chairman	Board of control	Highways
	Commerce and trade	Insurance
	Educational institutions	Railroads
		Ways and means

## SENATOR CAVANAUGH

Code Revision— Chairman	Child welfare	Highways
Judiciary No. 1— Vice Chairman	Cities and towns	Labor
Banks and banking	Conservation	Mines and mining
	Fish and game	Political districts

## SENATOR CLARK

Mines and mining— Chairman	Appropriations	Highways
Elections— Vice Chairman	Child welfare	Labor
	County and township affairs	Motor vehicles
		Police regulations

## SENATOR CLEARMAN

Land titles— Chairman	Agriculture	Elections
Child welfare— Vice Chairman	Appropriations	Military affairs
	Educational institutions	Public health
		Public schools

## SENATOR DARTING

Insurance—Chairman	Charitable and cor- rectional institu- tions	Judiciary No. 2
Appropriations	Departmental affairs	Labor
Board of control		Public health
		Police regulations

## SENATOR DEAN

Fish and game— Chairman	Appropriations	Drainage
Conservation— Vice Chairman	Board of control	Highways
Agriculture	Claims	Military affairs
	Dairy and food	Public buildings and lands
	Departmental affairs	

## SENATOR DOTTS

Political districts— Chairman	Claims	Military affairs
County and township affairs— Vice Chairman	Elections	Mines and mining
Cities and towns	Enrolled bills	Printing
	Fish and game	Rules
	Insurance	Telegraph and telephones
	Land titles	

## SENATOR ELLIS

Labor—Chairman	Educational institutions	Public utilities
Mines and mining—	Fish and game	Retrenchment and reform
Vice Chairman	Highways	Suppression of intemperance
Board of control	Judiciary No. 2	Ways and means
Charitable and correctional institutions	Military affairs	
	Public schools	

## SENATOR FACKLER

Constitutional amendments—	Agriculture	Military affairs
Chairman	Appropriations	Police regulations
Pharmacy—	Fish and game	Public health
Vice Chairman	Highways	Suppression of intemperance
	Labor	

## SENATOR FRAILEY

Judiciary No. 2—	Cities and towns	Military affairs
Chairman	Compensation public officers	Railroads
Public utilities—	Highways	Telegraph and telephones
Vice Chairman	Insurance	Ways and means
Appropriations		
Boundary bridges		

## SENATOR FULTON

Railroads—Chairman	Boundary bridges	Labor
Ways and means—	Conservation	Land titles
Vice Chairman	Elections	Manufactures
Banks and banking	Insurance	

## SENATOR GILCHRIST

Judiciary No. 1—	Constitutional amendments	Labor
Chairman	Drainage	Police regulations.
Judicial districts—	Fish and Game	Public schools
Vice Chairman	Highways	Retrenchment and reform
Code revision		

## SENATOR GUNDERSON

Child welfare—	Constitutional Amendments	Land titles
Chairman	Drainage	Public libraries
Political districts—	Elections	Suppression of intemperance
Vice Chairman	Fish and game	
Banks and banking		

## SENATOR HARTMAN

Telegraph and telephones—Chairman	County and township affairs	Manufactures
Dairy and food—	Departmental affairs	Motor vehicles
Vice Chairman	Fish and game	Pharmacy
Claims	Land titles	Political districts
		Public health

## SENATOR HASKELL

Cities and towns— Chairman	Commerce and trade Conservation	Manufactures Public utilities
Highways— Vice Chairman	Insurance Mines and mining	Railroads Ways and means
Appropriations		

## SENATOR JOHNSTON

Motor vehicles— Chairman	Compensation public officers	Public schools Public utilities
Railroads— Vice Chairman	Highways Judiciary No. 2	Retrenchment and re- form
Banks and banking Code revision	Land titles Military affairs Police regulations	Telegraph and tele- phones

## SENATOR KERN

Horticulture and for- estry—Chairman	Agriculture Banks and banking	Drainage Labor
Suppression of intem- perance—Vice Chair- man	Commerce and trade Corporations Dairy and food	Motor vehicles Police regulations Public utilities

## SENATOR KIMBERLY

Board of control— Chairman	Cities and towns Compensation public officers	Manufactures Public utilities
Public libraries— Vice Chairman	Elections Insurance	Railroads Ways and means
Boundary bridges		

## SENATOR KLEMME

Corporations— Chairman	County and township affairs	Elections Judicial districts
Enrolled bills— Vice Chairman	Charitable and cor- rectional institu- tions	Motor vehicles Political districts Railroads
Appropriations		

## SENATOR LANGE

Judicial districts— Chairman	Banks and banking Boundary bridges	Insurance Judiciary No. 1
Corporations— Vice Chairman	Cities and towns Departmental affairs	Mines and mining Railroads
Appropriations		

## SENATOR LANGFITT

Public libraries— Chairman	Appropriations Child welfare	Motor vehicles Telegraph and Telephone
Claims— Vice Chairman	Dairy and food Highways	Ways and means
Agriculture	Judicial districts	

## SENATOR MCFARLAND

Public utilities— Chairman	Cities and towns	Mines and mining
Boundary bridges— Vice Chairman	Constitutional amend- ments	Political districts
Banks and banking	Fish and game	Public health
		Ways and means

## SENATOR MCLELAND

County and township affairs—Chairman	Agriculture	Motor vehicles
Departmental affairs—Vice Chair- man	Boundary bridges	Police regulations
	Cities and towns	Public health
	Highways	Public libraries

## SENATOR MERRITT

Drainage—Chairman	Educational institutions	Horticulture and forestry
Insurance— Vice Chairman	Fish and game	Judiciary No. 2
Appropriations	Highways	Printing
Cities and towns		Ways and means

## SENATOR MILLS

Military affairs— Chairman	Dairy and food	Mines and mining
Labor— Vice Chairman	Educational institutions	Police regulations
Agriculture	Fish and game	Suppression of intemperance

## SENATOR RAMSEY

Elections—Chairman	Cities and towns	Labor
Printing— Vice Chairman	Conservation	Manufactures
Board of control	Fish and game	Police regulations
	Judiciary No. 1	

## SENATOR RIGBY

Conservation— Chairman	Appropriations	Public libraries
Board of control— Vice Chairman	Banks and banking	Public schools
Agriculture	Highways	Railroads
	Judiciary No. 1	Ways and means
	Land titles	

## SENATOR ROBERTS

Commerce and trade— Chairman	Appropriations	Motor vehicles
Banks and banking— Vice Chairman	Claims	Public health
Agriculture	Ways and means	Railroads
	Corporations	Telegraph and telephones
	Judiciary No. 1	

## SENATOR SHAFF

Highways—Chairman	Banks and banking	Public utilities
Motor vehicles—	Cities and towns	Railroads
Vice Chairman	Labor	Telegraph and
Appropriations	Public health	telephone

## SENATOR SHANE

Fish and game—	Insurance	Telegraph and
Vice Chairman	Public health	telephone
Banks and banking	Railroads	Ways and means
Cities and towns	Rules	

## SENATOR SHINN

Dairy and food—	Boundary bridges	Public lands and
Chairman	County and township	buildings
Horticulture and	affairs	Rules
forestry—Vice	Judiciary No. 1	Suppression of
Chairman	Labor	intemperance
Agriculture		

## SENATOR SKROMME

Suppression of intem-	Child welfare	Horticulture and
perance—Chairman	Claims	forestry
Compensation of	Constitutional amend-	Mines and mining
public officers—	ments	Public lands and
Vice Chairman	Corporations	buildings
Charitable and cor-	Dairy and food	
rectional institu-		
tions		

## SENATOR SLEMMONS

Rules—Chairman	Claims	Dairy and food
Public lands and	Printing	Fish and game
buildings—	Conservation	Mines and mining
Vice Chairman	County and township	Motor vehicles
Agriculture	affairs	Political districts
Board of control		

## SENATOR STANLEY

Public schools—	Cities and towns	Insurance
Chairman	Conservation	Pharmacy
Public health—	Educational institu-	Rules
Vice Chairman	tions	Suppression of
Child welfare	Highways	intemperance

## SENATOR STODDARD

Appropriations—	Cities and towns	Motor vehicles
Chairman	Compensation of	Public schools
Drainage—Vice	public officers	Railroads
Chairman	Constitutional amend-	Retrenchment and
Agriculture	ments	reform
Banks and banking	Highways	Ways and means
Board of control		

## SENATOR TOPPING

Manufactures— Chairman	Cities and towns Fish and game	Public lands and buildings
Commerce and trade— Vice Chairman	Highways Insurance	Railroads
Boundary bridges	Land titles	Ways and means

## SENATOR ULSTAD

Public lands and build- ings—Chairman	Constitutional amend- ments	Horticulture and forestry
Rules—Vice Chairman	Educational institu- tions	Insurance
Agriculture	Elections	Labor
Claims		Mines and mining
		Printing

## SENATOR WILSON OF PAGE

Enrolled bills— Chairman	Code revision	Judiciary No. 1
Cities and towns— Vice Chairman	Constitutional amend- ments	Military affairs
Banks and banking	Public schools	Pharmacy
	Elections	Public libraries
		Railroads

## SENATOR WILSON OF POLK

Compensation public officers—Chairman	Cities and towns	Pharmacy
Code revision— Vice Chairman	Fish and Game	Public health
Banks and banking	Insurance	Public utilities
	Judiciary No. 2	Ways and means
	Mines and mining	

## SENATOR WILSON OF LOUISA

Charitable and correc- tional institutions— Chairman	County and township affairs	Insurance
Public schools— Vice Chairman	Drainage	Printing
Claims	Highways	Public health
	Horticulture and forestry	Ways and means

## INTRODUCTION OF BILLS

Senate Joint Resolution No. 1, by Senator Lange, a resolution for the appointment of a committee from the legislature to meet with committees from the states of Wisconsin and Illinois for the purpose of conferring and making recommendations relative to the erection of a new bridge, or the purchase of one of the toll bridges already built across the Mississippi River from Dubuque on the Iowa side, to the states of Wisconsin and Illinois; said bridge so erected or purchased to be a free bridge.

Read first and second times and referred to committee on boundary bridges.

Senate File No. 3, by Senator Lange, a bill for an act to amend the law as it appears in section fifty-nine hundred one (5901) of the Code, 1924, relating to the method of the removal of commissioners of public docks in cities and towns where a department of public docks has been established.

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

Senate File No. 4, by Senator Lange, a bill for an act to amend the law as it appears in paragraphs ten (10) and eleven (11) of section fifty-nine hundred two (5902) of the Code, 1924, relating to the department of public docks in cities and towns, and the manner of defraying the expense thereof.

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

Senate File No. 5, by Senator Lange, a bill for an act to amend the law as it appears in sections fifty-six hundred ninety-six (5696) and fifty-six hundred ninety-eight (5698) of the Code, 1924, relative to examinations and appointments under civil service in cities and towns.

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

Senate File No. 6, by Senator Benson, a bill for an act to appropriate sufficient funds for expenses of the United States champion junior dairy cattle judging team in attending the nineteen hundred twenty-seven (1927) International Live Stock show.

Read first and second times and referred to committee on dairy and food.

Senate File No. 7, by Senator Shaff, a bill for an act to legalize the proceedings of the council of the town of Dewitt, Iowa, with respect to the granting of a franchise to the Dewitt Telephone Company, and to declare that said proceedings constitute such franchise.

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

Senate File No. 8, by Senator Booth, a bill for an act to amend the law as it appears in section five thousand twenty-six (5026)

of the Code, 1924, so as to limit the civil liability of owners and operators of automobiles.

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

Senate File No. 9, by Senator Fulton, a bill for an act to amend chapter 238 (two hundred thirty-eight) of the Code, relating to the confirmation of appointments on the state highway commission.

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

Senate File No. 10, by Senator Stoddard, a bill for an act to establish the General Fund for the State of Iowa, for the biennium beginning July 1, 1927, and ending June 30, 1929, and to appropriate therefrom for all departments, and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium.

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

Senate File No. 11, by Senator Haskell, a bill for an act amending Section Sixty-six hundred (6600) of the Code of 1924, relating to limitation of taxes in certain cities operating under the commission plan of government.

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

On motion of Senator Shane the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

The Journal of January 13th was corrected and approved.

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



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 19, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Edmund J. Kulp, pastor of the First Methodist Episcopal Church, of Des Moines.

On motion of Senator Stoddard rule 37 was suspended for the day.

## RESIGNATION FROM COMMITTEE ASSIGNMENTS

JANUARY 19, 1927.

TO THE SENATE: As a personal favor I ask to be relieved from all standing committee assignments.

C. J. FULTON.

## INTRODUCTION OF BILLS

Senate File No. 12, by Senator Dean, a bill for an act to amend Chapter four hundred fifteen (415) of the Code of 1924 and all acts amendatory thereto, providing for funds to be deposited by state and savings banks with the Superintendent of Banking to secure depositors, and providing for the extension of the period of liability for bank assessments, and providing the maximum rate of interest that may be paid on deposits by state and savings banks, and limiting the amount of deposits which may be received by state and savings banks to ten times the amount of its capital, without the deposit of additional security.

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

Senate File No. 13, by Senator Dean, a bill for an act to amend Chapter one hundred seventy-eight (178) of the Acts of the Forty-first General Assembly, and to provide for additional

members of the Banking Board and for additional powers of the Banking Board and for the nomination of a Superintendent of Banking.

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

Senate File No. 14, by Senator Dean, a bill for an act to amend Chapter four hundred fifteen (415) of the Code of 1924 and all acts amendatory thereto providing for power of the Superintendent of Banking to declare a moratorium as to the liabilities of any state or savings bank, and to provide for hearing in connection with the sale of the assets of any bank concerning the liabilities of which a moratorium is declared, and providing for any appeal from such order to be made to the banking board, and providing that as to any such bank where a moratorium is declared no receiver can be appointed.

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

Senate File No. 15, by Senator Stoddard, a bill for an act to amend section twelve thousand two hundred sixty-three (12263) of the Code relating to the action of forcible entry or detention of real property.

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

### SENATE CONCURRENT RESOLUTION NO. 3

Senator Campbell offered the following resolution:

*Whereas*, there will be presented to the Legislature of Iowa of the Forty-second General Assembly certain bills referring to the guarantee of deposits in the banks of this state organized under and by virtue of the state laws thereof, and

*Whereas*, the enactment of such laws should be carefully drafted for the protection of not only the depositors but the bankers of this state, and

*Whereas*, it is the desire of the members of the Legislature to be provided with all the necessary information obtainable in relation to the workings of bank guarantee laws in other states, and

*Whereas*, a question has arisen as to the effect of the operation of such law, therefore,

*Be It Resolved by the Senate, the House concurring:* That the Presi-

dent of the Senate is hereby empowered and directed to appoint a committee of three from the Senate and that the Speaker of the House is hereby empowered and directed to appoint a committee of three from the House to compose a joint committee for the purpose of making a careful study of the banking situation in this state and the operation of the bank guarantee law in the states that have adopted such a law, and that such committee make a complete and exhaustive report of the effect and workings of the bank guarantee law in the states that have adopted such law and that this committee be vested with the power to hold public hearings in this state as well as in the states that have adopted such law for the purpose of obtaining all information possible.

The resolution was laid over under the rules.

On motion of Senator Shane the Senate went into executive session.

#### EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of L. A. Andrew, Ottumwa, Wapello county, as superintendent of banking for the term ending June 30, 1929.

On motion and roll call the Senate confirmed the appointment of Ray Yenter, Iowa City, Johnson county, as commissioner of insurance for the term ending June 30, 1927.

The Senate arose from executive session and resumed regular session.

Senator Cavanaugh asked that ex-Senator Holdoegel be invited to address the Senate. The request was granted and the President appointed Senator Cavanaugh to escort ex-Senator Holdoegel to the desk.

Senator Holdoegel addressed the Senate briefly.

#### INTRODUCTION OF BILLS

Senate File No. 16, by Senator Topping, a bill for an act to amend section eighty-five hundred eighty-five (8585) of the Code and to invest associations incorporated by acts of any territorial legislatures of Iowa for cemetery purposes with the same power to acquire lands for cemetery purposes as are possessed by like associations incorporated under the statutes of this state.

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

Senate File No. 17, by Senator Cavanaugh, a bill for an act to amend sections 319 (three hundred nineteen) and 350 (three hundred fifty) of the Code relating to the expenses of the officers and employees of the state budget department.

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

Senate File No. 18, by Senator Cavanaugh, a bill for an act to amend section 12885 (twelve thousand eight hundred eighty-five) of the Code relating to objections on appeal to the jurisdiction of the court.

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

Senate File No. 19, by Senator Cavanaugh, a bill for an act to repeal section 12890 (twelve thousand eight hundred ninety) of the Code and to enact a substitute therefor, relating to the definition of a felony.

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

Senate File No. 20, by Senator Cavanaugh, a bill for an act to amend section 13781 (thirteen thousand seven hundred eighty-one) of the Code relating to motions to set aside indictments.

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

Senate File No. 21, by Senator Cavanaugh, a bill for an act to amend section 13960 (thirteen thousand nine hundred sixty) of the Code relative to commitments for felonies.

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

Senate File No. 22, by Senator Cavanaugh, a bill for an act to repeal section 13874 (thirteen thousand eight hundred seventy-four), and to amend section 13946 (thirteen thousand nine hundred forty-six), of the Code, relating to the discharge of juries in criminal cases and to motions in arrest of judgment in criminal cases.

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

Senate File No. 23, by Senator Cavanaugh, a bill for an act to amend, revise, and codify sections 13797 (thirteen thousand seven hundred ninety-seven) and 13809 (thirteen thousand eight hundred nine), of the Code, relating to the sustaining of demurrers to criminal charges and to other rulings pertaining thereto and to the effect and avoidance of such rulings.

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

Senate File No. 24, by Senator Cavanaugh, a bill for an act to repeal section 13967 (thirteen thousand nine hundred sixty-seven) of the Code relating to fees.

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

Senate File No. 25, by Senator Cavanaugh, a bill for an act to amend section 334 (three hundred thirty-four) of the Code relating to the state appropriation bill and the introduction thereof in the General Assembly.

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

Senate File No. 26, by Senator Cavanaugh, a bill for an act to amend section 4547 (forty-five hundred forty-seven) of the Code relative to reports by the curators of the State Historical Society.

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

Senate File No. 27, by Senator Cavanaugh, a bill for an act to amend section 168 (one hundred sixty-eight) of the Code, and to repeal section 170 (one hundred seventy) of the Code, and to enact a substitute therefor relating to the preparation and printing of Codes.

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

Senate File No. 28, by Senator Cavanaugh, a bill for an act to amend section 247 (two hundred forty-seven) of the Code relating to the annual report of the State Fair Board.

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

Senate File No. 29, by Senator Cavanaugh, a bill for an act to amend chapter 519 (five hundred nineteen) of the Code relating to procedure in an action for forcible entry and detention.

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

Senate File No. 30, by Senator Cavanaugh, a bill for an act to repeal section 5181 (fifty-one hundred eighty-one) of the Code and to enact a substitute therefor, declaring the specific duties of peace officers.

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

Senate File No. 31, by Senator Cavanaugh, a bill for an act to repeal section 5248 (fifty-two hundred forty-eight) of the Code relating to the dieting, lodging, and care of prisoners.

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

Senate File No. 32, by Senator Cavanaugh, a bill for an act to amend section 2051 (two thousand fifty-one) of the Code relating to the imposition of a mulct tax upon the issuance of an injunction against the unlawful sale or keeping for sale of intoxicating liquors, and to provide for the imposition of such tax when such injunction is violated.

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

Senate File No. 33, by Senator Cavanaugh, a bill for an act to amend section 13999 (thirteen thousand nine hundred ninety-nine) of the Code relating to the duty of county attorneys in appeals in criminal cases and to regulate the service of all filings in such cases.

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

Senate File No. 34, by Senator Cavanaugh, a bill for an act to authorize two or more indictable offenses to be charged in separate counts in the same indictment or trial information, and to regulate the number of peremptory challenges in such cases.

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

Senate File No. 35, by Senator Cavanaugh, a bill for an act to amend section 1616 (sixteen hundred sixteen) of the Code relating to the distribution of taxes and of the proceeds of property sold in proceedings against houses of prostitution and the owners thereof.

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

Senate File No. 36, by Senator Cavanaugh, a bill for an act to repeal section 478 (four hundred seventy-eight) of the Code.

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

Senate File No. 37, by Senator Cavanaugh, a bill for an act to amend chapters 96 (ninety-six), 475 (four hundred seventy-five), and 617 (six hundred seventeen) of the Code relating to search warrants.

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

Senate File No. 38, by Senator Cavanaugh, a bill for an act to amend section 3774 (thirty-seven hundred seventy-four) of the Code and chapter 67 (sixty-seven), Acts 41 (Forty-first) General Assembly relating to the reduction of sentence of convicts in the penitentiary, and in the men's and women's reformatories.

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

Senate File No. 39, by Senator Cavanaugh, a bill for an act to repeal section 11341 (eleven thousand three hundred forty-one) of the Code and to amend section 11366 (eleven thousand three hundred sixty-six) of the Code relating to the taking of depositions.

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

Senate File No. 40, by Senator Cavanaugh, a bill for an act to amend chapter 513 (five hundred thirteen) of the Code, relating

to garnishment and to provide for notice of the filing of and trial on, pleadings controverting the answer of garnishees.

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

Senate File No. 41, by Senator Cavanaugh, a bill for an act to amend chapter 117 (one hundred seventeen), Acts of the 41 (Forty-first) General Assembly, and sections 6324 (sixty-three hundred twenty-four) and 6582 (sixty-five hundred eighty-two) of the Code, relating to the filing of reports by municipal officers.

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

Senate File No. 42, by Senator Cavanaugh, a bill for an act to repeal sections 7013 (seven thousand thirteen) and 7014 (seven thousand fourteen) of the Code and to enact a substitute therefor, relating to the payment of taxes by corporations.

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

Senate File No. 43, by Senator Cavanaugh, a bill for an act to repeal sections 8042 (eight thousand forty-two) and 8043 (eight thousand forty-three) of the Code and to enact a substitute therefor, relating to limitations on common carriers.

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

Senate File No. 44, by Senator Cavanaugh, a bill for an act to provide for the swearing or affirmation of jurors in civil cases, to amend section 10845 (ten thousand eight hundred forty-five), and to repeal sections 11467 (eleven thousand four hundred sixty-seven) and 13831 (thirteen thousand eight hundred thirty-one), of the Code, and to enact substitutes for the two latter sections, all relating to the selection, swearing or affirmation, and examination of jurors.

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

Senate File No. 45, by Senator Cavanaugh, a bill for an act to amend sections 10859 (ten thousand eight hundred fifty-nine) and 10865 (ten thousand eight hundred sixty-five) of the Code



relative to the selection of jury lists, and to provide the numerical size of said lists.

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

Senate File No. 46, by Senator Cavanaugh, a bill for an act to authorize the Code editor to omit certain formal matters in the compilation of the Code.

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

Senate File No. 47, by Senator Cavanaugh, a bill for an act to provide for the preparation, approval, printing, and distribution of elementary instructions to persons summoned as trial jurors.

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

Senate File No. 48, by Senator Cavanaugh, a bill for an act to provide for the commencement, making up of the issues, and trial, in vacation, of an action of mandamus.

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

Senate File No. 49, by Senator Cavanaugh, a bill for an act to require propositions for the appropriations of money for bridges to be submitted to the voters in certain cases.

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

Senate File No. 50, by Senator Cavanaugh, a bill for an act to amend, revise, and codify sections 13744 (thirteen thousand seven hundred forty-four) and 13747 (thirteen thousand seven hundred forty-seven) of the Code relating to the power of the court to order amendments to indictments.

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

Senate File No. 51, by Senator Cavanaugh, a bill for an act to repeal chapter 501 (five hundred one) of the Code and to enact a substitute therefor, relating to the protection of junior liens.

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

Senate File No. 52, by Senator Cavanaugh, a bill for an act to repeal chapter 42 (forty-two), Acts of 41 (Forty-first) General Assembly, and to enact a substitute therefor, relating to proof in prosecutions for the violation of the intoxicating liquor statutes.

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

Senate File No. 53, by Senator Cavanaugh, a bill for an act to repeal section 11484 (eleven thousand four hundred eighty-four) and to make section 13858 (thirteen thousand eight hundred fifty-eight) of the Code, applicable to civil trials, all relating to the subject of civil procedure.

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

Senate File No. 54, by Senator Cavanaugh, a bill for an act to amend, revise, and codify sections 12845 (twelve thousand eight hundred forty-five) to 12848 (twelve thousand eight hundred forty-eight), inclusive, of the Code and to enact substitutes therefor, relating to abstract of record and to the filing and effect thereof on appeal to the supreme court.

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

Senate File No. 55, by Senator Cavanaugh, a bill for an act to amend section 4611 (forty-six hundred eleven) of the Code relating to the condemnation of land for highway purposes.

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

Senate File No. 56, by Senators Stoddard and McFarlane, a bill for an act to regulate the occupation of barbering by creating a board of examiners for the licensing of persons to carry on such practice, and fixing the fees to be charged therefor; for regulating the sanitation of barber shops, barber schools and barber colleges, for preventing the spreading of contagious and infectious diseases, for promoting the health and safety of the general public and providing penalties for the violation thereof.

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

The Journal of January 18th was corrected and approved.

Senator Klemme moved that the Senate adjourn until 1:30 p. m. today.

Senator Gilchrist moved to amend the motion by making the time 10 a. m. Thursday.

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 20, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Clare H. Boos, pastor of the Methodist Episcopal Church of Burlington, Iowa.

On motion of Senator Shaff, rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mills for the morning, on request of Senator Shane; Senator Frailey for the day, on request of Senator Ellis.

## INTRODUCTION OF BILLS

Senate File No. 57, by Senator Wilson of Polk, a bill for an act to amend section four (4) of chapter seventeen (17) of the Laws of the Forty-first (41st) General Assembly, relating to electric storage batteries.

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

Senate File No. 58, by Senator Wilson of Polk, a bill for an act to amend section forty-nine hundred five (4905) of the Code, 1924, relative to the amount of license fees to be paid on motor vehicles.

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

Senate File No. 59, by Senator Wilson of Polk, a bill for an act to amend sections forty-nine hundred sixty-three (4963) and forty-nine hundred sixty-six (4966) of the Code, 1924, relating to motor vehicles.

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

Senate File No. 60, by Senator Wilson of Page, a bill for an act to amend section ten thousand eight hundred five (10805) of the Code, 1924, relating to expenses of district judges.

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

Senate File No. 61, by Senator Wilson of Page, a bill for an act to repeal the law as it appears in section thirteen thousand eight hundred ninety-one (13891) of the Code, relating to the failure of the defendant to testify in a criminal prosecution.

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

Senate File No. 62, by Senator Clearman, a bill for an act providing for registration of all dealers in agricultural lime; to provide for securing samples of agricultural lime and analysis thereof; to furnish analysis to dealers, and for the posting of such analysis, and providing penalty for the violation of the provisions hereof.

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

Senate File No. 63, by Senator Kimberly, a bill for an act to amend section five thousand three hundred fifty-five (5355) of the Code, nineteen hundred twenty-four (1924), relating to the appointment of trustees of county public hospitals.

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

#### SENATE CONCURRENT RESOLUTION NO. 4

Senator Ramsey offered the following resolution:

*Be It Resolved by the Senate, the House Concurring:* That the state

printing board be requested to furnish copies of the Code of 1924 and Acts of the Forty-first General Assembly as follows: One copy for each of the various committee rooms of the Senate and the House; three copies each for the secretary of the Senate and the chief clerk of the House for the use of said officers and their assistants; such number of copies for the press galleries of the Senate and the House as necessary, to be determined by the secretary of the Senate and the chief clerk of the House.

The resolution was laid over under the rules.

#### AMENDMENT TO THE RULES OFFERED

MR. PRESIDENT: I offer the following amendment to the rules and ask that it be referred to the committee on rules.

Amend the second paragraph of rule number twenty (20) of the Senate to read as follows: No amendment to any appropriation bill or to any item thereof shall be in order except such as is germane to the subject matter of the bill or item thereof sought to be amended and shall retrench expenditures and reduce the amounts of money covered by the bill or items thereof.

Make this paragraph rule number twenty-one (21) and renumber the rules following.

C. J. FULTON.

Referred to the committee on rules.

#### SENATE CONCURRENT RESOLUTION NO. 5

Senator Breakenridge offered the following resolution:

*Whereas*, our political parties in their appeal for support promised such legislation as would restore agriculture to the level of other industries, and

*Whereas*, these promises have not yet been fulfilled, and

*Whereas*, the continued low purchasing power of farm products has made the need of relief more urgent than when the promises were given; now, therefore,

*Be It Resolved by the Senate, the House Concurring*: That we petition and pray Congress to enact, at as early a date as possible, legislation to place agriculture upon an equal footing with other industries by the establishment of a Federal Farm Board with authority to direct the handling of surplus agricultural commodities and to charge the cost thereof to such commodities, all as embodied in the Haugen bill.

By unanimous consent the resolution was taken up and considered.

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

Ayes, 47.

Baird	Clark	Johnston	Shaff
Beatty	Clearman	Kern	Shane
Benson	Darting	Kimberly	Shinn
Bergman	Dean	Klemme	Skromme
Booth	Dotts	Lange	Slemmons
Breakenridge	Ellis	Langfitt	Stanley
Brookins	Fackler	McFarlane	Stoddard
Browne	Fulton	McLeland	Topping
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Ramsey	Wilson of
Carden	Hartman	Rigby	Page
Cavanaugh	Haskell	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 3.

Frailley	Mills	Wilson of Louisa
----------	-------	------------------

The resolution having received a constitutional majority was declared to have passed the Senate.

Senator Breakenridge 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.

#### SENATE CONCURRENT RESOLUTION NO. 3 CONSIDERED

Senator Campbell called up for consideration the following resolution and moved its adoption:

*Whereas*, there will be presented to the Legislature of Iowa of the Forty-second General Assembly certain bills referring to the guarantee of deposits in the banks of this state organized under and by virtue of the state laws thereof, and

*Whereas*, the enactment of such laws should be carefully drafted for the protection of not only the depositors but the bankers of this state, and

*Whereas*, it is the desire of the members of the Legislature to be provided with all the necessary information obtainable in relation to the workings of bank guarantee laws in other states, and

*Whereas*, a question has arisen as to the effect of the operation of such law, therefore,

*Be It Resolved by the Senate, the House concurring:* That the President of the Senate is hereby empowered and directed to appoint a committee of three from the Senate and that the Speaker of the House is hereby empowered and directed to appoint a committee of three from the

House to compose a joint committee for the purpose of making a careful study of the banking situation in this state and the operation of the bank guarantee law in the states that have adopted such a law, and that such committee make a complete and exhaustive report of the effect and workings of the bank guarantee law in the states that have adopted such law and that this committee be vested with the power to hold public hearings in this state as well as in the states that have adopted such law for the purpose of obtaining all information possible.

On motion of Senator Stoddard the Senate adjourned until 1:45 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kern for the afternoon, on request of Senator Beatty.

#### INTRODUCTION OF BILLS

Senate File No. 64, by Senator Dean, a bill for an act to amend the law as it appears in chapter four hundred eighteen (418) of Title XXIII of the Code, 1924, relating to money and interest, so as to change the maximum and legal rate of interest from eight per cent (8%) to seven per cent (7%).

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

Senate File No. 65, by Senator Cavanaugh, a bill for an act to amend chapter one hundred ninety-one (191), acts forty-first (41) general assembly, relating to notice and the service thereof in proceedings to sell or mortgage real estate of a decedent.

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

#### SUPPLEMENTAL REPORT OF JOINT COMMITTEE ON ADDITIONAL EMPLOYEES

TO THE HONORABLE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE  
OF REPRESENTATIVES:

Your joint committee composed of Senators Cavanaugh, Chairman, Roberts and Clearman, and Representatives Saunders, Chairman, Cole and Knutson, supplement their report heretofore made in relation to nominations for extra help for the Forty-second General Assembly, and beg leave to submit the following report and recommendation.

That whereas one Charles Nelson and Fred Miller, selected by your committee, have been unable to fill such positions as janitors, now we



therefore recommend to nominate W. M. Brooks and Tom Gibbons as janitors, and fix their pay at \$100.00 per month each.

Respectfully submitted,

WM. E. G. SAUNDERS,  
C. G. COLE,  
CLARENCE KNUTSON,  
*On the part of the House.*

E. E. CAVANAUGH,  
H. GUY ROBERTS,  
GEO. M. CLEARMAN,  
*On the part of the Senate.*

The report was adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 1.

DENVER L. WILSON,  
*Chairman Senate Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that as President of the Senate he had signed in the presence of the Senate, Senate File No. 1.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 20th day of January, 1927, sent to the governor for his approval, Senate File No. 1, a bill for an appropriation to cover expenses of the inaugural.

DENVER L. WILSON, *Chairman.*

Passed on file.

#### SENATE CONCURRENT RESOLUTION NO. 3 CONSIDERED

The Senate resumed consideration of Senate Concurrent Resolution No. 3.

Senator Skromme offered the following amendment and moved its adoption:

Amend by striking out the last paragraph and inserting in lieu thereof the following:

That a committee of three from the Senate and a committee of three from the House be named to compose a joint committee for the purpose

of making a careful study of the banking situation in this state and the operation of the bank guaranty law in the states that have adopted such a law; and that such committee make a careful and exhaustive report of the effect and working of the bank guaranty law in the states that have adopted such a law; and that this committee be vested with the power to hold public hearings in this state as well as in the states that have adopted such law for the purpose of obtaining all such information possible.

The members of said committee shall be elected. The members from the Senate shall be elected by the Senate and the members from the House by the House. Each person so elected must receive to qualify as member on the committee, the affirmative vote of two-thirds of the members of the body electing him. The president of the Senate shall appoint a nominating committee consisting of five members of the Senate whose duty it shall be to select three candidates, all members of the Senate, for membership on the committee. Other candidates may be nominated from the floor of the Senate.

The Speaker of the House shall appoint a nominating committee consisting of five members of the House whose duty it shall be to select three candidates, all members of the House, for membership on the committee. Other candidates may be nominated from the floor of the House.

Senator Fulton offered the following amendment to the amendment and moved its adoption:

Amend by striking from lines 8 and 9 the words: "in this state as well as in the states that have adopted such law".

Senator Campbell moved that further action on the resolution be deferred until 10 a. m. tomorrow.

The motion prevailed.

#### AMENDMENTS FILED

Amend Senate Concurrent Resolution No. 3 by striking the period (.) from the end of the last line and by inserting in lieu thereof a comma (,) and adding the following: "without expense to the state."

FRANK SHANE.

Amend Senate Concurrent Resolution No. 3 by adding as an additional paragraph the following: "There is hereby appropriated out of any money in the state treasury not otherwise appropriated a sum not to exceed five hundred dollars (\$500.00) to defray the expenses of such investigation."

W. E. McLELAND.

The Journal of January 19th was corrected and approved.

On motion of Senator Shaff the Senate adjourned until 10 a. m. Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 21, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. T. L. Scott, pastor of the St. Paul A. M. E. church of Des Moines.

On motion of Senator McLeland rule 37 was suspended for the day.

## PETITIONS AND MEMORIALS

The following petition was presented, and referred to the designated committee:

By senator Clearman, from Drainage Board of Iowa county, asking for a law to terminate certain districts. Committee on drainage.

## INTRODUCTION OF BILLS

Senate File No. 66, by Senator Benson, a bill for an act to amend, revise, and codify sections eleven thousand nine hundred three (11903), and eleven thousand nine hundred four (11904) of the Code, relating to the service of notice in proceedings for the administration of the estates of absentees.

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

## REPORT OF SENATE COMMITTEE ON RULES

**MR. PRESIDENT:** Your Senate committee on rules of the Forty-second General Assembly respectfully reports and recommends that the Senate rules of the Forty-first General Assembly be adopted as the Senate rules of the Forty-second General Assembly subject to the following amendments:

### AMENDMENT TO RULE NO. 20

Amend the second paragraph of rule number twenty (20) of the Senate to read as follows:

No amendment to any appropriation bill or to any item thereof shall

be in order except such as is germane to the subject matter of the bill or item thereof sought to be amended and shall retrench expenditures and reduce the amounts of money covered by the bill or items thereof.

Make this paragraph rule number twenty-one (21) and renumber the rules following.

#### AMENDMENT TO RULE NO. 23

Amend Rule No. 23 by striking out first three lines and up to the word "no" in the fourth line, and begin the word "no" with a capital letter.

#### RULE NO. 37

Adopt the following as Rule No. 37.

"A committee report upon a bill recommending indefinite postponement shall not be acted upon until the expiration of one legislative day after the report has been made and the author of the bill notified of the report by the secretary."

#### AMENDMENT TO RULE NO. 47

Amend Rule No. 47 as follows: Strike out, beginning with the word "after" in line 5 of the present rule No. 47 the following words: "After having marked his vote the secretary shall collect same and hand to the presiding officer" and substitute in lieu thereof the following: "After having marked his ballot he shall tear off his name and deposit the ballot in the ballot box. When the voting is concluded the secretary shall hand the ballot box to the presiding officer".

Also strike out Rule 49 and renumber the rules to conform to the changes herein proposed.

GEO. F. SLEMMONS, *Chairman.*

The report was laid over under the rules.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that, on January 20th, he had approved the following bill:

Senate File No. 1, an act making an appropriation to defray the expenses of the inaugural ceremonies.

#### SENATE CONCURRENT RESOLUTION NO. 3 CONSIDERED

The Senate resumed consideration of Senate Concurrent Resolution No. 3.

By unanimous consent Senator Skromme withdrew his amendment found on Pages 123 and 124 of the Senate Journal.

By unanimous consent Senator Shane withdrew his amendment found on Page 124 of the Senate Journal.

Senator Ellis offered the following substitute resolution and moved its adoption:

*Whereas*, there will be presented to the Legislature of Iowa of the Forty-second General Assembly certain bills referring to the guarantee of deposits in the banks of this state organized under and by virtue of the state laws thereof, and

*Whereas*, the enactment of such laws should be carefully drafted for the protection of not only the depositors but the bankers of this state, and

*Whereas*, it is the desire of the members of the Legislature to be provided with all the necessary information obtainable in relation to the workings of bank guarantee laws in other states, and

*Whereas*, a question has arisen as to the effect of the operation of such law, therefore,

*Be It Resolved by the Senate, the House concurring*: That the banking committees of the Senate and House are respectively urged to make a thorough investigation of banking conditions in the state of Iowa and the operation of banking laws in other states, giving every opportunity for the presentation of such facts as shall enable this Legislature to arrive at a fair, just and equitable solution of the banking problems now confronting our Commonwealth.

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

Ayes, 12.

Bergman	Ellis	Kimberly	Shaff
Brush	Frailey	Lange	Shane
Cavanaugh	Johnston	McFarlane	Topping

Nays, 33.

Beatty	Clearman	Hartman	Roberts
Benson	Darting	Kern	Shinn
Booth	Dean	Klemme	Skromme
Breakenridge	Dotts	Langfitt	Slemmons
Brookins	Fackler	McLeland	Stanley
Browne	Fulton	Merritt	Ulstad
Campbell	Gilchrist	Mills	Wilson of Page
Carden	Gunderson	Rigby	Wilson of Polk
Clark			

Absent or not voting, 5.

Baird	Ramsey	Stoddard	Wilson of Louisa
Haskell			

The substitute was lost.

Senator Wilson of Page arose to explain his vote.

Senator Fulton raised the point of order that the Senator from Page should file his explanation in writing.

The President held the point well taken.

Senator Fulton offered the following substitute resolution and moved its adoption:

*Whereas*, there is a growing popular demand for the enactment by the Forty-second General Assembly of a law to guarantee deposits in the banks organized under and by virtue of the laws of Iowa, and

*Whereas*, such a law should impartially protect both the depositors and the stockholders of these banks, and

*Whereas*, such a law should be drawn in the light of all available information in regard to the workings of similar laws in other states, therefore,

*Be It Resolved by the Senate, the House concurring:* That the President of the Senate is hereby empowered and directed to appoint a committee of three from the Senate, and the Speaker of the House, a committee of three from the House, these to form a joint committee charged with the duty of making a careful study of the causes and consequences of the present banking situation in the state and authorized for the same purpose to visit in their discretion any neighboring state having in operation a law guaranteeing bank deposits to the end that the committee may secure comparative facts and not later than February fourth report to this Legislature, for its guidance, the actual conditions as they find them.

By unanimous consent on request of Senator Fulton the word "fourth" was stricken from the next to the last line of the substitute resolution and the word "eighteenth" was inserted in lieu thereof.

By unanimous consent on request of Senator McLeland the substitute resolution was amended by adding as an additional paragraph the following: "There is hereby appropriated out of any money in the state treasury not otherwise appropriated a sum not to exceed five hundred dollars (\$500.00) to defray the expenses of such investigation."

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

Ayes, 31.

Beatty	Clearman	Hartman	Shinn
Booth	Darting	Kern	Skromme
Breakenridge	Dean	Langftt	Slemmons
Brookins	Dotts	McLeland	Stanley
Browne	Fackler	Merritt	Ulstad
Brush	Fulton	Mills	Wilson of Page
Campbell	Gilchrist	Roberts	Wilson of Polk
Carden	Gunderson	Shane	

Nays, 14.

Benson	Frailey	Klemme	Rigby
Bergman	Haskell	Lange	Stoddard
Cavanaugh	Johnston	McFarlane	Topping
Ellis	Kimberly		

Absent or not voting, 5.

Baird	Ramsey	Shaff	Wilson of Louisa
Clark			

The substitution was made.

On request of Senator Haskell Senator Baird was excused from voting on account of illness.

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

Ayes, 31.

Beatty	Clearman	Hartman	Shinn
Booth	Darting	Kern	Skromme
Breakenridge	Dean	Langfitt	Slemmons
Brookins	Dotts	McLeland	Stanley
Browne	Fackler	Merritt	Ulstad
Brush	Fulton	Mills	Wilson of Page
Campbell	Gilchrist	Roberts	Wilson of Polk
Carden	Gunderson	Shane	

Nays, 15.

Benson	Ellis	Kimberly	Rigby
Bergman	Frailey	Klemme	Stoddard
Cavanaugh	Haskell	Lange	Topping
Clark	Johnston	McFarlane	

Absent or not voting, 4.

Baird	Ransey	Shaff	Wilson of Louisa
-------	--------	-------	------------------

The resolution having received a constitutional majority was declared to have passed the Senate.

Senator Campbell 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.

The President appointed as members of the committee provided for in Senate Concurrent Resolution No. 3, Senators Campbell, Shane and Darting.

#### EXTRA COPIES OF SENATE FILE 12, 13 AND 14 ORDERED

By unanimous consent on request of Senator Dean five hundred extra copies of Senate Files Nos. 12, 13 and 14 were ordered printed.

#### SENATE FILE NO. 12 AMENDED

By unanimous consent on request of Senator Dean Senate File No. 12 was amended by inserting the word "or" between the words "state" and "savings" in line 1 of section 1.

#### RESOLUTION RELATIVE TO GAVEL

Senator Wilson of Polk offered the following resolution:

*Whereas*, the City of Cambridge of the State of Massachusetts has presented to the Honorable Clem F. Kimball, President of the Senate, a gavel

made from a portion of the historic tree known as the Washington elm, which formerly stood in that city; therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly* That the secretary be directed to make appropriate acknowledgment of this gift.

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

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

**Ayes, 46.**

Beatty	Clearman	Kern	Shane
Benson	Dean	Kimberly	Shinn
Bergman	Dotts	Klemme	Skromme
Booth	Ellis	Lange	Slemmons
Breakenridge	Fackler	Langfitt	Stanley
Brookins	Frailey	McFarlane	Stoddard
Browne	Fulton	McLeland	Topping
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk
Cavanaugh	Haskell	Roberts	
Clark	Johnston	Shaff	

Nays, none.

Absent or not voting, 4.

Baird	Darting	Ramsey	Wilson of Louisa
-------	---------	--------	------------------

The resolution was adopted.

#### AMENDMENTS FILED

I move to amend rule 20 as follows:

By inserting after the word "bills" in line one, the words "and resolutions".

**B. M. STODDARD.**

I move to amend Senate Rule 37, to read as follows:

Smoking in the Senate chamber is hereby permitted while the Senate is in session. And any officer or employee may indulge in smoking in the Senate chamber or doorways, while on duty. Provided, this motion may be suspended by a vote of one-third of the members present.

**LARS J. SKROMME.**

The Journal of January 20th was corrected and approved.

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



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 22, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. E. F. Kimmelshue, pastor of the United Presbyterian church of Des Moines.

On motion of Senator Campbell rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Bergman for the day on request of Senator Shane; Senator Merritt for the day on request of Senator Stoddard; Senator Ellis for the day on request of Senator Stoddard; Senator Shaff for the day on request of Senator Stoddard; Senator Kimberly for the day on request of Senator McFarlane; Senator Frailey for the day on request of Senator McFarlane; Senator Baird for the day on request of Senator Cavanaugh; Senator Dotts for the day on request of Senator Kern; Senator Brush for the day on request of Senator Haskell.

## SENATE CONCURRENT RESOLUTION NO. 6

Senator Lange offered the following resolution:

Senate Concurrent Resolution memorializing the Congress of the United States to adopt an adequate tariff schedule on onyx.

*Whereas*, The development of the industrial life of our state is important, and it is our desire to encourage its establishment in all of its various branches and thus more firmly insure our prosperity, and

*Whereas*, A new industry engaged in the development of the natural resources of our nation and establishing a market therefor, at a fair price, requires that such industry be protected against unfair foreign competition, made possible through cheap labor, and

*Whereas*, There is now located at the city of Dyersville, Iowa, an industry engaged in the manufacture of onyx products secured from onyx deposits owned and operated by it in the state of Arizona, and

*Whereas*, Said industry is still in its infancy, having been originally established in the year 1923, and

*Whereas*, Said industry has spent much time and money in creating a market in the United States for manufactured onyx, and

*Whereas*, Onyx produced with cheap foreign labor is now being brought into this country, in block form, either rough or squared, under a tariff rate of 65 cents per cubic foot, and sold in competition with onyx of the United States produced by American labor at the very top wages, and

*Whereas*, Said tariff rate was established by the Tariff Act of 1922, at a time when no onyx was being produced in the United States, said rate is now too low to furnish any adequate protection against foreign competition; now, therefore,

*Be It Resolved by the Senate, of the General Assembly of Iowa, the House Concurring:*

That we petition and pray the Congress of the United States to amend the tariff schedule by raising the rate on onyx so as to enable this new American industry to live, grow, develop and expand.

*Be It Further Resolved*, That on the passage of this resolution the secretary of state shall certify a copy hereof, each to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, at Washington, D. C.

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

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

Ayes, 35.

Beatty	Clearman	Klemme	Skromme
Benson	Dean	Lange	Slemmons
Booth	Fackler	McFarlane	Stanley
Breakenridge	Fulton	McLeland	Stoddard
Brookins	Gilchrist	Mills	Topping
Campbell	Gunderson	Ramsey	Ulstad
Carden	Hartman	Rigby	Wilson
Cavanaugh	Haskell	Shane	of Page
Clark	Johnston	Shinn	Wilson of Polk

Nays, none.

Absent or not voting, 15.

Baird	Darting	Kern	Roberts
Bergman	Dotts	Kimberly	Shaff
Browne	Ellis	Langfitt	Wilson of Louisa
Brush	Frailey	Merritt	

The resolution was adopted.

Senator Lange 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.

## INTRODUCTION OF BILLS

Senate File No. 67, by Senator Benson, a bill for an act to regulate the sale of oleomargarine by requiring an inspection fee, the manner in which said fee shall be paid, and resting the execution and enforcement of this act in the agricultural department.

Read first and second times and referred to committee on dairy and food.

Senate File No. 68, by Senator Lange, a bill for an act to amend the provisions of sections thirty-two hundred seventy-five, (3275) and thirty-two hundred seventy-six (3276) of the Code, 1924, relating to the appointment and qualifications of members of the board of control of state institutions.

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

Senate File No. 69, by Senator Brookins, a bill for an act to amend the law as it appears in section five thousand twelve (5012) of the Code, 1924, relating to the fee to be retained by county treasurers from motor license fees, and to authorize the payment of extra help in the administration of the motor vehicle law by the county treasurer out of such fund.

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

Senate File No. 70, by Senator Breakenridge, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code, relating to violations of the law governing registration of animals.

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

Senate File No. 71, by Senator Gunderson, a bill for an act to amend section ninety-two hundred twenty-three (9223) of the code relating to the limitation on loans by state banks, savings banks, trust companies and loan and trust companies, and fixing liability for a violation of such limitation.

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

Senate File No. 72, by Senator Haskell, a bill for an act to

amend chapter one hundred sixty-three (163), acts of the Forty-first General Assembly, with reference to the deposit by life insurance companies to cover the valuation of policies

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

Senate File No. 73, by Senator Wilson of Polk, a bill for an act to repeal section eleven thousand four hundred thirty-eight (11438) of the Code of 1924.

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

Senate File No. 74, by Senator Wilson of Polk, a bill for an act to repeal sections twelve thousand nine hundred eighty-four (12984) to twelve thousand nine hundred eighty-nine (12989), inclusive, and section twelve thousand nine hundred ninety-one (12991) of the Code, 1924, relating to arson, and to enact a substitute therefor.

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

#### SENATE CONCURRENT RESOLUTION NO. 7

Senator Browne offered the following resolution:

Resolution for the purpose of demanding that proposed changes of the rules of the Chicago Board of Trade, which would eliminate deliveries of No. 4 corn upon future contracts during months of November, December, January and February, be the subject of rigid investigation by the Grain Futures Administration before being permitted to become operative.

*Whereas*, The rules of the Board of Trade of the city of Chicago now provide for the delivery of corn grading No. 4 during the months of November, December, January and February upon future contracts, and it is proposed by the membership of the board to change the rules so that corn grading No. 4 shall not be deliverable; and,

*Whereas*, The producers of Iowa are vitally interested in the market for off-grade corn, particularly when, as in the year 1926, the large volume available for merchandising graded No. 4 and under, and any such change may occasion incalculable loss to the producers, and,

*Whereas*, The Chicago Board of Trade is a contract market under the provisions of the Grain Futures Act, and under the supervision of the Grain Futures Administration of the U. S. Department of Agriculture; now, therefore,

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

That any change in or modification of the rules of the Board of Trade of the city of Chicago as appears to be contemplated, and as is set forth in the preamble hereof, be and it is vigorously protested, unless it can first be clearly shown by those instigating such a change that its operation will be the interests of the producers of grain, and that it is not for the purpose of stimulating speculation and increasing speculative gains at the expense of the producer.

*Be It Further Resolved,* That no such change or modification as is contemplated should be permitted to become effective until it and the probable effects thereof shall be thoroughly and exhaustively investigated by the Grain Futures Administration, and that the investigation should be conducted in such manner as shall enable the producers and general public to be thoroughly informed.

*Be It Further Resolved,* That copies of this resolution be transmitted to the members of the commission created under the Grain Futures Act and having jurisdiction over contract markets, namely, the secretary of agriculture, the secretary of commerce and the attorney general of the United States, and to the president and secretary of the Board of Trade of the City of Chicago.

The resolution was laid over under the rules.

## SENATE CONCURRENT RESOLUTION NO. 4 CONSIDERED

Senator Ramsey called up for consideration the following resolution and moved its adoption:

*Be It Resolved by the Senate, the House Concurring:* That the state printing board be requested to furnish copies of the Code of 1924 and Acts of the Forty-first General Assembly as follows: One copy for each of the various committee rooms of the Senate and the House; three copies each for the secretary of the Senate and the chief clerk of the House for the use of said officers and their assistants; such number of copies for the press galleries of the Senate and the House as necessary, to be determined by the secretary of the Senate and the chief clerk of the House.

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

Ayes, 36.

Beatty	Carden	Fulton	Kern
Benson	Cavanaugh	Gilchrist	Klemme
Booth	Clark	Gunderson	Langfitt
Breakenridge	Clearman	Hartman	McFarlane
Brookins	Dean	Haskell	McLeland
Campbell	Fackler	Johnston	Mills

Ramsey	Shinn	Stanley	Ulstad
Rigby	Skromme	Stoddard	Wilson of Page
Shane	Slemmons	Topping	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Baird	Darting	Kimberly	Roberts
Bergman	Dotts	Lange	Shaff
Browne	Ellis	Merritt	Wilson of Louisa
Brush	Frailey		

The resolution was adopted.

The journal of January 21st was corrected and approved.

Senator Shinn moved that the Senate adjourn until 10:00 a. m. Monday.

Senator Johnston moved to amend the motion by making the hour 1:30 p. m. Monday.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 1:30 p. m. Monday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 24, 1927.

The Senate met in regular session, President pro tem Frank Shane presiding.

Prayer was offered by Rev. W. A. Siefkes, pastor of the Lutheran Church of Clarksville, Iowa.

On motion of Senator Shinn, rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the day, on request of Senator Ulstad; Senator Gilchrist for the day, on request of Senator Breakenridge; Senator Baird for the day, on request of Senator Cavanaugh; Senator Ramsey for the day, on request of Senator Fackler; Senator Brush for the day, on request of Senator McFarlane.

## PETITIONS AND MEMORIALS

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

By Senator Wilson, from the voters of Polk county, endorsing a Bank Guarantee Act. Committee on banks and banking.

By Senator Wilson, from the voters of Polk county, favoring good road legislation. Committee on highways.

By Senator Stanley, from voters of Mahaska county, endorsing open season on muskrats. Committee on fish and game.

By Senators Fackler, Booth, Campbell, Roberts, McFarlane, Shaff, Hartman, Dean, Clearman and Stanley, favoring the barber bill. Committee on public health.

## INTRODUCTION OF BILLS

Senate File No. 75, by Senator Kern, a bill for an act to repeal section five hundred twenty (520) of the Code and to enact a

substitute therefor relating to the election and term of office of county officers.

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

Senate File No. 76, by Senator Shane, a bill for an act to repeal section twenty-seven hundred sixty-two (2762) of the Code and to enact a substitute therefor.

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

Senate File No. 77, by Senator Shane, a bill for an act to amend section six thousand four hundred eighty (6480) of the Code, 1924, relating to commission plan cities.

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

Senate File No. 78, by Senator Benson, a bill for an act to repeal sections forty-six hundred twenty-two (4622) and forty-six hundred twenty-three (4623) of the Code, and to enact substitutes therefor, to amend section forty-six hundred twenty-five (4625) of the Code, all relating to the state highway commission, and to adjust the terms of office of the members of said commission on the basis of a term of six (6) years.

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

Senate File No. 79, by Senator Benson, a bill for an act relating to the assessment of real estate and of the note or notes secured by mortgage on such real estate, and to provide for an exemption or set-off under certain conditions.

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

Senate File No. 80, by Senator Stoddard, a bill for an act to authorize the refund of excess money paid by any person for the purchase of a copy of the book of Annotations to the Code, and to make an appropriation therefor.

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



Senate File No. 81, by Senator Slemmons, a bill for an act to amend section seventy-one hundred seventy-one (7171) of the Code relating to the levy of taxes.

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

Senate File No. 82, by Senator Fackler, a bill for an act providing that the county recorder shall not record or file any chattel mortgage or conditional sale of personal property, unless the true amount secured is stated in said instrument.

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

#### SENATE CONCURRENT RESOLUTION NO. 8

Senator Breakenridge offered the following resolution:

*Be It Resolved by the Senate, the House concurring:* That a joint convention of the two Houses be held at 11 a. m., January 25th, and that former Governor W. L. Harding be invited to address the joint convention on the Great Lakes, St. Lawrence River project.

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

The resolution was adopted.

Senator Breakenridge moved that the vote by which the resolution passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SUPPLEMENTAL REPORT FROM COMMITTEE ON COMMITTEE ROOMS

**MR. PRESIDENT:** Your committee on assignment of committee rooms begs leave to submit the following:

Agriculture—Lieutenant-Gov's. Room—Wed., 3 P. M.; Fri., 1:30 P. M.

Appropriations—Lieutenant-Gov's. Room, Mon., 4 P. M.; Thurs., 4 P. M.

Banks and Banking—Room 23, Mon., 4 P. M.; Wed., 3 P. M.

Board of Control—Room 16, Mon., 3 P. M.; Wed., 3 P. M.

Boundary Bridges—Room 16, Fri., 1 P. M.

Charitable Institutions—Room 16, Tues., 4 P. M.; Fri., 4 P. M.

Child Welfare—Room 15, Mon., 4 P. M.; Wed., 4 P. M.

Cities and Towns—Lieutenant-Gov's. Room, Mon., 1:30 P. M.; Wed., 4 P. M.

- Claims—Room 28, Wed., 4 P. M.; Fri., 1:30 P. M.  
 Code Revision—Room 24, Thurs., 1:30 P. M.  
 Commerce and Trade—Room 15, Mon., 3 P. M.  
 Compensation of Public Officers—Room 18, Mon., 1:30 P. M.  
 Conservation—Room 15, Fri., 3 P. M.  
 Constitutional Affairs—Room 17, Mon., 4 P. M.  
 Corporations—Room 28, Tues., 4 P. M.  
 County and Twp. Affairs—Room 28, Mon., 1:30 P. M.; Wed., 3 P. M.  
 Dairy and Food—Room 22, Fri., 4 P. M.  
 Departmental Affairs—Room 28, Mon., 4 P. M.; Wed., 1:30 P. M.  
 Drainage—Room 22, Wed., 3 P. M.  
 Educational Institutions—Room 23, Tues., 4 P. M.; Fri., 1:30 P. M.  
 Elections—Room 17, Thurs., 4 P. M.  
 Enrolled Bills—Room 26.  
 Fish and Game—Room 15, Thurs., 3 P. M.  
 Highways—Lieutenant-Gov's. Room, Tues., 3 P. M.; Thurs., 3 P. M.;  
 Fri., 4 P. M.  
 Horticulture and Forestry—Room 15, Mon., 4 P. M.  
 Insurance—Room 22, Mon., 3 P. M.; Wed., 1:30 P. M.  
 Judiciary No. 1—Room 23, Mon., 1:30 P. M.; Wed., 1:30 P. M.; Fri.,  
 3 P. M.  
 Judiciary No. 2—Room 23, Tues., 1:30 P. M.; Thurs., 2:30 P. M.; Sat.,  
 1:30 P. M.  
 Judicial Districts—Room 18, Mon., 3 P. M.  
 Labor—Room 23, Mon., 2:30 P. M.  
 Land Titles—Room 15, Tues., 3 P. M.  
 Manufactures—Room 15, Tues., 2 P. M.; Fri., 4 P. M.  
 Military Affairs—Room 17, Wed., 4 P. M.  
 Mines and Mining—Room 17, Tues., 4 P. M.; Thurs., 1:30 P. M.  
 Motor Vehicles—Lieutenant-Gov's. Room, Tues., 1:30 P. M.; Fri., 3  
 P. M.  
 Pharmacy—Room 17, Mon., 1:30 P. M.  
 Police Regulations—Room 28, Mon., 4 P. M.; Wed., 3 P. M.  
 Political Districts—Room 16, Thurs., 4 P. M.  
 Printing—Room 28, Fri., 4 P. M.  
 Public Buildings and Lands—Room 17, Mon., 4 P. M.  
 Public Health—Room 22, Tues., 3 P. M.; Thurs., 1:30 P. M.  
 Public Libraries—Room 16, Mon., 4 P. M.  
 Public Schools—Room 23, Tues., 1:30 P. M.; Thurs., 1:30 P. M.  
 Public Utilities—Room 15, Wed., 1:30 P. M.; Fri., 3 P. M.  
 Railroads—Room 28, Wed., 3 P. M.; Fri., 1:30 P. M.  
 Retrenchment and Reform—Room 23 (any time).  
 Rules—Press Gallery (any time).

Suppression of Intemperance—Room 28, Tues., 1:30 P. M.; Thurs., 4 P. M.

Telegraph and Telephone—Room 16, Tues., 3 P. M.; Fri., 1:30 P. M.

Ways and Means—Lieutenant-Gov's. Room, Mon., 3 P. M.; Thurs., 1:30 P. M.

A. J. SHINN, *Chairman.*  
A. H. BERGMAN.  
S. E. FACKLER.

The report was adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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.

DENVER L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY PRESIDENT

President Pro Tem Shane announced that as President pro tem of the Senate he had signed in the presence of the Senate, House Joint Resolution No. 1.

The Journal of January 22d was corrected and approved.

On motion of Senator Dean the Senate adjourned until 10 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 25, 1927.

The Senate met in regular session, President pro tem Frank Shane presiding.

Prayer was offered by Rev. S. J. Huffman, pastor of the First Presbyterian church of Hartford, Iowa.

On motion of Senator Wilson of Page, rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Wilson of Louisa for the balance of the week, on account of illness, on request of Senator McLeland; Senator Gilchrist for the day, on request of Senator Breakenridge; Senator Browne for the day, on request of Senator Ulstad; Senator Rigby for the day, on request of Senator Shaff; Senator Baird, indefinitely on account of illness, on request of Senator Cavanaugh; Senator Frailey for the day, on request of Senator Carden.

## PETITIONS AND MEMORIALS

The following petition was presented, and referred to the designated committee:

By Senator Shane, from the voters of Wapello county, favoring the barber bill. Public health.

## INTRODUCTION OF BILLS

Senate File No. 83, by Senator Fulton, a bill for an act to amend, revise, and codify section fifty-two hundred sixty-eight (5268) of the Code, relating to the issuance of bonds by counties, and to the form, maturity, and payment of such bonds.

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

Senate File No. 84, by Senator Fackler, a bill for an act to amend the law as it appears in chapter two hundred sixteen (216) of Title XII of the Code, 1924, relating to membership of pupils of the public schools in societies and fraternities.

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

Senate File No. 85, by Senator Clark, a bill for an act to amend section 1767 (seventeen hundred sixty-seven) of the Code, relating to the protection of quail.

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

Senate File No. 86, by Senator McFarlane, a bill for an act to amend chapter thirty-five (35) of the Code, relating to elections, to regulate the manner of electing township trustees and township clerks, and to define their qualifications.

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

#### SENATE CONCURRENT RESOLUTION NO. 9

Senator Shaff offered the following resolution:

Senate Concurrent Resolution memorializing the Congress of the United States to adopt an adequate tariff schedule on molasses imported for the manufacturing of industrial alcohol.

*Whereas*, The corn growers of the corn belt have met with a limited demand for corn that has been produced and not used for feeding purposes the past several years, and

*Whereas*, Because of this lack of demand and the depressed condition of agriculture generally, the price of corn has been substantially below the cost of production in this corn belt area, and

*Whereas*, One of the greatest single contributing factors in placing agriculture on a parity with other industries is that the price of corn be such as to allow the producer an adequate return for his labor and investment, and

*Whereas*, The dairy and live stock feeding industry would be benefited by the further use and manufacture of corn incident to the making of in-

dustrial alcohol and the large amount of distillers' dried grains that would arise therefrom, and

*Whereas*, This would furnish a splendid demand for low grade corn not well fitted for commercial usage; now, therefore,

*Be It Resolved by the Senate of the General Assembly of Iowa, the House concurring*: That we petition and pray the Congress of the United States to amend the tariff schedule as affecting the duty on molasses imported for the manufacture of industrial alcohol to such an extent that it will be more economical to use corn in its manufacture than to use imported molasses.

*Be It Further Resolved*, That on the passage of this resolution the secretary of state shall certify a copy hereof each to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, the Secretary of Agriculture and the Secretary of Commerce, at Washington, D. C.

Laid over under the rules.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution No. 8 providing for a joint convention of the two Houses to be held at 11:00 a. m., January 25th to listen to an address by the former Governor W. L. Harding.

A. C. GUSTAFSON, *Chief Clerk*.

#### REPORTS OF COMMITTEE

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 5, a bill for an act to amend the law as it appears in sections fifty-six hundred ninety-six (5696) and fifty-six hundred ninety-eight (5698) of the Code, 1924, relative to examinations and appointments under civil service in 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:

Strike from the end of Section 1 the period, and add thereto the following:

“, and by inserting after the word ‘positions’ in line 7 the words ‘and for promotions’”.

Further amend by striking out the words "Des Moines Capital, a newspaper published at Des Moines, Iowa," in section 3 thereof, and inserting in lieu thereof

"Waterloo Evening Courier, a newspaper published at Waterloo, Iowa,"

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 11, a bill for an act amending section sixty-six hundred (6600) of the Code of 1924, relating to limitation of taxes in certain cities operating under the commission plan 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:

Add thereto 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 Daily Record, a newspaper published in the city of Des Moines, Iowa, and the Cedar Rapids Gazette, a newspaper published in the city of Cedar Rapids, Iowa.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

On motion of Senator Langfitt the Senate went into executive session.

#### EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Dr. Henry Albert of Urbana, Benton county, as commissioner of health for the remainder of the term ending June 30, 1929.

The Senate arose from executive session and resumed regular session.

The Journal of January 24th was corrected and approved.

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

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

## JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Hon. Frank S. Shane, President pro tempore of the Senate, presiding.

President pro tempore announced a quorum present and the joint convention duly organized.

The President of the joint convention then introduced Hon. William L. Harding, former Governor of Iowa, who addressed the joint convention as follows:

## REMARKS OF WILLIAM L. HARDING

Agriculture is the economic backbone of national prosperity. The increase of wealth in the country and the position held today by our manufacturing industries might give the impression that we have ceased to depend upon agriculture as the fundamental basis of wealth. A little consideration of the far-reaching effects of changes in agricultural conditions as compared with changes attributable wholly to industrial conditions will show that in the last analysis the economic position of agriculture controls to a large degree industrial production and prosperity. Nor are the effects of either adverse or favorable conditions in agriculture limited to a few branches of our industrial and domestic life. They penetrate the entire fabric of the nation. When the farmer is prosperous, we may be sure that the wheels of industry will continue to turn. For it is his purchasing power that after all supplies the greatest market for our manufactures. We should come to recognize, therefore, that the question of farm prosperity is not one of sentiment, but one of basic economic importance,—important to the individual as well as to the country as a whole. Those who control the financial policies of the Government, and those who guide the destinies of our great industries and of our transportation systems should attain a full appreciation of the relation of the farmer to national prosperity.

The products of the farm are subject to the inexorable law of supply and demand. An excess of production usually results in prices so low that the margin of profit is wiped out. Unlike many manufactured products, it is not usually feasible to store the products of agriculture for long periods of time, awaiting changes in market conditions. Not only are the products of the farm unadapted to such storage as a rule, but it is necessary for the farmer to realize on his labor promptly. Frequently he has borrowed funds from local banks for harvesting or packing and shipping his crops, and prompt disposal must be made to meet these obligations. The prices of the chief products, such as grain and cotton, are not only affected by the home demand but the surplus of these commodities must compete in foreign markets with other producing countries having varying conditions of labor and transportation. Because these products must



meet competition on the basis of supply and demand in the various markets, it is obvious that the cost of transportation must in the ordinary case be deducted from the price which the producer receives. Here lies a handicap against agriculture which is not shared to the same extent by manufacturing industries. The manufacturer sets the price for his goods, and the buyer pays the freight. If the farmer in Montana wishes to buy an automobile, he must pay the Detroit price plus cost of transportation to destination. But if this same farmer sells wheat to be consumed in Detroit, New York, or in Europe, he receives a price which is materially less than that which the product will bring at destination, the difference being the cost of transportation and the margin necessary to cover the risk and profit of middlemen.

On wheat produced in the territory west of the Mississippi and sold on the Liverpool market, the cost of transportation from farm to destination averages about 25 per cent of the value of the product. With the heavy transportation charges which the farmer pays on all the things he buys, and the deduction of transportation and other expenses in fixing the prices which he receives, the farmer operates with an economic handicap which is not shared by other forms of industry. We often hear of the necessity of restoring the relation between agriculture and industry, but it is difficult to see how such relation can be restored without radical change in the level of transportation costs on agricultural products. Taking wheat as representative of grain, and also as a typical example of an agricultural product subject at all times to the law of supply and demand, let us examine the situation, with a view to determining whether it is possible to bring about economies in transportation of so pronounced a degree as to materially improve the position of the grain farmer.

The best evidence we have of the influence of transportation costs upon farm prices, is to be found in average quotations at important points of accumulation, or primary markets, again at our seaboard ports, and still again at Liverpool. If the principle which we have enunciated be correct, we shall find that, except for minor variations due to local market conditions, the price paid for wheat will increase as it moves from the farm to the seaboard for export, or as it moves from the farm to areas of deficient production in our own country.

In 1918 the U. S. Department of Agriculture made a study of this question from data covering a period of five years ending in 1914, when the price in New York was approximately \$1.00 per bushel.

The study shows that the price at Chicago was 95 cents; St. Paul 90 cents; western Minnesota, the eastern part of Nebraska, North and South Dakota, nearly all of Iowa, and part of Kansas 85 cents; reducing to 80 cents in the western sections of North and South Dakota, and 75 cents in western Nebraska. In Montana the price was 70 cents, and in eastern Idaho 65 cents.

Since that investigation was made, transportation costs by railroads have advanced more than 60 per cent, and today the spread between

farm prices and prices at the seaboard is much greater. Based on the differences in transportation costs, wheat prices were fixed July 1, 1918, by presidential proclamation to meet changes due to new freight rates. The prices which the United States Grain Corporation was authorized to pay were \$2.39½ at New York, \$2.26 at Chicago, \$2.24 at St. Louis, and \$2.18 at Kansas City.

This question was also considered by the Joint Commission of Agricultural Inquiry created during the Sixty-seventh Congress, and the same condition was found to exist. That report shows clearly the heavy increase in transportation and incidental expenses which has occurred since 1912. Using transportation costs from eleven typical points in Iowa, Illinois and Ohio, together with the New York prices and farm prices on No. 2 hard winter wheat it was shown by the Joint Commission report that in 1912-13 when wheat brought an average of 101.6 cents at New York, the transportation and other expense amounted to 19 cents, or 18.7% of the New York price; while in 1920, with wheat at 183.3 cents at New York, the transportation and incidental expense amounted to 41.6 cents, or 22.7%.

The significance of a spread of 41.6 cents per bushel between the farm price and the price at New York will be better appreciated when the relation of cost of production to farm price is examined. In a report to the President made in 1923 by Hon. Henry C. Wallace, then Secretary of Agriculture, the situation which has been described was still further explained and numerous supporting tables presented. One of these shows the cost of producing wheat in typical sections compared with the average farm price. In 1920, the cost of production in Pike County, Missouri, for example, was \$2.42, and the average farm price \$2.46; Carroll County, Missouri, \$2.01 and \$2.35, respectively; Gage County, Nebraska, \$1.73 and \$2.17; Clay County, \$2.57 and \$1.95; McPherson County, Kansas, \$2.03 and \$2.22. Numerous other examples are cited, where the profit of the farmer ranged from zero to 50 cents per bushel. The saving in transportation costs of 10 cents, would in the average case give an increase in net profit of 25 to 50 per cent, and in some cases 100 per cent or more.

The average production cost at representative counties in Missouri, Nebraska, Kansas and Oklahoma in 1920 was \$1.80, and the average farm price \$2.09, showing average profit of 29 cents a bushel. The transportation cost to Liverpool from this same territory far exceeds the average profits. The railroads of the United States receive for transporting wheat a sum which usually exceeds the profits of the farmer on this crop.

The following figures show for the year 1922, the spread between prices of No. 1 northern wheat (Manitoba) at Winnipeg and at Liverpool, as reported by the U. S. Department of Agriculture:

1922	Winnipeg price cents	Liverpool price cents
January .....	108	145.1
February .....	131	169.9
March .....	137	179.1
April .....	140	171.1
May .....	144	170.9
June .....	131	157.7
July .....	135	165.5
August .....	117	159.3
September .....	99	148.3
October .....	101	157.7
November .....	110	146.1
December .....	108	148.1

The average price, at Winnipeg, was \$1.22 and at Liverpool \$1.60, showing an average difference of 38 cents, consisting mainly of transportation expense.

In considering the economical route for grain destined to the United Kingdom and Europe, distance furnishes a rough yardstick, which is useful mainly in distinguishing between the natural or logical route, and those which are unduly circuitous and expensive. The relation of rail to water distance, and the nature of the water transportation necessarily modify the situation. It costs almost precisely the same amount to ship a bushel of wheat by rail from Kansas City to St. Louis (8.1c), a distance of 277 miles, as it does to ship it from New York to Liverpool, a distance of 3,578 statute miles, under normal conditions in the shipping trades. Grain rates on the ocean usually average about one-tenth the rail rates between important shipping points, and as little as one-fourteenth the local rail rates, for corresponding distances. Rates on the Great Lakes are about on a parity with ocean rates, and average less than 1 mill per ton-mile; while rates on the Mississippi below St. Louis are equal to 2 mills per ton-mile, and on the New York State Barge Canal, about 4½ mills per ton-mile. On the upper Mississippi and Missouri rivers, the shallower channels will mean smaller barges and a cost at least three times that on the lake and ocean. With these differences in economy in mind, it is interesting to compare the distances by several of the present and proposed routes to Liverpool.

Duluth-Superior, via Great Lakes to Buffalo, rail to New York, and ute miles. This is by way of the proposed St. Lawrence Ship Channel, which will afford the cheapest possible transportation in ocean vessels direct.

Duluth-Superior- via Great Lakes to Buffalo, rail to New York, and ocean vessel to Europe; total 5,016, of which 450 miles are by rail, at an expense which alone exceeds the ocean rate from New York to Liverpool 3,578 miles.

Minneapolis to Duluth and thence by ocean vessel to Liverpool, rail 162, water 4,544, total 4,706 miles.

Minneapolis to New York, all rail 1,332; ocean to Liverpool 3,578; total 4,910 miles.

Minneapolis to New Orleans by river, 1,834; ocean to Liverpool, 5,312; total, 7,146 miles.

Kansas City to Chicago by rail, 458; ocean vessel via St. Lawrence, 4,453; total, 4,911 miles.

Kansas City to Chicago by river, 745; ocean vessel via St. Lawrence, 4,453; total, 5,198 miles.

Kansas City to New Orleans by river, 1,558; ocean vessel to Liverpool, 5,312; total, 6,870 miles.

St. Louis to New York by rail, 1,065; ocean vessel to Liverpool, 3,578; total, 4,643 miles.

St. Louis to Chicago by rail, 284; ocean vessel via St. Lawrence, 4,453; total, 4,737 miles.

St. Louis to New Orleans by rail, 699; ocean vessel to Liverpool, 5,312; total, 6,011 miles.

St. Louis to New Orleans by river, 1,150; ocean vessel to Liverpool, 5,312; total, 6,462 miles.

These figures, covering representative points important to the grain trade, show that the St. Lawrence route is not only the shortest, but that the expense of transportation will be less than by any other route, due to the preponderance of ship transportation, with which neither railroads nor river barges can compete, and to the small amount of unavoidably expensive rail transportation.

The figures show that grain at Duluth or Minneapolis is actually nearer to Liverpool than it would be if transported for nearly 2,000 miles to New Orleans by river. The rail rate from Red River points and beyond to Duluth and to Minneapolis is the same. As ocean transportation costs less than one-half as much as transportation on the Mississippi River, based on actual rates, grain could be delivered from Duluth to Liverpool via the proposed St. Lawrence Ship Channel at less expense than it could be delivered to the port of New Orleans.

The St. Lawrence River flows directly toward the United Kingdom, our greatest buyer of grain; while the Mississippi flows toward the Equator, approximately at right angles to the trade movement. Hence, by reason of shorter distance, proper direction, and fundamental transportation economy, it is the natural and logical route for our surplus grain destined to the United Kingdom and Europe. As a feeder to the new ocean port of Chicago, the Mississippi and Missouri rivers will be more important than as a feeder to the port of New Orleans, for all business moving to or from Great Britain and Europe. By way of the Mississippi and Illinois rivers, St. Louis is 369 miles from Chicago, compared with 1,150 miles from New Orleans by the Mississippi.

The following table shows distances to Liverpool, Gibraltar, Colon and Pernambuco, via the St. Lawrence waterway, and also via the Mississippi River and New Orleans.

DISTANCES			
From	To	Via	Statute Miles
Duluth	Liverpool	St. Lawrence Seaway.....	4,544
"	Gibraltar	" .....	5,008
"	Colon	" .....	4,976
"	Pernambuco	" .....	6,270
Chicago	Liverpool	" .....	4,451
"	Gibraltar	" .....	4,915
"	Colon	" .....	4,883
"	Pernambuco	" .....	6,177
Twin Cities	Liverpool	Duluth and St. Lawrence Waterway.	4,696
"	Gibraltar	" ..	5,160
"	Colon	" ..	5,128
"	Pernambuco	" ..	6,422
Chicago	Liverpool	Ill. & Miss. Rivers & New Orleans..	6,831
"	Gibraltar	" ..	6,808
"	Colon	" ..	3,120
"	Pernambuco	" ..	6,250
"	New Orleans	" ..	1,519
Twin Cities	Liverpool	" ..	7,146
"	Gibraltar	" ..	7,123
"	Colon	" ..	3,435
"	Pernambuco	" ..	6,565
"	New Orleans	" ..	1,834
New Orleans	Liverpool	.....	5,312
"	Gibraltar	.....	5,289
"	Colon	.....	1,601
"	Pernambuco	.....	4,731

In "Transportation Economics of the Great Lakes-St. Lawrence Ship Channel," the author, Alfred H. Ritter, gives, in considerable detail, information regarding the routes by which surplus grain moves to foreign and domestic markets, the volume moving by each important route, the rates and elevator charges applying, and the conditions governing the movements. From that report, the following condensed exposition of the situation has been prepared.

There are seven main routes which wheat raised in the surplus producing sections may take in order to reach seaboard. These are as follows:

1. Great Lakes and St. Lawrence River to Montreal.
2. Great Lakes and New York State Barge Canal to New York.
3. Great Lakes to Lake Erie or Georgian Bay, rail to North Atlantic ports or Montreal.
4. All-rail to North Atlantic ports or Montreal.
5. Mississippi River to New Orleans.
6. All-rail to Gulf ports.
7. All-rail to Pacific coast ports.

From nearly all producing points a rail haul is required from the farm to reach a primary market or Lake port. Movements directly from the

farm to the seaboard are unusual, except on the Pacific coast where country elevators are lacking and grain must be handled in sacks.

Routes 1, 2 and 3. These routes take advantage of the economical transportation afforded by the bulk carriers of the Great Lakes which can move grain much more cheaply than it is possible to move it by rail. Grain from Montana, North and South Dakota, Minnesota, and to a limited extent Wisconsin, Nebraska and Kansas, moves to Duluth-Superior for shipment by way of the Great Lakes; while grain from Iowa, Illinois and Missouri River territory moves to Chicago. There is some overlapping of the Duluth-Chicago territory, and Milwaukee, lying between the two, draws from States which ship both to Chicago and Duluth including Wisconsin. In general, it may be said that the northern section of the country adjacent to the Canadian border is distinctly Duluth-Superior territory; while Illinois, Iowa, Nebraska, Kansas and Missouri, ship via Chicago, as well as by certain of the other routes not touching the Great Lakes. The large surplus of Canadian grain moves to Port Arthur-Fort William on Lake Superior. Shipments from these four upper Lake ports are made to the lower lakes, principally Lake Erie, with a substantial portion, however, moving to Georgian Bay. The principal port of receipt on Lake Erie is Buffalo, where grain is transferred from the large lake carriers to rail lines, reaching the several North Atlantic ports, and also the New York State Barge Canal. A large quantity is also transferred at Port Colborne to smaller type vessels which operate through the present 14-foot canals of the St. Lawrence River to Montreal. The grain reaching Georgian Bay by lake vessel is there transferred to rail for movement mainly to Montreal.

Route 4. All of the various rail routes to Montreal, Quebec, St. John, Halifax and North Atlantic ports of the United States, are included under this head. Movements of Canadian grain by all-rail routes are small, as the normal direction of flow of Canadian grain from the western provinces focuses directly upon Lake Superior. Grain which has reached Chicago, however, has a choice of both lake and rail routes to North Atlantic ports at very little difference in cost, and more than half of the grain from Chicago usually takes the all-rail route. In addition to movements by way of Chicago, the all-rail routes to the Atlantic seaboard attract grain by way of the Peoria and St. Louis gateways from Missouri River territory.

Route No. 5. The Federal Barge Line furnishes facilities for transporting grain on the Mississippi at a substantial saving in cost as compared with all-rail routes to the Gulf, and is being utilized to an increasing extent. Grain is transferred to these barges at St. Louis and at Cairo. It consists mainly of grain from the states of Illinois, Missouri, Iowa, Kansas and Nebraska.

Route No. 6. The all-rail routes to the Gulf ports attract grain from the same general region as the Federal Barge Line, and in addition reach out into Kansas, Oklahoma, Colorado, and also handle small quantities of grain from the more northerly States.

Route No. 7. The routes to Pacific coast ports are largely independent of the others, as they carry grain originating in the territory naturally tributary to the Pacific coast. In this territory there are few country elevators, and grain generally moves in sacks from the farm direct to the ocean port.

The quantities of grain moving from the various producing States to seaboard, based upon averages for the three years 1921, 1922 and 1923, are shown on the following chart. This chart covers wheat, oats, corn, barley and rye. It shows an average movement of 476,700,000 bushels to North Atlantic ports, including Montreal and Quebec, 98,900,000 bushels to Gulf ports, and 65,800,000 bushels to Pacific ports, a total movement to seaboard of 641,400,000 bushels, of which 550,000,000 bushels were for export.

The importance of the Lake route in this movement of surplus grain of Canada and the United States to seaboard will be appreciated from the fact that the receipts at upper Lake ports during the period 1920-23 averaged approximately 707,000,000 bushels annually, and that the shipments from these ports by both water and rail in the year 1923 amounted to 589,000,000 bushels, of which 406,000,000 bushels moved by water and 183,000,000 by rail. Of the 406,000,000 bushels referred to as moving by water from the upper Lake ports, 209,700,000 bushels went to ports of the United States on the lower Lakes, and 196,300,000 bushels to Canadian ports on the lower Lakes and St. Lawrence River. Of the lake transfer ports, Buffalo led with receipts of 177,000,000 bushels, the next most important port being Port Colborne which received 73,000,000 bushels for transfer to smaller vessels moving to Montreal. In 1925 these small vessels carried over 135,000,000 bushels to Montreal and Quebec.

The total amount of grain received at primary markets in the territory adjacent to the Great Lakes, amounts to over 1,000,000,000 bushels annually. This gives an idea of the enormous quantity of grain which is thrown upon the interior markets of the country at points where the cost of transportation by way of the Great Lakes exercises a very direct influence not only upon export movements, but also upon prices of grain within this entire territory.

In the transportation of grain to Europe from the surplus producing areas, by far the greatest expense occurs in the movement to seaboard. Even the local rail rates from the farm to the nearest river or lake port usually exceed the cost of moving the grain across the Atlantic Ocean. The several horizontal increases in rail rates which have occurred since 1914, less the reductions authorized since 1921, place the rail rates today on a level about 60 per cent above the pre-war levels. The long haul to seaboard from the heart of our chief agricultural region, averaging 1,200 to 1,500 miles, now involves an expense so great as to constitute a handicap in meeting competition abroad, and causes a serious curtailment of the profits of the farmer both on foreign and domestic shipments.

Rates from numerous points in the Northwest are the same to Minneapolis and Duluth. Wheat which has reached Minneapolis may move to Duluth on a proportional rate of 6.5 cents per hundred pounds. The rates from various points normally shipping to Duluth range from 14.5 cents per 100 pounds, or 8.7 cents per bushel from nearby Minnesota points, to 48.0 cents per 100 pounds, or 28.8 cents per bushel from certain Montana points.

By lake and rail from Duluth to New York the average cost is about 12.1 cents, exclusive of elevation, which amounts to 1½ cents at Duluth and 1 cent at Lake Erie, when not absorbed by the rail carrier. It therefore costs from 22.3 to 42.4 cents per bushel to place grain at New York from various points in the Duluth-Superior territory. Considering the slim profit which the farmer derives, the reduction of this heavy transportation expense looms up as a matter of grave importance. A similar heavy burden rests upon the grain farmer of the entire territory extending from the Canadian provinces to Texas.

Kansas City, Sioux City, Omaha, Council Bluffs, Atchison, Leavenworth and St. Joseph constitute a group of Missouri River points which have a rate of 10.5 cents per bushel to Chicago. But these are not originating points. They are important points of accumulation for grain from various smaller shipping points; and represent just one step in a long movement to the sea in which the several rates must be combined to ascertain the full cost. Rates from four representative points in Kansas to Kansas City range from 10.5 to 11.7 cents per bushel, and rates from five points in Nebraska to Omaha range from 9.9 cents to 16.2 cents per bushel. As the reshipping rate from Chicago to New York is 13.5 cents, it will be seen that the three factors constitute total costs ranging from 33.9 to 40.2 cents per bushel to reach New York from Nebraska and Kansas points referred to. This territory now ships both to the Atlantic and Gulf coasts.

The rail rate from Omaha to the Gulf ports, for example, is 18.9 cents per bushel, and from Kansas City 18.3 cents per bushel, compared with 24.0 cents to New York. The higher ocean rates from Gulf ports, however, serve to place the two routes on a competitive basis.

Missouri River points as far north as Omaha now have a joint rail and water rate to New Orleans of 15 cents per bushel, and St. Louis has an all-water rate of 6.9 cents per bushel.

Rail rates to the Gulf from points in Oklahoma are high, probably due to the absence of water competition. The rate from Oklahoma City to New Orleans and Galveston, for example, is 24.6 cents per bushel, or considerably more than twice the ocean rate from Gulf ports to Europe, seven times as far.

Wheat from Duluth-Superior moves by bulk freighter to points on the lower Lakes and the St. Lawrence River as already mentioned. The rate to Buffalo during the past few years has averaged 3 cents per bushel or less, with a similar rate from Chicago to Buffalo, although the rates



from the two points were not identical at all times. The all-water rate from Duluth to Montreal has averaged 9 cents per bushel, the rate from Duluth to New York by lake and canal 10.0 cents per bushel, and by lake and rail 12.1 cents per bushel. The rates from Chicago to Montreal and New York are practically the same as from Duluth. From Buffalo to New York by canal it has averaged 7.0 cents per bushel, and by rail it is 9.1 cents. The all rail export rate from Chicago to New York is 22.5 cents per 100 pounds, or 13.5 cents per bushel. This shows a slight saving in favor of the lake and rail route, which, however, is significant when elevation charges are considered. It should be borne in mind that the rates on the Lakes, St. Lawrence River and Barge Canal vary in accordance with the demand for space just as rates vary on ocean routes, while the rail rate is fixed. During the last few years, the prevailing lake rates have been between 2 and 3 cents per bushel. For the purpose of making rate comparisons in this report, it has been considered that a rate of 3 cents is the fairest as representing average conditions. On grain moving from Duluth there is no rail rate or combination of all-rail rates which may be regarded as at all competitive with the water rate.

The lowest rates by water are quoted when the demand for space is light, and the quantities moving at such low rates are accordingly small. Rates on the Lakes occasionally drop to less than 2 cents per bushel, but they advance just as soon as grain begins to move freely. The same condition is found on the Barge Canal, where rates on wheat may drop to five cents per bushel, or even less, but they advance when the route is called upon to carry its share of the fall movement.

A wholly false idea of the relation of rates via the various routes may be acquired by comparing rates in effect at different times. We are concerned mainly with the rates on which the greater part of the grain moves.

The accompanying map shows representative rates reduced to a bushel basis, from numerous interior shipping points to primary markets and lake ports, and from the latter to the seaboard. It makes apparent the differentials in favor of Philadelphia, Baltimore and the Virginia ports, compared with New York.

In addition to the rates for the actual transportation of grain, charges are made at transfer points for elevation, when the loading or unloading of vessels or barges is involved. Transfers between rail carriers do not involve such charges, when the grain remains in the car in which it is shipped. The customary charge for elevation at Duluth-Superior, including loading out to vessel is 1½ cents per bushel; Fort William-Port Arthur, Milwaukee and Chicago 1¼ cents; St. Louis, Cairo and Buffalo 1 cent; St. John, Halifax and Portland 19/20 cents; Boston, New York, Philadelphia, Baltimore and Norfolk 1 cent; New Orleans and Galveston 1¼ cents; Port Colborne and Georgian Bay ports ¾ cents; Montreal, ex-water 8/10 cents, wharfage 6 cents per 2,000 pounds.

More important than the actual amounts charged for terminal service,

however, is the question, "Who pays the charge?" At some elevators the elevator charge is paid by the owner of the grain; while at others it is absorbed by the rail or water carrier, or both. Charges for elevation at the upper lake ports are quite generally paid by the shipper, and they are paid by the shipper on grain transferred to the Mississippi Barge Line. In keeping with this practice, a charge of not less than 1 cent per bushel must be added to any proposed rate for water shipment from lake or river points. No charges for elevation and loading are paid by the shipper at the Georgian Bay and Port Colborne transfer elevators, nor at Montreal, the charges at these places being absorbed by the carriers. At Montreal, the shipper pays the same wharfage charges shown above.

At the ocean ports, except Montreal and Quebec, the shipper must pay the elevation charges shown. At New York, there is a charge of only  $\frac{1}{2}$  cent at the Gowanus Bay elevator on grain received via the New York State Barge Canal.

It will be seen that the elevation charges on some routes make a substantial addition to the cost, and they cannot be ignored in making fair comparisons.

Grain is carried to Europe both by liners and "tramps"—a term applied to vessels that have no regularly scheduled routes, and that usually are chartered by merchants at rates governed by the state of trade and the demand for shipping. The latter term is used less frequently than formerly because there are fewer concerns operating boats solely in the tramp trade. Today the large shipping companies send additional vessels as required to move seasonal crops. The large combination passenger and freight liners operate mainly from New York, Montreal and Boston, and these vessels make low rates in order to secure the grain which they need for deadweight. While there are conference agreements covering general cargo rates and numerous commodity rates, the rates on grain are left "open"—i. e., they are whatever ship owner and shipper agree upon.

During the last few years, rates from North Atlantic ports to the United Kingdom and Atlantic Europe have averaged about 8 cents per bushel; while rates from Gulf ports have averaged about 11 cents per bushel. The rates are constantly fluctuating, however, in sympathy with the demand for carriers. Generally speaking, the North Atlantic rates are about 3 cents lower per bushel than the Gulf rates, but the differential is not uniform. Considering that the distance from North Atlantic ports to Europe averages 4,000 statute miles, Gulf ports 5,400 miles, and upper lake ports 4,500, and allowing for one day's delay due to passage through locks in the St. Lawrence and Welland canals, a reasonable rate relationship will be in the proportion of 8, 11 and 10, for the North Atlantic, Gulf and St. Lawrence routes, respectively. We may safely conclude that with the Great Lakes ports accessible to ocean vessels, the rates will be somewhat higher than from North Atlantic ports and somewhat lower than from Gulf ports. If rates should be equalized between North Atlantic and Gulf ports, the rates from lake ports would be the same.

At the present time—summer and autumn of 1926—ocean rates are at extremely high levels, due to the British coal strike and to the resultant

demand for vessels to carry coal, and this demand has exercised a widespread influence on rates throughout the world. The present temporary high rates should therefore not be used in making studies of the normal cost of ocean transportation. For the purpose of showing the normal costs by way of various routes, the averages of the past few years of 8 cents per bushel from North Atlantic ports, 11 cents from Gulf ports, and 22 cents from Pacific ports, are used in this study. The accompanying chart shows the rates by various routes to Liverpool.

The sum of the rates applying to the several steps required to reach seaboard, the elevator charges paid by the shipper, and the ocean rate to destination, gives the total transportation expense between the farm and the export market. Alfred H. Ritter, in "Transportation Economics," shows by tables and graphs the total costs from a representative point in each state, by way of the several routes in general use, and also by way of the proposed Great Lakes-St. Lawrence Ship Canal. A table from that report, and a special graph prepared to show the minimum and maximum rates only, will make the situation clear.

*Cost of transporting wheat to the United Kingdom and Europe*

(Figures are cents per bushel)

State	Representative shipping point	Cost by existing routes		Cost by proposed ship channel	Saving	
		Minimum	Maximum		Minimum	Maximum
Minnesota	Litchfield	28.0	32.9	20.8	7.2	12.1
North Dakota	Wellsburg	32.2	37.1	25.0	7.2	12.1
South Dakota	Aberdeen	33.1	38.0	25.9	7.2	12.1
Illinois	Beardstown	27.15	32.05	19.95	7.2	12.1
Iowa	Des Moines	31.05	35.95	23.85	7.2	12.1
Nebraska	Grand Island	40.65	45.55	33.45	7.2	12.1
Missouri	Kansas City	28.25	33.85	21.75	6.5	12.1
Kansas	Wichita	38.65	44.65	32.55	6.1	12.1
Colorado	Wiggins	46.15	56.65	41.55	1.6	12.1
Wyoming	Cheyenne	48.75	.....	41.55	7.2	.....
Idaho	Pocatello	49.65	.....	49.10	0.55	.....
Montana:						
Eastern	Frazer	39.1	44.0	31.9	7.2	12.1
Central	Teton	42.2	48.8	36.7	5.5	12.1
Western	Columbia Falls	42.2	52.4	40.3	1.9	12.1
Oklahoma:						
Northern	Enid	38.05	.....	34.35	3.70	.....
Central	Oklahoma City	36.85	.....	35.25	1.60	.....
S. Western	Mangum	37.75	.....	37.05	0.70	.....

It will be noted that the present route via the St. Lawrence is normally the cheapest for all export grain reaching the Great Lakes. The restricted capacity of the small canals between Port Colborne and Montreal, and the necessity of passing grain through elevators at Lake Erie and Georgian Bay ports, places a definite limit upon the amount which can be handled by this route. Each year, when the fall rush of grain occurs, these elevators become congested, as do also the elevators at Montreal, and the delays to vessels result in rate increases which alter the situation, and make this route no longer the cheapest. The opening of the Great Lakes to ocean vessels would do away with the necessity for these transfers, and would transform a route of limited usefulness and capacity to one capable of meeting every requirement for expeditious and economi-

cal transportation. Only 25 miles of actual canal navigation and not more than 9 locks will be required to overcome the obstructions which now separate our great inland seas from the Atlantic Ocean. The channel from the sea to Montreal is already a successful route for deep draft vessels, and the Great Lakes afford a navigation route of surpassing economy. To connect these two ship channels is a comparatively small task, but it accomplishes the great achievement of bringing our ports on the Great Lakes into direct commercial contact with the markets of the world by the cheapest form of transportation known to man.

Exports of all grains from the United States average about 300,000,000 bushels, and from Canada about 250,000,000 bushels annually. Freight rates on grain are lower in Canada than in the United States, and the producing regions are situated so as to take advantage of the cheap transportation on the Great Lakes. It is estimated that the average cost of moving grain from United States farms to Europe is 35 cents a bushel, compared with about 30 cents in Canada.

This indicates that on the grain actually exported, the total transportation expense for the United States and Canada amounts to \$180,000,000 annually. The St. Lawrence waterway will eliminate two transfers and the attendant elevator charges amounting to not less than one cent per bushel. Such an annual saving on the 550,000,000 bushels of grain exported would amount to \$5,500,000. And to this there is to be added a saving in direct transportation charges amounting to an average for the entire export movement of not less than eight cents per bushel, or an additional reduction in freight charges of \$44,000,000 a year—a total transportation benefit recoverable by the producer amounting annually to approximately \$50,000,000.

As grain now moves to seaboard and thence to Europe by seven principal routes, at different costs, the diversion of grain to the St. Lawrence route will involve savings varying with the origin of the grain and the routes by which it now moves. The grain moving to the Atlantic seaboard for both export and domestic use, averaged for the three years 1921, 1922 and 1923, is shown on the chart opposite page 10 as amounting to 476,700,000 bushels, all of which will be subject to the influence of the deep waterway, regardless of whether it all moves by this route or not. In addition, the influence of the waterway will extend to 50,000,000 bushels now moving via Gulf ports, and to 5,000,000 bushels now moving via Pacific ports, making a total of approximately 525,000,000 bushels available for the deep waterway. It is of course possible that certain rail or ocean carriers may adjust their rates so as to retain traffic via existing routes, and there is accordingly no means of predicting the actual amounts which will move on this or any other proposed waterway which is naturally in competition with other routes. Such predictions, by the nature of the problem, can be no better than guesses, no matter by whom made.

In his analysis of the traffic available for movement via the St. Lawrence waterway, Mr. Ritter has refrained from making such guesses, and his calculations of the savings are based upon the influence which the waterway will exert upon the costs of transporting grain subject to the

competition of the new route. The total estimated transportation savings on grain amount to \$44,000,000, not to mention the savings due to elimination of transfers, nor the beneficial effect that an ample and glut-free route to market has upon local elevator movements and local market prices.

The importance of the Great Lakes-St. Lawrence Ship Channel to the American and Canadian people does not rest solely upon the direct savings in transportation expense, as compared with existing routes, nor could it be urged as a measure of outstanding economic importance solely by reason of such savings. It might be contended that the purely transportation savings can be secured only by diverting traffic from our railroads, or by making it necessary for rail carriers to reduce rates when they can ill afford a reduction of revenue. The people of the great western region are interested in the St. Lawrence improvement because of the broad influence it will exert upon prices of farm products and of the numerous commodities which they must buy, and of its certain stimulation of commercial activity within the entire area subject to its influence. These people are interested in securing a readjustment of fundamental economic conditions which have operated to isolate the middle west and the northwest in the struggle for existence. They demand a fair opportunity for domestic development and for commercial intercourse with the world. Such a development of commerce is dependent upon economical transportation, and a basis of rates which will offset to an important degree the present handicap of distance from the sea.

The Great Lakes-St. Lawrence Ship Canal offers the only feasible means of accomplishing this change in the fundamental economic situation affecting this territory. *The saving in freight charges on the goods actually moving via the waterway is important, but the influence of the new highway on the domestic, commercial and industrial life of the people is paramount.*

As to wheat, it is obvious that the farmer does not directly pay the freight, and if the benefits were limited to the bare saving in transportation, he would not be vitally concerned. His interest lies on the increase in the price which he will receive for his grain. As there cannot under present conditions be two prices for the same grade of grain in the same market, one for export and the other for domestic use, it is equally obvious that all grain in that market will reflect the enhanced price due to decreased cost of placing export grain in European markets. The influence on prices will be especially evident with wheat, but this same influence will extend to other grains which are on an export basis within the territory tributary to the waterway. *To a greater or less degree its influence will be felt on more than four billion bushels of grain produced in the United States and Canada.* In this connection, Mr. Julius H. Barnes, foremost among American grain exporters, states that "*Grain markets are so liquid, grain prices respond so readily to every influence, that it is no longer theory, but demonstrated by the record of a thousand price responses, that a reduction in the transportation rate will immediately reach the farm.*" This is the real purpose for which the west is striving. In-

stead of a modest saving of \$50,000,000 annually in freight charges on grain, it is interested in securing increased prices of farm products which will amount to several times this figure. Bringing the Atlantic to the heart of the North American continent brings the benefits of ocean rates within reach of the farmer, and the effect of such a substitution of water rates for land transportation rates will be the lifting of the entire price level of crops produced by the farmer—an effect extending to all lines of agricultural production and to all the continent.

In the markets of Europe the wheat raised in the United States and Canada comes into competition with the wheat of Argentina, Australia, Russia and India. Of these countries, Argentina and Russia are in a particularly favorable position.

In Argentina, wheat is grown in a crescent-shaped area extending from the seaboard for a distance of about 500 miles on both sides of the Parana River. The port of Rosario is on the right bank of the Parana, 202 nautical miles above the mouth, and in the center of the richest wheat-producing territory. It is the leading grain shipping port, but Buenos Aires continues to be an important grain port. The following shows average rates on wheat to Rosario and Buenos Aires, in cents per bushel, United States currency.

	<i>Cents per bushel</i>
Corral de Bustos to Rosario.....	9.5
Average rate to Buenos Aires via five rail-roads .....	10.05
Average rate for Argentina.....	9.96

In round figures, therefore, it costs the Argentina shipper 10 cents per bushel to place his grain at ship side, which is about the average cost of moving grain from the farm to the nearest primary market in the United States. Ocean rates from the River Plate to the United Kingdom average 10 to 13 cents per bushel, showing a total transportation cost of 20 to 23 cents, compared with an average of 35 cents in the United States. The report of former Secretary of Agriculture Wallace, already referred to, states that Argentina wheat enjoys an advantage over American wheat of approximately 10 to 12 cents per bushel in the combined rail and ocean rate to Liverpool.

While Australian wheat is grown comparatively near the seaboard, the ocean rates are much higher than from Argentina, ranging between 17 and 28 cents per bushel. The competition of Australia is not therefore regarded as threatening the position of the American wheat grower, and the same situation applies to India.

With Russia, however, the situation is different. The large production under normal conditions, and the favorable position of certain areas with respect to the Black Sea outlet, makes Russia always a potential power in the grain trade. The ocean rates average 8 to 10 cents per bushel from Black Sea ports to Great Britain and western Europe, which makes it

possible for the Russian farmer to reach European markets at much less cost than the American farmer.

The saving of 7 to 12 cents per bushel on grain shipped to Europe from the United States will equalize transportation costs with Argentina throughout a large section of our grain territory, and will permanently protect the ability of the United States to meet competition from other countries in the grain markets of the world. The value of such protection cannot be measured in dollars. It touches the very life of our agriculture and of our people, and justifies any cost necessary to secure it.

This study has been confined to grain, using wheat as the basis for the rate and price comparisons. Grain obviously constitutes the most important agricultural commodity which will utilize the ship channel, but it is by no means the only one. The food requirements of the populous regions adjacent to our eastern seaboard will attract large quantities of foodstuffs of all varieties, and the manufacturing industries of New England will likewise attract the raw materials of the west, to the mutual advantage of the producer and the consumer. The economies shown to be inherent in this deep-water route will extend to all kinds of traffic moving in both foreign and domestic trade, and the higher the class of traffic the greater will be the savings. In Mr. Ritter's volume on "Transportation Economics of the Great Lakes-St. Lawrence Ship Channel," the rates to and from representative points are shown for numerous commodities which will move via this waterway, and the savings in transportation costs are made apparent.

Here it may be said that the benefits specifically shown for wheat, and that have been mentioned as extending to all grain and other products of the farm, will apply to all industries, manufacturing and commercial, that find a home in the mid-continental region and that extend, or might extend, their trade relations to the outside world. For all such industries, whether located immediately upon the Great Lakes or farther inland, bringing ocean rate benefits to the heart of the continent will create new distribution areas and will lower the costs of merchandising. Therefore the same arguments that demonstrate the value of the Great Lakes-St. Lawrence ship channel to the farmer apply, and like benefits will accrue, to each and every form of production and distribution that, taken as a whole, makes up the industries of the nation.

Senator Fackler of Adams moved that the remarks of Hon. William L. Harding be printed in the Journal.

Motion prevailed.

Senator Beatty of Keokuk moved that the joint session be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

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

### AFTERNOON SESSION

The Senate met pursuant to adjournment, President pro tem Shane presiding.

#### REPORT OF COMMITTEE ON RETRENCHMENT AND REFORM

Senator Stoddard submitted the following report:

*To the Members of the Forty-second General Assembly of the State of Iowa:*

The Joint Committee on Retrenchment and Reform of the Forty-first General Assembly submits the following report as a summary of its work during the years 1925 and 1926.

GEO. B. PERKINS,  
B. M. STODDARD,  
B. J. HORCHEM,  
H. C. WHITE,

*Senate Members of the Committee.*

L. V. CARTER,  
T. J. O'DONNELL,  
EARL W. VINCENT,  
L. B. FORSLING,  
GEO. E. MILLER,

*House Members of the Committee.*

#### EXPENDITURES AUTHORIZED BY THE RETRENCHMENT AND REFORM COMMITTEE, OF THE FORTY-FIRST GENERAL ASSEMBLY GENERAL FUND

(Under the provisions of section 36, chapter 334, laws of the 40th General Assembly) December 15, 1924, to June 30, 1925

Order  
Number

1	Secretary of Agriculture—Salary of seed analysts and extra clerks (334-32-40th) .....	\$1,650.00
2	Attorney General—Salary of two extra cigarette inspectors (334-7-40th) .....	1,500.00
3	Library Commission—Increase in salary of four librarians (334-18-40th) .....	350.00
5	Attorney General—Salary of Janitor (307-21-40th).....	400.00
6	Secretary of Agriculture—Salary of clerk (334-32-40th) .....	400.00

Total amount of expenditure authorized from general fund...\$4,300.00

#### RETRENCHMENT AND REFORM CONTINGENT FUND

(Section 13, chapter 307, laws of the 40th General Assembly.)

December 15, 1924, to June 30, 1925

Order  
Number

	Authorized	Expended	Available
4 Pharmacy Examiners—Steno-graphic and clerical help.....\$	600.00	\$ 500.00	\$ 100.00
7 Adjutant General—Distribution of war relics .....	7,500.00	4,244.04	3,255.96*



8	Adjutant General—Relief of Neola storm disaster .....	114.52	114.52	
9	General Assembly—Publication of bills of the 41st G. A.....	739.34	739.34	
10	Commission on Uniform State Laws—Expense of Hazen I. Sawyer .....	169.41	169.41	
13	Secretary of Agriculture—Appraisal of cattle slaughtered prior to June 30, 1925.....	5,393.35	4,735.72	657.63†
	<b>Total</b> .....	<b>\$14,516.62</b>	<b>\$10,503.03</b>	<b>\$ 4,013.59</b>

\*On December 31, 1926, this balance had been reduced to \$3,106.91.

†This amount reverted to general revenue on January 1, 1927.

RETRENCHMENT AND REFORM CONTINGENT FUND

(Section 52, chapter 218, laws of the 41st General Assembly.)

July 1, 1925, to December 31, 1926

Order Number		Authorized	Expended	Available
12	Historical Department—Salary of night watchman .....	\$ 1,516.66	\$1,516.66	
14	Court Reporters—Expense of W. C. Southwick and C. W. Sutliff in removal proceedings .....	77.29	77.29	
15	Board of Chiropractic Examiners—Publication of notice .....	4.08	4.08	
16	Retrenchment and Reform Committee—Traveling expense of members .....	1,000.00	569.23	430.77
19	Printing Board—Refund on book of annotations .....	22.00	22.00	
20	Attorney General—Expense of railroad rate cases.....	2,500.00	1,363.40	1,136.60*
21	Retrenchment and Reform Committee—Jennie R. Gregg.....	25.00	25.00	
	<b>Total</b> .....	<b>\$ 5,145.03</b>	<b>\$3,577.66</b>	<b>\$1,567.37</b>

\*This amount will not be expended because the purpose for which it was allowed has been satisfied.

SUMMARY STATEMENT OF THE FUND APPROPRIATED BY THE FORTY-FIRST GENERAL ASSEMBLY

Expenditures made from July 1, 1925, until December 31, 1926	\$ 3,577.66
Amount still available under order No. 16.....	430.77
Amount of authorization made by order No. 20 unexpended and which will not be expended because the purpose for which it was made has been satisfied.....	1,136.60
Balance of appropriation unauthorized for expenditure.....	34,854.97
<b>Total</b> .....	<b>\$40,000.00</b>

No. of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 1 Feb. 5, '25	Authorizing M. G. Thornburg, secretary of agriculture, to employ two seed analysts until May 1, 1925, salaries not exceeding \$150 each, per month; one clerk half time to assist state chemist until July 1, 1925, salary not exceeding \$50 per month; one additional clerk for animal industry department until July 1, 1925, salary not exceeding \$100 per month. All salaries to be paid out of salary budget of the department of agriculture as provided in Section 32, Chapter 334, Acts of the 40th G. A.	Expert seed analysts necessary to determine purity and germination of seeds. Additional work to keep records of registration of seeds, etc. Extra work on records and claims under county area plan.
No. 2 Feb. 5, '25	Authorizing B. J. Gibson, attorney general, to employ two additional inspectors for the cigarette department until July 1, 1925, salaries not exceeding \$1,800 per year, each, to be paid out of fund provided by Section 7, Chapter 334, Acts of the 40th G. A.	Additional inspectors necessary in the efficient supervision of cigarette permit dealers.
No. 3 Feb. 5, '25	Authorizing the library commission to increase salaries of two librarians from \$1,500 to \$1,800 per year, each, and two librarians from \$1,500 to \$1,620 per year, each, until July 1, 1925. Increases to be paid from fund provided in Section 18, Chapter 334, Acts of the 40th G. A.	Four vacancies in library department. Efficient help not obtainable at \$1,500 per year. Two hundred orders for traveling library uncared for.
No. 4 Feb. 5, '25	Authorizing H. E. Eaton, secretary to pharmacy examiners, to use \$600 or so much as necessary from the contingent fund of the retrenchment and reform committee for stenographic and clerical help from February 5, 1925, to July 1, 1925. Salaries not exceeding \$100 per month, each. (Section 13, Chapter 307, Acts of the 40th G. A.)	Code commissioners' bill No. 262, originally provided for help for the pharmacy examiners, but in the final form of the bill this provision was inadvertently omitted.
No. 5 Feb. 5, '25	Authorizing B. J. Gibson, attorney general, to retain Douglas Miller as an extra janitor from March 1, 1925, until July 1, 1925, salary not exceeding \$100 per month, payable from funds provided in Section 21, Chapter 307, Acts of the 40th G. A.	Necessary in making trips from office to various courts and other office work in addition to janitor service.

No. of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 6 Mar. 13, '25	Authorizing M. G. Thornburg, secretary of agriculture, to retain the clerk in the animal industry department which has been allowed by previous Order No. 47, under date of July 26, 1924, from March 1, 1925, until July 1, 1925. Salary payable as provided in Section 32, Chapter 334, Acts of the 40th G. A.	Additional work because of twenty additional counties having been added under the county area plan during the year, 1924.
No. 7 June 11, '25	Authorizing Adjutant General Lasher to draw warrants upon the contingent fund of the retrenchment and reform committee, not exceeding \$7,500, for use in defraying freight and distribution expenses of war relics allotted to Iowa by the war department at Washington, D. C. (Section 13, Chapter 307, Acts of the 40th G. A.)	No state appropriation provided the department of adjutant general to take care of expenses of this kind.
No. 8 June 11, '25	Authorizing auditor of state to draw a warrant upon the contingent fund of the retrenchment and reform committee for \$114.52 in payment for tents and cots and transportation of same to Neola, Iowa, and vicinity for relief of families in the Neola storm disaster of June 3, 1925, by the adjutant general's department. (Section 13, Chapter 307, Acts of the 40th G. A.)	No state appropriation provided the department of adjutant general to take care of expenses of this kind.
No. 9 June 11, '25	Authorizing auditor of state to draw warrants on contingent fund of the retrenchment and reform committee, not exceeding \$739.34, in payment for publishing bills of the 41st General Assembly, which went into effect by publication. (Section 13, Chapter 307, Acts of the 40th G. A.)	Forty-first General Assembly made no provision for the payment of publishing bills.
No. 10 June 11, '25	Authorizing auditor of state to draw warrant on contingent fund of the retrenchment and reform committee for \$169.41, in payment of expenses incurred by Hazen I. Sawyer, member of the commission on uniform state laws, from June 28th to July 8th and September 23d to 25th, 1924. (Section 13, Chapter 307, Acts of the 40th G. A.)	Chapter 201, Thirty-ninth General Assembly, created the commission on uniform state laws, but made no provision for the payment of expenses.

No. of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 11 June 11, '25	Authorizing M. G. Thornburg, secretary of agriculture, to place the salaries of veterinary inspectors in the agriculture department on a sliding scale of \$1,800 to \$2,600 per annum and mileage at seven cents per mile for the biennium beginning July 1, 1925, and ending June 30, 1927.	Salary act of the Forty-first General Assembly omitted fixing compensation and mileage as contemplated in Section 2682, Code of 1924. Attorney general ruled the retrenchment and reform committee's approval necessary.
No. 12 Dec. 8, '25	Authorizing Curator Harlan to employ one night watchman for state historical building, January 1, 1926, to February 1, 1927, salary not exceeding \$1,400 per annum, and authorizing the auditor of state to draw warrants on the contingent fund of the retrenchment and reform committee, not exceeding \$1,516 2-3, in payment of said salary. (Section 52, Chapter 218, Acts of the 40th G. A.)	Forty-first General Assembly failed to provide a night watchman for the state historical building as had heretofore been provided.
No. 13 Dec. 8, '25	Authorizing auditor of state to draw warrants upon the contingent fund of the retrenchment and reform committee for the biennium ending June 30, 1925, for the payment of claims against the department of agriculture for condemning and slaughtering of stock prior to June 30, 1925, not exceeding \$5,393.35. The secretary of agriculture agreeing to have a balance covering this amount in his appropriation for the eradication of bovine tuberculosis, at the end of the present biennium to revert to the general fund of the state. (Section 13, Chapter 307, 40th G. A.)	Budget law prohibits paying of claims hanging over from old biennium out of funds provided for the new biennium.
No. 14 Dec. 8, '25	Authorizing auditor of state to draw warrants on the contingent fund of the retrenchment and reform committee for W. C. Southwick, \$32.40 and C. W. Sutliff, \$44.89, court reporter's expense in removal proceedings. (Section 52, Chapter 218, Acts of the 41st G. A.)	Forty-first General Assembly failed to provide for the payment of claims of this character although Section 1113, Code of 1924, provides for the incurring of such expense.

No. of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 15 Dec. 8, '25	Authorizing auditor of state to draw warrants upon the contingent fund of the retrenchment and reform committee, for Des Moines Register, \$2.50 and Davenport Times, \$1.50, in payment of publication of notice of Chiropractor's examination as provided by Section 2457, Code of 1924. (Section 52, Chapter 218, Acts of 41st G. A.)	Forty-first General Assembly failed to provide for the payment of claims of this character although Section 2467, Code of 1924, authorizes the incurring of such expense.
No. 16 Dec. 8, '25	Authorizing auditor of state to draw warrants upon contingent fund of the retrenchment and reform committee, not exceeding \$1,000 for the biennium ending June 30, 1927, in payment of per diem and expenses of members of the retrenchment and reform committee when attending meetings of the committee, as provided by Section 44, Code of 1924. (Section 52, Chapter 218, Acts of the 41st G. A.)	Forty-first General Assembly failed to provide for expenses and per diem of members of the retrenchment and reform committee as provided in Section 44, Code of 1924.
No. 17 Dec. 8, '25	Requesting executive council to assign one of their caretakers, who would be a competent elevator operator, to the state historical department for use on the elevator in that building.	Very necessary to have competent elevator operators.
No. 18 Dec. 8, '25	Requesting the executive council to see that the Kenyon Cox Lunettes attached to the walls of the rotunda of the state house, be properly restored before becoming permanently damaged.	Kenyon Cox now dead and his works becoming priceless.
No. 19 Dec. 8, '25	Authorizing auditor of state to draw warrant upon contingent fund of the retrenchment and reform committee to the amount of \$22, refund due Miller, Kelley, Shuttleworth & McManus, attorneys, because of change in price of book of Annotations from \$15 per copy to \$4 per copy. (Section 52, Chapter 218, Acts of 41st G. A.)	At time of ordering the book of Annotations the price had been fixed at \$15 per copy. Section 1, Chapter 20, Acts of the Forty-first General Assembly reduced the price to \$4 per copy.

No. of Order and Date	Purpose of Order	Reasons for Order and Explanatory Remarks
No. 20 Dec. 14, '25	Authorizing auditor of state to set aside \$2,500 from contingent fund of the retrenchment and reform committee for use of governor and budget director in payment of expenses incident to preparation of exhibits and fees and expenses of witnesses in pending railroad rate cases. (Section 52, Chapter 218, Acts 41st G. A.)	Fund of railroad commissioner not sufficient to take care of additional assistance in these cases.
No. 21 Dec. 14, '25	Authorizing auditor of state to draw warrant upon contingent fund of retrenchment and reform committee for \$25 in payment for services of Jennie R. Gregg as clerk of committee meetings on December 8th and 14th, 1925. (Section 52, Chapter 218, Acts 41st G. A.)	Necessary to have clerk to write up minutes and orders of meetings.
No. 22 Dec. 14, '25	Referring to executive council the request of Lou Morgan, in charge of census bureau, for \$15,000 with which to complete the work of the said department.	Census bureau work authorized by Chapter 26, Code of 1924.

### REPORT OF COMMITTEE

Senator A. T. Brookins 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 Chapter 238 of the Code relating to the confirmation of appointments on the State Highway Commission, begs leave to report it has had the same under consideration and recommends the same do pass.

A. T. BROOKINS, *Chairman.*

Ordered passed on file.

### REPORT OF JOINT COMMITTEE ON RULES

MR. PRESIDENT: Your joint committee on rules begs leave to make the following report:

### AMENDMENT TO RULE NO. 1

Amend rule No. 1, joint rules of the Senate and House by adding after the period at the end of the first paragraph the following: "The motion to lay on the table or to postpone indefinitely shall never be employed in respect to amendments between the two houses and motions in connection

therewith.", and that the rules of the 41st General Assembly as amended be adopted as the rules of the 42nd General Assembly.

GEO. F. SLEMMONS, *Chairman.*

Ordered passed on file.

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

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 26, 1927.

The Senate met in regular session, President pro tem Frank Shane presiding.

Prayer was offered by Rev. C. W. Pence, pastor of the Christian church of Jefferson, Iowa.

On motion of Senator McLeland rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the day, on request of Senator Slemmons; Senator McFarlane for the day, on request of Senator Wilson of Polk; Senator Kimberly for the day, on request of Senator Shane; Senator Frailey for the day, on request of Senator Gilchrist.

## PETITIONS AND MEMORIALS

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

By Senator Rigby, from the voters of Cedar county, favoring the barber bill. Public health.

By Senator Fulton, from the voters of Jefferson county, favoring the barber bill. Public health.

By Senator Haskell, from the voters of Linn county, favoring the barber bill. Public health.

By Senator Cavanaugh, from the voters of Webster county, endorsing a bank guarantee act. Banks and banking.

By Senator Breakenridge, from the voters of Palo Alto county, endorsing a bank guarantee act. Banks and banking.

## INTRODUCTION OF BILLS

Senate File No. 87, by Senator Slemmons, a bill for an act to repeal the law as it appears in section forty-nine hundred sixty-nine of the Code, 1924, relating to additional schedules of classifications of motor vehicles in connection with the licensing thereof.



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

Senate File No. 88, by Senators Gilchrist, Darting and Shane, a bill for an act to establish and locate three additional normal training schools, and make appropriations for purchase of sites, erection of buildings and support of such schools.

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

Senate File No. 89, by Senator McLeland, a bill for an act to amend section thirteen thousand six hundred thirty-one (13631), and to repeal sections thirteen thousand six hundred thirty-two (13632), thirteen thousand six hundred thirty-three (13633), thirteen thousand six hundred thirty-five (13635), and thirteen thousand six hundred thirty-six (13636) of the Code relating to forfeiture of bail.

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

Senate File No. 90, by Senator McLeland, a bill for an act to amend section twelve thousand nine hundred sixty-eight (12968) of the Code relating to the punishment for assault with intent to commit rape.

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

Senate File No. 91, by Senator McLeland, a bill for an act to amend sections seventy-one hundred fifteen (7115), seventy-one hundred twenty-three (7123), and seventy-one hundred twenty-four (7124) of the Code relating to assessment rolls and books and the recapitulation sheets pertaining thereto.

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

Senate File No. 92, by Senator Wilson of Page, a bill for an act to amend section ten thousand eight hundred eleven (10811) of the Code, 1924, relating to the expenses of shorthand court reporters.

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

Senate File No. 93, by Senator Wilson of Polk, a bill for an act to authorize the construction, reconstruction, and repair of sidewalks outside the limits of cities but within the limits of

certain school districts, and to provide for the assessment of the cost of such improvement on abutting property.

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

Senate File No. 94, by Senator Shinn, a bill for an act to make an appropriation to pay the expenses incurred by the special committee appointed by the President of the Senate and Speaker of the House to investigate the banking conditions in this and other states.

Read first and second times.

Senate File No. 95, by Senator Gilchrist a bill for an act to amend chapter three hundred fifty-one (351) of the Code, 1924, relating to the inheritance tax, assessment and collection thereof, and the procedure with reference thereto, and to amend sections seven thousand three hundred five (7305), seven thousand three hundred nine (7309), seven thousand three hundred ten (7310), seven thousand three hundred thirty-two (7332), seven thousand three hundred fifty-two (7352), seven thousand three hundred fifty-six (7356), seven thousand three hundred sixty-three (7363), seven thousand three hundred twenty (7320), seven thousand three hundred twenty-two (7322), seven thousand three hundred ninety-four (7394), seven thousand three hundred eight (7308), seven thousand three hundred six (7306), seven thousand three hundred twenty-eight (7328), seven thousand three hundred thirty-four (7334), seven thousand three hundred seven (7307), relating to the inheritance tax, the assessment and collection thereof, and the procedure with reference thereto, and to repeal sections seven thousand three hundred eleven (7311), seven thousand three hundred thirty-one (7331), seven thousand three hundred forty-seven (7347), seven thousand three hundred fourteen (7314), seven thousand three hundred seventeen (7317), seven thousand three hundred sixty-four (7364), seven thousand three hundred ninety-six (7396), and to enact substitutes therefor relating to the inheritance tax, the assessment and collection thereof, and the procedure with reference thereto.

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

SENATE CONCURRENT RESOLUTION NO. 9.  
CONSIDERED

Senator Shaff called up for consideration the following resolution:

Senate Concurrent Resolution memorializing the Congress of the United States to adopt an adequate tariff schedule on molasses imported for the manufacturing of industrial alcohol.

*Whereas*, The corn growers of the corn belt have met with a limited demand for corn that has been produced and not used for feeding purposes the past several years, and

*Whereas*, Because of this lack of demand and the depressed condition of agriculture generally, the price of corn has been substantially below the cost of production in this corn belt area, and

*Whereas*, One of the greatest single contributing factors in placing agriculture on a parity with other industries is that the price of corn be such as to allow the producer an adequate return for his labor and investment, and

*Whereas*, The dairy and live stock feeding industry would be benefited by the further use and manufacture of corn incident to the making of industrial alcohol and the large amount of distillers' dried grains that would arise therefrom, and

*Whereas*, This would furnish a splendid demand for low grade corn not well fitted for commercial usage; now, therefore,

*Be It Resolved by the Senate of the General Assembly of Iowa, the House concurring*: That we petition and pray the Congress of the United States to amend the tariff schedule as affecting the duty on molasses imported for the manufacture of industrial alcohol to such an extent that it will be more economical to use corn in its manufacture than to use imported molasses.

*Be It Further Resolved*, That on the passage of this resolution the secretary of state shall certify a copy hereof each to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, the Secretary of Agriculture and the Secretary of Commerce, at Washington, D. C.

By unanimous consent on request of Senator Shaff the resolution was amended by inserting the words "President of the United States, the" before the word "President" in the second line of the last paragraph.

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

Ayes, 40.

Beatty	Clark	Johnston	Shaff
Benson	Clearman	Kern	Shane
Bergman	Darting	Klemme	Shinn
Booth	Dotts	Lange	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Brookins	Fulton	McLeland	Stoddard
Brush	Gilchrist	Mills	Topping
Campbell	Gunderson	Ramsey	Uistad
Carden	Hartman	Rigby	Wilson of Page
Cavanaugh	Haskell	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Baird	Ellis	McFarlane	Stanley
Browne	Frailey	Merritt	Wilson of Louisa
Dean	Kimberly		

The resolution was adopted.

Senator Shaff 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.

### THIRD READING OF BILLS

On motion of Senator Shinn, the rules were suspended, and Senate File No. 94, a bill for an act to make an appropriation to pay the expenses incurred by the special committee appointed by the President of the Senate and Speaker of the House to investigate the banking conditions in this and other states, was taken up and considered.

The bill was read for information.

Senator Shinn moved that the rule under which no bill may be read three times the same day be suspended and that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Benson	Carden	Dotts	Hartman
Booth	Cavanaugh	Ellis	Haskell
Breakenridge	Clark	Fackler	Johnston
Brookins	Clearman	Fulton	Kern
Brush	Darting	Gilchrist	Klemme
Campbell	Dean	Gunderson	Lange

Langfitt	Ramsey	Shane	Stoddard
McLeland	Rigby	Shinn	Topping
Merritt	Roberts	Skromme	Ulstad
Mills	Shaff	Slemmons	Wilson of Page
		Stanley	Wilson of Polk

Nays, none.

Absent or not voting, 8.

Baird	Bergman	Frailey	McFarlane
Beatty	Browne	Kimberly	Wilson of Louisa

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

Senator Shinn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution No. 6, memorializing Congress to adopt an adequate tariff schedule on onyx.

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

Senate Concurrent Resolution No. 5, relating to farm legislation in Congress.

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

Senate Concurrent Resolution No. 4, relating to furnishing copies of codes and session laws for use in committee rooms.

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

Senate Concurrent Resolution No. 3, providing for the appointment of a joint committee to investigate the present banking situation and conditions, and the Speaker appoints as members of the committee on the part of the House Representatives Cole of Delaware, Hill, Wolfe.

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

House Joint Resolution No. 2, relating to the selection of additional employees of the Forty-second General Assembly of the State of Iowa, fixing their compensation and defining their duties.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE MESSAGES CONSIDERED

House Joint Resolution No. 2, a joint resolution relating to the selection of additional employees of the Forty-second General Assembly of the State of Iowa, fixing their compensation and defining their duties.

Read first and second times.

### THIRD READING OF BILLS

On motion of Senator Cavanaugh, the rules were suspended and House Joint Resolution No. 2, a joint resolution relating to the selection of additional employees of the Forty-second General Assembly of the State of Iowa, fixing their compensation and defining their duties, was taken up and considered.

The bill was read for information.

Senator Cavanaugh moved that the rule under which a joint resolution may not be read three times on the same day be suspended and that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Beatty	Clark	Kern	Shane
Benson	Darting	Klemme	Shinn
Bergman	Dotts	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Fulton	McLeland	Stanley
Brookins	Gilchrist	Merritt	Stoddard
Brush	Gunderson	Mills	Topping
Campbell	Hartman	Ramsey	Ulstad
Carden	Haskell	Roberts	Wilson of Page
Cavanaugh	Johnston	Shaff	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Baird	Dean	Kimberly	Rigby
Browne	Ellis	McFarlane	Wilson of Louisa
Clearman	Frailey		

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

Senator Cavanaugh 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.

#### REPORTS OF COMMITTEES

Senator Cavanaugh submitted the following report:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 17, a bill for an act to amend sections 319 (three hundred nineteen) and 350 (three hundred fifty) of the code relating to the expenses of the officers and employees of the state budget department, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 27, a bill for an act to amend section 168 (one hundred sixty-eight) of the code, and to repeal section 170 (one hundred seventy) of the code, and to enact a substitute therefor relating to the preparation and printing of codes, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 29, a bill for an act to amend chapter 519 (five hundred nineteen) of the code relating to procedure in an action for forcible entry and detention, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 30, a bill for an act to repeal section 5181 (fifty-one hundred eighty-one) of the code and to enact a substitute therefor, declaring the specific duties of peace officers, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 31, a bill for an act to repeal section 5248 (fifty-two hundred forty-eight) of the code relating to the dieting, lodging, and care of prisoners, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 40, a bill for an act to amend chapter 513 (five hundred thirteen) of the code, relating to garnishment and to provide for notice of the filing of and trial on, pleadings controverting the answer of garnishees, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 41, a bill for an act to amend Chapter 117 (one hundred seventeen), acts of the 41st (forty-first) general assembly, and sections 6324 (sixty-three hundred twenty-four) and 6582 (sixty-five hundred eighty-two) of the code, relating to the filing of reports by municipal officers, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 49, a bill for an act to require propositions for the appropriations of money for bridges to be submitted to the voters in certain cases, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was re-



ferred Senate File No. 53, a bill for an act to repeal section 11484 (eleven thousand four hundred eighty-four) and to make section 13858 (thirteen thousand eight hundred fifty-eight) of the code, applicable to civil trials, all relating to the subject of civil procedure, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 55, a bill for an act to amend Section 4611 (forty-six hundred eleven) of the code relating to the condemnation of land for highway purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *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. 3, a bill for an act to amend the law as it appears in section fifty-nine hundred one (5901) of the Code, 1924, relating to the method of the removal of commissioners of public docks in cities and towns where a department of public docks has been established, 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.

### THIRD READING OF BILLS

On motion of Senator Lange Senate File No. 5, a bill for an act to amend the law as it appears in sections fifty-six hundred ninety-six (5696) and fifty-six hundred ninety-eight (5698) of the Code, 1924, relative to examinations and appointments under civil service in 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 amendments were adopted:

Strike from the end of section 1 the period, and add thereto the following:

“, and by inserting after the word ‘positions’ in line 7 the words ‘and for promotions’ ”.

Further amend by striking out the words "Des Moines Capital, a newspaper published at Des Moines, Iowa," in section 3 thereof, and inserting in lieu thereof

"Waterloo Evening Courier, a newspaper published at Waterloo, Iowa,"

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 1 all of line 4 and inserting in lieu thereof the following: "(2), three (3) and four (4) the words, 'and October of each year, or oftener if it shall deem it necessary' and substituting the words 'and at such other times as shall be found necessary'."

The amendment was adopted.

The bill was read for information.

Senator Lange moved 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.

Beatty	Darting	Kern	Shaff
Benson	Dean	Klemme	Shane
Bergman	Dotts	Lange	Shinn
Booth	Ellis	Langfitt	Skromme
Breakenridge	Fackler	McFarlane	Slemmons
Brookins	Fulton	McLeland	Stanley
Brush	Gilchrist	Merritt	Stoddard
Campbell	Gunderson	Mills	Topping
Carden	Hartman	Ramsey	Ulstad
Cavanaugh	Haskell	Rigby	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 6.

Raid	Frailey	McFarlane	Wilson of Louisa
browne	Kimberly		

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

By unanimous consent on request of Senator Wilson of Polk the title was amended by inserting the word " , promotions" after the word "examinations" in line 3.

The title as amended was agreed to.

On motion of Senator Haskell Senate File No. 11, a bill for an act amending Section Sixty-six hundred (6600) of the Code of 1924, relating to limitation of taxes in certain cities operating under the commission plan 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 by adding 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 Daily Record, a newspaper published in the city of Des Moines, Iowa, and the Cedar Rapids Gazette, a newspaper published in the city of Cedar Rapids, 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.

Beatty	Clearman	Johnston	Roberts
Benson	Darting	Kern	Shaff
Bergman	Dean	Klemme	Shane
Booth	Dotts	Lange	Shinn
Breakenridge	Ellis	Langfitt	Skromme
Brookins	Fackler	McLeland	Stanley
Brush	Fulton	Merritt	Stoddard
Campbell	Gunderson	Mills	Topping
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark			

Nays, 1.

Slemmons

Absent or not voting, 8.

Baird	Frailey	Kimberly	Ulstad
Browne	Gilchrist	McFarlane	Wilson of Louisa

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

#### RESIGNATION FROM SPECIAL COMMITTEE

MR. PRESIDENT: I herewith tender my resignation as a member of the Senate committee named under Senate Concurrent Resolution No. 3.

FRANK SHANE.

The resignation was accepted.

#### APPOINTMENT TO SPECIAL COMMITTEE

President Pro Tem Shane appointed Senator Fulton as a member of the Senate committee named under Senate Concurrent Resolution No. 3.

#### AMENDMENTS TO RULES FILED

MR. PRESIDENT: I move to amend the amendment to rule number thirty-seven (37) by the committee on rules as shown on page one hundred twenty-six (126) of the Journal by adding thereto at the end thereof the following:

"This rule shall not apply during the last three legislative days of the session."

F. C. GILCHRIST.

MR. PRESIDENT: I move to amend committee amendment to rule twenty (20) on page one hundred twenty-five (125) and one hundred twenty-six (126) of Senate Journal of January 21st by striking out all after the word "Amended" in second line on page one hundred twenty-six (126) and substitute a period therefor.

ARCH W. MCFARLANE.

The Journal of January 26th was corrected and approved.

On motion of Senator Johnston the Senate adjourned until 10 a. m. Thursday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 27, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. Mrs. Carrie V. A. Lucas, of Mason City, Iowa.

On motion of Senator McLeland, Rule 37 was suspended for the day.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the day on request of Senator Ulstad.

## PETITIONS AND MEMORIALS

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

By Senator Frailey, from the citizens of Lee county, favoring the barber bill. Public health.

By Senator Mills, from the citizens of Atlantic, favoring the barber bill. Public health.

By Senator Gunderson, from the citizens of Worth county, favoring the barber bill. Public health.

By Senator Beatty, from the citizens of What Cheer, favoring the barber bill. Public health.

By Senator Skromme, from the citizens of Story county, favoring the barber bill. Public health.

By Senator Klemme, from the voters of Winneshiek county, favoring good road legislation. Highways.

By Senator Skromme, from the voters of Story county, endorsing the repeal of law for open season on quail. Fish and game.

#### COMMUNICATION FROM LIEUTENANT GOVERNOR

January 26, 1927.

TO THE MEMBERS OF THE IOWA STATE SENATE: There is some compensation for being in the hospital away from home, and that is to be remembered by one's friends. This morning one of the nurses brought in some beautiful roses with a card from the State Senate of Iowa. It was some recompense for being kept here a few days.

I want to thank each and every member of the Senate for this kind expression of good will and remembrance of me. I have often said the only thing that pays one for being in public life is the friends one makes, and by this note I want to thank the Senate and each and every one of its splendid members.

I am getting along all right, feel as well as I ever have in my life, with the exception that one eye is inflamed, and this inflammation is gradually being reduced. It is my earnest hope that I will soon be back to attend to my duties in the strenuous work which you have before you.

Thanking you again, I am

Very sincerely yours,

CLEM F. KIMBALL.

#### COMMUNICATION FROM SENATOR W. S. BAIRD

January 25, 1927.

SENATOR HASKELL: The beautiful flowers, which came from the boys of the Senate, inspired me with new hope and greatly comforted me in my sickness. I wish that you would express to them my gratitude and thanks for the remembrance until I am able to be with you again, at which time I hope to do so personally.

I firmly believe that if it had not been for the prompt and efficient service rendered by the several members of the Senate and the doctors, I would not be here at this time writing to you.

Again thanking you, I remain

Yours very truly,

W. S. BAIRD.

#### INTRODUCTION OF BILLS

Senate File No. 96, by Senator Fulton, a bill for an act to provide the procedure of the Senate in the consideration of nominations of public officers when confirmation by the Senate is required by law, to amend sections twenty-one hundred eighty-two (2182) and thirty-

two hundred seventy-six (3276), and to repeal sections three hundred twelve (312), thirty-nine hundred fifteen (3915), eighty-six hundred six (8606), and ninety-one hundred thirty-two (9132) of the Code, relating to the same subject matter.

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

Senate File No. 97, by Senator Merritt, a bill for an act to amend section seventy-five hundred fifty-six (7556) of the code, relating to levees and drainage ditches and the repair thereof, and to specify and declare what lands shall be deemed an established drainage district.

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

Senate File No. 98, by Senator McFarlane, a bill for an act to empower cities and towns to limit therein the number of public dance halls, or billiard halls, or pool halls, or bowling alleys and to prohibit all such places in excess of the established limitation.

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

Senate File No. 99, by Senator Clearman, a bill for an act to make an appropriation to pay a claim of the City of Iowa City, Iowa, for interest due said city under the caption of Chapter Two Hundred and Forty-nine, Acts of the Forty-first General Assembly, and erroneously computed.

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

Senate File No. 100, by Senator Gunderson, a bill for an act to make section ninety-one hundred seventy-six (9176) of the Code of 1924 applicable to state banks, trust companies, and to loan and trust companies, relating to the amount of deposits which said banks and trust companies may receive.

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

Senate File No. 101, by Senator Gunderson, a bill for an act to repeal the law as it appears in section ninety-one hundred sixty (9160), Chapter four hundred thirteen (413), Title twenty-one (21) of the Code of 1924 and to enact a substitute therefor, relating to the amount of paid-up capital of savings banks.

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

Senate File No. 102, by Senator Klemme, a bill for an act to require operators of all motor vehicles to stop said motor vehicles immediately before crossing a railroad track, and to provide a penalty for violations.

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

Senate File No. 103, by Senator Wilson of Page, a bill for an act to amend Section ten thousand thirty-one (10031) of the Code, relating to fees to be collected by county recorders.

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

#### REPORT OF COMMITTEE

Senator Gilchrist submitted the following report :

MR. PRESIDENT: Your committee on Judiciary No. 1, to which was referred Senate File No. 15, a bill for an act to amend section twelve thousand two hundred sixty-three (12263) of the code relating to the action of forcible entry or detention of real 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 the bill by inserting the words "of real property" immediately following the word "purchase" in the fourth line of section one thereof.

Also amend the bill by striking therefrom the words "in accordance with the terms of the contract" and by inserting in lieu thereof the words "as provided by law".

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

#### AMENDMENTS TO RULES CONSIDERED

Senator Slemmons called up for consideration the report of the rules committee found on pages 125 and 126 of the Senate Journal.

The report of the rules committee was adopted.

The following amendment was considered :

Amend the second paragraph of rule number twenty (20) of the Senate to read as follows:



No amendment to any appropriation bill or to any item thereof shall be in order except such as is germane to the subject matter of the bill or item thereof sought to be amended and shall retrench expenditures and reduce the amounts of money covered by the bill or items thereof.

Make this paragraph rule number twenty-one (21) and renumber the rules following.

Senator McFarlane offered the following amendment to the amendment and moved its adoption:

Amend the amendment to rule twenty (20) by striking out all after the word "Amended" in fourth line and substitute a period therefor.

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

Ayes, 25.

Benson	Darting	Kimberly	Shaff
Bergman	Dean	Klemme	Stanley
Breakenridge	Ellis	Lange	Stoddard
Brush	Frailey	McFarlane	Topping
Carden	Haskell	Mills	Wilson of Page
Clark	Johnston	Ramsey	Wilson of Polk
Clearman			

Nays, 21.

Beatty	Fulton	Langfitt	Shane
Booth	Gilchrist	McLeland	Shinn
Brookins	Gunderson	Merritt	Skromme
Campbell	Hartman	Rigby	Slemmons
Dotts	Kern	Roberts	Ulstad
Fackler			

Absent or not voting, 4.

Baird	Browne	Cavanaugh	Wilson of Louisa
-------	--------	-----------	------------------

The amendment to the amendment was adopted.

Senator Fulton moved that rule 21 as proposed in the committee report be stricken out, which motion carried.

The following amendment was considered:

Amend Rule No. 23 by striking out first three lines and up to the word "no" in the fourth line of Rule No. 24, as renumbered, and begin the word "no" with a capital letter.

The amendment was adopted.

The following amendment was considered:

Adopt the following as Rule No. 37.

"A committee report upon a bill recommending indefinite postponement shall not be acted upon until the expiration of one legislative day after the report has been made and the author of the bill notified of the report by the secretary."

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

Amend the amendment to rule number thirty-seven (37) by the committee on rules by adding thereto at the end thereof the following:

"This rule shall not apply during the last three legislative days of the session."

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

Ayes, 27.

Beatty	Dotts	Klemme	Shane
Booth	Fackler	Langfitt	Shinn
Breakenridge	Fulton	McLeland	Skromme
Brookins	Gilchrist	Merritt	Slemmons
Campbell	Gunderson	Mills	Stanley
Darting	Hartman	Roberts	Ulstad
Dean	Kern		Wilson of Page

Nays, 19.

Benson	Clearman	Kimberly	Shaff
Bergman	Ellis	Lange	Stoddard
Brush	Frailey	McFarlane	Topping
Carden	Haskell	Ramsey	Wilson of Polk
Clark	Johnston	Rigby	

Absent or not voting, 4.

Baird	Browne	Cavanaugh	Wilson of Louisa
-------	--------	-----------	------------------

The amendment to the amendment was adopted.

Senator Johnston offered the following amendment to the amendment and moved its adoption :

Amend by striking out the words "and the author of the bill notified of the report by the secretary".

Senator Stoddard offered the following substitute for the pending amendments and moved its adoption :

"No bill recommended for indefinite postponement shall be considered in the absence of the author of the bill if it be a Senate bill, or in the

absence of the senator representing the district from which the author comes, if the bill so reported be a House bill."

The substitution was made.

The amendment was adopted.

The following amendments were considered :

Amend Rule No. 47 as follows: Strike out, beginning with the word "after" in line 5 of the present Rule No. 47 the following words: "After having marked his vote the secretary shall collect same and hand to the presiding officer" and substitute in lieu thereof the following: "After having marked his ballot he shall tear off his name and deposit the ballot in the ballot box. When the voting is concluded the secretary shall hand the ballot box to the presiding officer".

Also strike out Rule 49 and renumber the rules to conform to the changes herein proposed.

The amendments were adopted.

Senator Skromme offered the following amendment and moved its adoption :

Amend Senate Rule 37, to read as follows: Smoking in the Senate chamber is hereby permitted while the Senate is in session. And any officer or employee may indulge in smoking in the Senate chamber or doorways, while on duty. Provided, this motion may be suspended by a vote of one-third of the members present.

By unanimous consent on request of Senator Skromme the word "motion" was stricken from line 3 and the word "rule" was inserted in lieu thereof.

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

Amend the rules by striking therefrom all of Rule 37.

On the question "Shall the substitution be made?" the vote was:

Ayes, 23.

Baird	Clearman	Kimberly	Shaff
Benson	Dean	Klemme	Stanley
Bergman	Frailey	Lange	Topping
Brush	Gilchrist	McFarlane	Wilson of Page
Campbell	Gunderson	Merritt	Wilson of Polk
Clark	Johnston	Ramsey	

Nays, 20.

Beatty	Dotts	McLeland	Shinn
Booth	Fulton	Mills	Skromme
Breakenridge	Hartman	Rigby	Slemmons
Carden	Haskell	Roberts	Stoddard
Darting	Langfitt	Shane	Ulstad

Absent or not voting, 7.

Brookins	Cavanaugh	Fackler	Wilson of Louisa
Browne	Ellis	Kern	

The substitution was made.

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption :

Amend Rule 20 by inserting after the word "bills" in line one, the words "and resolutions".

The amendment was adopted.

On motion of Senator Slemmons the rules of the Forty-first General Assembly as amended were adopted as the rules of the Senate for the Forty-second General Assembly.

#### REPORT OF JOINT COMMITTEE ON RULES CONSIDERED

Senator Slemmons called up for consideration the report of the joint committee on rules found on page 168 of the Senate Journal.

By unanimous consent on request of Senator Slemmons further action was deferred.

#### THIRD READING OF BILLS

On motion of Senator Cavanaugh, Senate File No. 17, a bill for an act to amend sections 319 (three hundred nineteen) and 350 (three hundred fifty) of the Code relating to the expenses of the officers and employees of the state budget department, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Clearman	Haskell	Rigby
Beatty	Darting	Johnston	Roberts
Benson	Dean	Kern	Shane
Bergman	Dotts	Kimberly	Skromme
Booth	Ellis	Klemme	Slemmons
Breakenridge	Fackler	Lange	Stanley
Brookins	Frailey	Langfitt	Stoddard
Brush	Fulton	McFarlane	Topping
Campbell	Gilchrist	McLeland	Ulstad
Carden	Gunderson	Merritt	Wilson of Page
Cavanaugh	Hartman	Mills	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 5.

Browne	Shaff	Shinn	Wilson of Louisa
Ramsey			

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

On motion of Senator Cavanaugh Senate File No. 27, a bill for an act to amend section 168 (one hundred sixty-eight) of the Code, and to repeal section 170 (one hundred seventy) of the Code, and to enact a substitute therefor relating to the preparation and printing of Codes, 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, 44.

Baird	Darting	Johnston	Roberts
Beatty	Dean	Kern	Shaff
Benson	Dotts	Kimberly	Shane
Booth	Ellis	Klemme	Shinn
Breakenridge	Fackler	Lange	Slemmons
Brookins	Frailey	Langfitt	Stanley
Browne	Fulton	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 6.

Bergman	Clark	Skromme	Wilson of Louisa
Browne	Merritt		

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

On motion of Senator Cavanaugh Senate File No. 29, a bill for an act to amend chapter 519 (five hundred nineteen) of the Code relating to procedure in an action for forcible entry and detention, 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, 41.

Baird	Dean	Kimberly	Shaff
Beatty	Dotts	Klemme	Shane
Benson	Fackler	Lange	Shinn
Booth	Frailey	Langfitt	Skromme
Breakenridge	Fulton	McFarlane	Stanley
Brush	Gilchrist	McLeland	Stoddard
Campbell	Hartman	Mills	Topping
Carden	Haskell	Ramsey	Ulstad
Cavanaugh	Johnston	Rigby	Wilson of Page
Clearman	Kern	Roberts	Wilson of Polk
Darting			

Nays, none.

Absent or not voting, 9.

Bergman	Clark	Gunderson	Slemmons
Brookins	Ellis	Merritt	Wilson of Louisa
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 Cavanaugh Senate File No. 30, a bill for an act to repeal section 5181 (fifty-one hundred eighty-one) of the Code and to enact a substitute therefor, declaring the specific duties of peace officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Cavanaugh the word "who" was stricken from line 9 of section 1 and the word "whom" inserted in lieu thereof.

By unanimous consent on request of Senator Cavanaugh the word "to" was inserted in line 10 of section 1 immediately preceding the word "have".

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Clearman	Johnston	Roberts
Beatty	Darting	Kern	Shaff
Benson	Dean	Kimberly	Shane
Bergman	Dotts	Klemme	Shinn
Booth	Ellis	Lange	Skromme
Breakenridge	Fackler	Lanfitt	Slemmons
Brookins	Frailey	McFarlane	Stanley
Brush	Fulton	McLeland	Stoddard
Campbell	Gilchrist	Merritt	Topping
Carden	Gunderson	Mills	Ulstad
Cavanaugh	Hartman	Ramsey	Wilson of Page
Clark	Haskell	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 2.

Browne                      Wilson of Louisa

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

On motion of Senator Cavanaugh Senate File No. 31, a bill for an act to repeal section 5248 (fifty-two hundred forty-eight) of the Code relating to the dieting, lodging, and care of prisoners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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, 45.

Baird	Clearman	Kern	Shaff
Beatty	Dean	Kimberly	Shane
Benson	Dotts	Klemme	Shinn
Bergman	Ellis	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Frailey	McFarlane	Stanley
Brookins	Fulton	McLeland	Stoddard
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 5.

Browne	Haskell	Rigby	Wilson of Louisa
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 Cavanaugh Senate File No. 40, a bill for an act to amend chapter 513 (five hundred thirteen) of the Code, relating to garnishment and to provide for notice of the filing of and trial on, pleadings controverting the answer of garnishees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Darting	Kern	Shaff
Beatty	Dean	Kimberly	Shane
Benson	Dotts	Klemme	Shinn
Bergman	Ellis	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Frailey	McFarlane	Stanley
Brush	Fulton	McLeland	Stoddard
Campbell	Gilchrist	Merritt	Topping
Carden	Gunderson	Mills	Ulstad
Cavanaugh	Hartman	Ramsey	Wilson of Page
Clark	Haskell	Rigby	Wilson of Polk
Clearman	Johnston	Roberts	

Nays, none.



Absent or not voting, 3.

Brookins

Browne

Wilson of Louisa

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

#### ADDITIONAL COMMITTEE APPOINTMENT

President Pro Tem Shane appointed Senator Wilson of Page as an additional member of the committee on highways.

The Journal of January 26th was corrected and approved.

On motion of Senator Cavanaugh the Senate adjourned until 4 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Pro Tem Shane presiding.

#### REPORT OF COMMITTEE

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 80, a bill for an act to authorize the refund of excess money paid by any person for the purchase of a copy of the book of Annotations to the Code, and to make an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON RULES

MR. PRESIDENT: Your joint committee on rules begs leave to make the following substitute report:

##### AMENDMENT TO RULE No. 1

Amend Rule No. 1, joint rules of the Senate and House, by adding after the period at the end of the first paragraph the following: "The motions to lay on the table or to postpone indefinitely shall never be employed in respect to the motions to recede from or insist upon, nor to amendments to bills which have passed both Houses."

We also recommend that the rules of the 41st General Assembly, as amended, be adopted as the rules of the 42nd General Assembly.

GEO. F. SLEMMONS, *Chairman.*

Passed on file.

## INTRODUCTION OF BILLS

Senate File No. 104, by Senator Shaff, chairman of subcommittee on highways, a bill for an act to amend, revise, and codify sections forty-six hundred eighty-seven (4687) to forty-seven hundred six (4706), inclusive, section forty-seven hundred eight (4708), sections forty-seven hundred twelve (4712), section forty-seven hundred eighteen (4718), section forty-seven hundred nineteen (4719), sections forty-seven hundred twenty-seven (4727) to forty-seven hundred thirty-eight (4738), inclusive, section forty-seven hundred forty-one (4741), section forty-seven hundred forty-three (4743), section forty-seven hundred forty-four (4744), section forty-seven hundred fifty-five (4755), and section five thousand one (5001) of the Code, 1924, and chapter one hundred fourteen (114) of the laws of the forty-first general assembly, and to amend section five thousand two (5002) of the Code, 1924, relative to the primary road system and the primary road fund, to transfer the control of the primary roads to the state, to empower the state to construct and maintain the primary road system, to do away with special assessments for paving primary roads, to refund for such assessments heretofore levied, and to do away with the area basis for allotting primary road funds among the counties.

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

Senate File No. 105, by Senator McFarlane, a bill for an act to amend section eleven thousand seven hundred ninety-nine (11799) of the Code, 1924, relative to the protection of junior liens.

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

Senate File No. 106, by Senator Clark, a bill for an act to amend sections 1725 (seventeen hundred twenty-five) and 1726 (seventeen hundred twenty-six) of the Code, relating to the accounting of fees collected for hunting and fishing license, and providing for issuance of duplicate license in certain cases.

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

## COPIES OF S. F. 104 ORDERED

By unanimous consent on request of Senator Shaff 5,000 copies of Senate File No. 104 were ordered printed.

## SENATE CONCURRENT RESOLUTION NO. 10

Senator Shinn offered the following resolution :

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

*Whereas*, prior to the enactment of the law by the Congress of the United States creating the Federal Reserve System, the currency or circulating medium of the country was based upon gold, silver, and bonds of the United States, and its contraction or expansion by the voluntary action of the owners of the gold and silver, and of the national banking system of the country through the issuance of national bank notes without any centralized authority with power to restrict or control the same; and,

*Whereas*, the property constituting the basis of credit of the banking system of the country was, among other things, real estate, agricultural lands, and their products on equal terms with other property; and,

*Whereas*, by the enactment of the Federal Reserve System and its administration by the Federal Reserve Board, the basis of the currency of the country was changed and is now sustained by gold, silver, and private credit, and the contraction and expansion thereof lodged in the Federal Reserve Board of eight men; and,

*Whereas*, real estate, farm lands, have been eliminated as a basis of credit; and,

*Whereas*, agriculture is not recognized or treated as an industry by the Federal Reserve System; and,

*Whereas*, its products are eliminated as a basis of credit on the same terms as the products of other industry at the Federal Reserve System; and,

*Whereas*, it is essential for the maintenance of a stable price of property for investment purposes that

(a) Property purchased will sell within a reasonable time after the purchase without loss.

(b) That by reason of the ownership of such property so purchased the purchaser is entitled to credit at the banking institutions of the country; and,

*Whereas*, in this intensive agricultural state, Iowa, ninety per cent of the value of all the property in the state consists in farm lands and other real estate, and but ten per cent personal property; and,

*Whereas*, the policy designated and pursued by the Federal Reserve System is destructive of the value of real estate and its products for investment purposes; and,

*Whereas*, this has caused innumerable bank and other failures in the State of Iowa and other intensive agricultural sections of the country; and,

*Whereas*, there is a great public demand from the people in this state of Iowa and other agricultural sections of the country that the law creating the Federal Reserve System and its administration be modified and changed so that their property and their products shall be on the same basis as other property and other products for rediscount at the Federal Reserve System of the United States; and,

*Whereas*, the Federal Reserve Board consists of but eight men who are vested with and exercise the power of the control of the contraction and expansion of the currency of the country and of the contraction and expansion of the credit of the country, both as a whole and as to each section of the country and as to each individual and the property constituting the basis of credit for rediscount at the Federal Reserve Bank; and,

*Whereas*, the people of Iowa as well as of the other intensive agricultural sections of the country have been compelled to pay more for their rediscounts than other sections of the country; and,

*Whereas*, the charter of the Federal Reserve System expires in 1933; and,

*Whereas*, there is a bill now pending in Congress for a rechartering of the Federal Reserve System for the period of fifty years from 1933;

*Now, Therefore, Be It Resolved*, That the Forty-second General Assembly of the State of Iowa direct the attention of the members of Congress now in session to the facts enumerated in the foregoing resolution and memorialize Congress to enact such legislation as will take from the control of eight men constituting the Federal Reserve Board or any other like number of men the power vested in and exercised by them, by making said Federal Reserve Board fully representative of the people and the property of the Federal Reserve Districts of the country, to the end that the value of money through the rates fixed therefor be made uniform to all citizens of the Republic alike, and that real estate farm lands be restored to their former and rightful place as a basis of credit in the business world and that the products of the farm be placed on an equal basis with the products of other industries and other sections of the country with this most powerful and controlling financial institution of our country.

*Be It Further Resolved*, That the charter of the Federal Reserve Bank ought never to be renewed until the equalities above designated in this resolution be made effective by law and its administration.

The resolution was laid over under the rules.

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

Senator Fackler 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. Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 28, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

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

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the day, on request of Senator Slemmons; Senator Darting for the day, on request of Senator Topping; Senator Shaff for the day, on request of Senator Bergman; Senator Stanley for the day, on request of Senator Johnston; Senator Haskell for the day, on request of Senator Johnston; Senator Stoddard for the day, on request of Senator Bergman.

## PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Senator Johnston, from the barbers of Cerro Gordo county, favoring the barber bill. Public health.

## THIRD READING OF BILLS

On motion of Senator Cavanaugh Senate File No. 41, a bill for an act to amend chapter 117 (one hundred seventeen), Acts of the 41 (Forty-first) General Assembly, and sections 6324 (sixty-three hundred twenty-four) and 6582 (sixty-five hundred eighty-two) of the Code, relating to the filing of reports by municipal 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 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, 29.

Beatty	Clearman	Kern	Shane
Benson	Dotts	Lange	Shinn
Bergman	Fackler	McFarlane	Skromme
Booth	Fulton	Merritt	Slemmons
Breakenridge	Gilchrist	Mills	Topping
Campbell	Gunderson	Ramsey	Ulstad
Cavanaugh	Johnston	Rigby	Wilson of Page
Clark			

Nays, none.

Absent or not voting, 21.

Baird	Dean	Kimberly	Shaff
Brookins	Ellis	Klemme	Stanley
Browne	Frailey	Langfitt	Stoddard
Brush	Hartman	McLeland	Wilson of Louisa
Carden	Haskell	Roberts	Wilson of Polk
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 Cavanaugh Senate File No. 49, a bill for an act to require propositions for the appropriations of money for bridges to be submitted to the voters in certain cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Clark	Kern	Shinn
Benson	Clearman	Lange	Skromme
Bergman	Dotts	McFarlane	Slemmons
Booth	Fackler	McLeland	Topping
Breakenridge	Fulton	Merritt	Ulstad
Campbell	Gilchrist	Mills	Wilson of Page
Carden	Gunderson	Ramsey	Wilson of Polk
Cavanaugh	Johnston	Shane	

Nays, none.

**Absent or not voting, 19.**

Baird	Dean	Kimberly	Shaff
Brookins	Ellis	Klemme	Stanley
Browne	Frailey	Langfitt	Stoddard
Brush	Hartman	Rigby	Wilson of Louisa
Darting	Haskell	Roberts	

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

On motion of Senator Cavanaugh Senate File No. 53, a bill for an act to repeal section 11484 (eleven thousand four hundred eighty-four) and to make section 13858 (thirteen thousand eight hundred fifty-eight) of the Code, applicable to civil trials, all relating to the subject of civil procedure, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist moved that the bill be referred to the committee on judiciary No. 2, which motion prevailed.

On motion of Senator Cavanaugh Senate File No. 55, a bill for an act to amend section 4611 (forty-six hundred eleven) of the Code relating to the condemnation of land for highway purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.**

Benson	Clearman	Kern	Ramsey
Bergman	Dotts	Kimberly	Shane
Booth	Ellis	Klemme	Shinn
Breakenridge	Fackler	Lange	Skromme
Brush	Frailey	Langfitt	Slemmons
Campbell	Fulton	McFarlane	Topping
Carden	Gilchrist	McLeland	Ulstad
Cavanaugh	Hartman	Merritt	Wilson of Page
Clark	Johnston	Mills	Wilson of Polk

**Nays, none.**

**Absent or not voting, 14.**

Baird	Darting	Rigby	Stanley
Beatty	Dean	Roberts	Stoddard
Brookins	Gunderson	Shaff	Wilson of Louisa
Browne	Haskell		



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

On motion of Senator Lange Senate File No. 3, a bill for an act to amend the law as it appears in section fifty-nine hundred one (5901) of the Code, 1924, relating to the method of the removal of commissioners of public docks in cities and towns where a department of public docks has been established, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Topping moved 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.**

Benson	Clearman	Kern	Ramsey
Bergman	Dotts	Kimberly	Shane
Booth	Ellis	Klemme	Shinn
Breakenridge	Fackler	Lange	Skromme
Brush	Frailey	Langfitt	Slemmons
Campbell	Fulton	McFarlane	Topping
Carden	Gilchrist	McLeland	Ulstad
Cavanaugh	Hartman	Merritt	Wilson of Page
Clark	Johnston	Mills	Wilson of Polk

**Nays, none.**

**Absent or not voting, 14.**

Baird	Darting	Rigby	Stanley
Beatty	Dean	Roberts	Stoddard
Brookins	Gunderson	Shaff	Wilson of Louisa
Browne	Haskell		

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 RULES CONSIDERED

Senator Slemmons called up for consideration the following report of the joint committee on rules and moved that the same be substituted for the report found on page 168 of the Senate Journal:

**MR. PRESIDENT:** Your joint committee on rules begs leave to make the following substitute report:

## AMENDMENT TO RULE No. 1

Amend Rule No. 1, joint rules of the Senate and House, by adding after the period at the end of the first paragraph the following: "The motions to lay on the table or to postpone indefinitely shall never be employed in respect to the motions to recede from or insist upon, nor to amendments to bills which have passed both Houses."

We also recommend that the rules of the 41st General Assembly, as amended, be adopted as the rules of the 42nd General Assembly.

GEO. F. SLEMMONS, *Chairman.*

The substitution was made.

On the question "Shall the amendment proposed in the report be adopted and the joint rules of the 41st General Assembly, as amended, be adopted as the joint rules of the 42nd General Assembly?" the vote was:

Ayes, 37.

Beatty	Dotts	Kern	Ramsey
Benson	Ellis	Kimberly	Shane
Bergman	Fackler	Klemme	Shinn
Breakenridge	Frailey	Lange	Skromme
Brush	Fulton	Langfitt	Slemmons
Campbell	Gilchrist	McFarlane	Topping
Carden	Gunderson	McLeland	Ulstad
Cavanaugh	Hartman	Merritt	Wilson of Page
Clark	Johnston	Mills	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 13.

Baird	Darting	Rigby	Stanley
Booth	Dean	Roberts	Stoddard
Brookins	Haskell	Shaff	Wilson of Louisa
Browne			

The amendment was adopted and the joint rules of the 41st General Assembly, as amended, were adopted as the joint rules of the 42nd General Assembly.

The journal of January 27th was corrected and approved.

Senator Slemmons moved that the Senate adjourn until 10 a. m. Saturday.

Senator Clark moved to amend the motion by making the time 1:30 p. m. Monday.

The amendment was declared to be lost.

A division was asked for.

Senator Slemmons raised the point of order that a division could not be asked for, as the decision had been announced.

President Pro Tem Shane held the point of order well taken.

Senator Wilson of Polk moved to amend the motion 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 Pro Tem Shane presiding.

### INTRODUCTION OF BILLS

Senate File No. 107, by Senator McFarlane, a bill for an act to amend paragraphs three and four of section five thousand two hundred and twenty-nine (5229) Code 1924, relating to salary of Assistant County Attorney.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 108, by Senator Booth, a bill for an act to amend Section ten thousand one hundred five (10105) of the Code relating to the recording of instruments affecting real estate.

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

Senate File No. 109, by Senator Kimberly, a bill for an act to amend chapter one hundred eighty-six (186) of the code, to provide for the transfer to the state hospitals for the insane of insane inmates of the women's reformatory and to provide for their retransfer and the expense attending such action.

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

Senate File No. 110, by Senator Gilchrist, a bill for an act to revise Section Ten Thousand Fifteen (10015) of the Code of 1924, relating to the recording of mortgages and bills of sale of personal property.

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

Senate File No. 111, by Senator Skromme, a bill for an act to repeal the law as it appears in chapter four hundred thirty-four (434) of Title XXIII of the Code, 1924, and to enact a substitute therefor relating to combinations, pools and trusts and to provide for the enforcement thereof.

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

#### REPORT OF COMMITTEE

Senator Brush submitted the following report:

MR. PRESIDENT: Your committee on Boundary Bridges to which was referred Senate Joint Resolution No. 1, for the appointment of a committee of the members of the Senate and House and appointment of similar committee by the legislature of Wisconsin and Illinois for the erection or purchase of free bridge across Mississippi River, at Dubuque, 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 all the preamble of said Joint Resolution and substitute in lieu thereof the following:

Senate Joint Resolution for the appointment of a committee, to be appointed by the Governor, to meet with committees from the States of Wisconsin and Illinois, for the purpose of conferring and making recommendations relative to the erection of a new bridge or the purchase of one of the toll bridges already built across the Mississippi River from Dubuque to the States of Wisconsin and Illinois, said bridge so erected or purchased, to be a free bridge.

*Whereas*, There are two toll bridges over the Mississippi River from Dubuque, on the Iowa side, one to the State of Wisconsin and one to the State of Illinois, and there are no free bridges between said states at said point, and

*Whereas*, The General Assembly of Iowa believes the citizens and commerce of each of said states would be greatly benefited were there a free bridge across said river at said point, therefore,

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. That the Governor of Iowa be directed to appoint three commissioners from this State to act with a similar commission appointed by the Governor of Illinois, also three commissioners appointed by the Governor of Wisconsin, to ascertain and report the facts relative to the feasibility of constructing an inter-state bridge, or purchasing one of the present erected bridges across the Mississippi River, joining the State of

Iowa through Dubuque County, with the State of Illinois through Jo Daviess County, and joining the State of Iowa through Dubuque County with the State of Wisconsin through Grant County.

Section 2. This said joint commission shall report their findings to the Governor of their respective States, before adjournment of the Forty-Second General Assembly, as to said conference, together with their recommendations.

Section 3. This act being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Waterloo Tribune, a newspaper published in the city of Waterloo, Iowa, and the Telegraph Herald, a newspaper published in the city of Dubuque, Iowa.

S. A. BRUSH, *Chairman.*

Passed on file.

#### MOTION TO RECONSIDER FILED

I move to reconsider the vote by which the rules of the Senate of the 42d General Assembly were adopted, the vote by which Rule 21 as proposed by the committee was stricken, and the vote by which the amendment to the amendment was adopted.

WM. H. KLEMME,  
W. S. BAIRD,  
A. J. SHINN.

Senator Kern moved that the Senate adjourn until 1:30 p. m. Monday.

Senator Shinn moved to amend the motion by making the time 10 a. m. Saturday.

Senator Mills invoked rule 8.

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

Ayes, 17.

Brookins	Gunderson	McLeland	Shinn
Carden	Hartman	Mills	Skromme
Frailey	Klemme	Rigby	Slemmons
Fulton	Lange	Roberts	Ulstad
Gilchrist			

Nays, 14.

Baird	Brush	Fackler	McFarlane
Beatty	Clark	Kern	Shane
Benson	Clearman	Langfitt	Topping
Breakenridge	Dotts		

**Absent or not voting, 19.**

Bergman	Darting	Kimberly	Stoddard
Booth	Dean	Merritt	Wilson of Louisa
Browne	Ellis	Ramsey	Wilson of Page
Campbell	Haskell	Shaff	Wilson of Polk
Cavanaugh	Johnston	Stanley	

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 29, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. W. D. Johnson, pastor of the First Presbyterian church, of Oskaloosa, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Dotts for the day, on request of Senator Clearman; Senator Shinn for the day on request of Senator Fackler; Senator Beatty for the day, on request of Senator Fackler; Senator Stoddard for the day, on request of Senator Mills; Senator Browne for the day, on request of Senator Ulstad; Senator Langfitt for the day, on request of Senator Benson; Senator Campbell for the day, on request of Senator Benson; Senator Haskell for the day, on request of Senator Benson; Senator Kimberly for the day, on request of Senator Benson; Senator Darting for the day, on request of Senator Topping; Senator Stanley for the day, on request of Senator Topping; Senators Booth, Shaff, Bergman, Cavanaugh, Baird, Ellis and Wilson of Page for the day, on request of Senator Fulton.

## PETITIONS AND MEMORIALS

The following petition was presented, and referred to the designated committee:

By Senator McLeland, from voters of Marshall county, favoring the barber bill. Public health.

The journal of January 28th was corrected and approved.

Senator Lange moved that the Senate adjourn until 1:30 p. m. Monday.

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

Senator Kern moved as a substitute amendment that the time be made 4 p. m. today.

The substitute was lost.

The amendment by Senator Roberts was lost.

The motion prevailed and the Senate adjourned until 1:30 p. m. Monday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 31, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. Marie Castle, pastor of the Friends Church of Indianola, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Breakenridge for the day, on request of Senator Brookins; Senator Johnston for the day, on request of Senator Haskell; Senator Wilson of Louisa for the day, on request of Senator McLeland; Senator Browne for the day, on request of Senator Ulstad; Senator Baird for the day, on request of Senator Roberts; Senators Campbell, Darting and Fulton, the special investigating committee on the bank guaranty law, during their absence in such capacity, on request of Senator Stanley.

## PETITIONS AND MEMORIALS

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

By Senator Brookins, from voters of Floyd county, petitioning against the enactment of Income Tax Bill. Ways and means.

By Senator Brookins, from voters of Floyd county, favoring the Income Tax Bill. Ways and means.

By Senator Kimberly, from barbers of Scott county, favoring the barber bill. Public health.

## PROOF OF PUBLICATION OF SENATE FILE NO. 7

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of Senate File No. 7, a proposed bill for an act to legalize the proceedings of the town council of Dewitt, with respect to the granting of a franchise to the Dewitt Telephone Company.

WATER H. BEAM, *Secretary.*



## INTRODUCTION OF BILLS

Senate File No. 112, by Senator Frailey, a bill for an act to amend the law as it appears in Section 1395 relating to workmen's Compensation for injuries sustained arising out of and in the course of his employment.

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

Senate File No. 113, by Senator Frailey, a bill for an act to amend Section Five Thousand One Hundred Ninety-one (5191), Paragraph Eleven (11), of the Code of 1924, relative to the compensation of sheriff for meals and lodging of prisoners.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 114, by Senator Clearman, a bill for an act to amend Chapter Three Hundred Fifty-eight (358) of the Code, 1924, relating to the management of drainage or levee districts.

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

Senate File No. 115, by Senator Gunderson, a bill for an act to amend Chapter Seventy-eight (78), Acts of the Forty-first (41st) General Assembly, relating to children's boarding homes.

Read first and second times and referred to committee on child welfare.

Senate File No. 116, by Senator Gunderson, a bill for an act to repeal Sections Ten Thousand Four Hundred Ninety-six (10496) to Ten Thousand Five Hundred and One (10501), both inclusive, Code of 1924, relating to adoption and to enact a substitute therefor.

Read first and second times and referred to committee on child welfare.

Senate File No. 117, by Senator Wilson of Polk, a bill for an act to amend the law as it appears in Section Ten Thousand Four Hundred Ten (10410) of the Code of Iowa, 1924, relating to renewals of charters for private corporations.

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

Senate File No. 118, by Senator Gilchrist, a bill for an act to prevent the introduction into and dissemination within this state of insect pests and diseases injurious to plants and plant products of this state, to create the office of state entomologist within the state department of agriculture, and to prescribe its powers and duties, and to provide penalties for a violation thereof and to repeal chapter 201 of the Code relating to the state entomologist.

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

Senate File No. 119, by Senator Klemme, a bill for an act to amend the law as it appears in section five hundred twenty (520) of the Code, 1924, relating to the terms of office of certain county officers.

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

#### SENATE CONCURRENT RESOLUTION NO. 11

Senator Frailey offered the following resolution:

A Concurrent Resolution providing for an investigation of the question of Old Age Pensions.

*Be It Resolved by the Senate, the House of Representatives concurring,* That a committee of six members of the Forty-second General Assembly of the State of Iowa be appointed by the Governor to make a thorough and complete investigation of the system of caring for dependent citizens in the state, and to investigate the matter of Old Age Pensions and whether that system would not afford a better and less degrading way of caring for our unfortunate citizens who by force of circumstances are compelled to depend on public and private aid for support.

1. Said committee shall ascertain the number of county homes in the state, with an estimated value of same, including real estate and furnishings;

2. The total number of inmates of such county homes; the number who are sixty-five years of age and over; and the number who are seventy years of age and over; and the number who are under the age of sixty-five years of age;

3. The number of officials and attendants employed therein, and the amount paid in salaries or wages;

4. The average per capita cost of maintaining such inmates, including medicines and medical treatment, and burial expenses;

5. The amount expended annually for outdoor relief;

6. The cost and desirability of the establishment of four or more state homes, not to exceed six in number, under the direct management of the state, for the care of indigent poor, and the feasibility of doing away with the county homes and the poor relief distributed by the respective township trustees;

7. Any and all other information the committee may deem advisable.

The Committee shall make a full and complete report of their findings, together with their recommendations in the matter to the next session of the General Assembly of the State of Iowa.

The resolution was laid over under the rules.

### THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 15, a bill for an act to amend section twelve thousand two hundred sixty-three (12263) of the Code relating to the action of forcible entry or detention of real 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 inserting the words "of real property" immediately following the word "purchase" in the fourth line of section one thereof.

Also amend by striking therefrom the words "in accordance with the terms of the contract" and by inserting in lieu thereof the words "as provided by law".

The bill was read for information.

Senator Wilson of Page moved 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.

Beatty	Dean	Haskell	Shaff
Benson	Dotts	Kimberly	Shane
Bergman	Ellis	Klemme	Slemmons
Booth	Fackler	Lange	Stanley
Carden	Frailey	Langfitt	Stoddard
Cavanaugh	Gilchrist	Merritt	Topping
Clark	Gunderson	Mills	Wilson of Page
Clearman	Hartman	Rigby	Wilson of Polk

Nays, 5.

Brookins	Roberts	Shinn	Skromme
McLeland			

Absent or not voting, 13.

Baird	Campbell	Johnston	Ramsey
Breakenridge	Darting	Kern	Ulstad
Browne	Fulton	McFarlane	Wilson of Louisa
Brush			

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

On motion of Senator Stoddard Senate File No. 80, a bill for an act to authorize the refund of excess money paid by any person for the purchase of a copy of the book of Annotations to the Code, and to make an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 38.

Beatty	Dotts	Lange	Shane
Benson	Ellis	Langfitt	Shinn
Bergman	Fackler	McFarlane	Slemmons
Booth	Frailey	McLeland	Stanley
Brookins	Gilchrist	Merritt	Stoddard
Carden	Gunderson	Mills	Topping
Cavanaugh	Hartman	Rigby	Ulstad
Clark	Haskell	Roberts	Wilson of Page
Clearman	Kimberly	Shaff	Wilson of Polk
Dean	Klemme		

Nays, none.

Absent or not voting, 12.

Baird	Brush	Fulton	Ramsey
Breakenridge	Campbell	Johnston	Skromme
Browne	Darting	Kern	Wilson of Louisa

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

On motion of Senator Lange Senate Joint Resolution No. 1, a resolution for the appointment of a committee from the legislature to meet with committees from the states of Wisconsin and Illinois for the purpose of conferring and making recommenda-

tions relative to the erection of a new bridge, or the purchase of one of the toll bridges already built across the Mississippi River from Dubuque on the Iowa side, to the states of Wisconsin and Illinois; said bridge so erected or purchased to be a free bridge, 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:

Strike out all the preamble of said Joint Resolution and substitute in lieu thereof the following:

"Senate Joint Resolution for the appointment of a committee, to be appointed by the Governor, to meet with committees from the States of Wisconsin and Illinois, for the purpose of conferring and making recommendations relative to the erection of a new bridge or the purchase of one of the toll bridges already built across the Mississippi River from Dubuque to the States of Wisconsin and Illinois, said bridge so erected or purchased, to be a free bridge.

*Whereas*, There are two toll bridges over the Mississippi River from Dubuque, on the Iowa side, one to the State of Wisconsin and one to the State of Illinois, and there are no free bridges between said states at said point, and

*Whereas*, The General Assembly of Iowa believes the citizens and commerce of each of said states would be greatly benefited were there a free bridge across said river at said point, therefore,"

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. That the Governor of Iowa be directed to appoint three commissioners from this State to act with a similar commission appointed by the Governor of Illinois, also three commissioners appointed by the Governor of Wisconsin, to ascertain and report the facts relative to the feasibility of constructing an inter-state bridge, or purchasing one of the present erected bridges across the Mississippi River, joining the State of Iowa through Dubuque County, with the State of Illinois through Jo Daviess County, and joining the State of Iowa through Dubuque County with the State of Wisconsin through Grant County.

Sec. 2. This said joint commission shall report their findings to the Governor of their respective states, before adjournment of the Forty-second General Assembly, as to said conference, together with their recommendations.

Sec. 3. This act being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Waterloo Tribune, a newspaper published in the city of Waterloo, Iowa, and the Telegraph Herald, a newspaper published in the city of Dubuque, Iowa."

The bill was read for information.

Senator Lange moved 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.

Benson	Dotts	Lange	Shane
Bergman	Ellis	Langfitt	Skromme
Booth	Frailey	McFarlane	Slemmons
Brookins	Gilchrist	McLeland	Stanley
Brush	Gunderson	Merritt	Stoddard
Carden	Hartman	Mills	Topping
Clark	Haskell	Rigby	Ulstad
Clearman	Kimberly	Roberts	Wilson of Polk
Dean	Klemme	Shaff	

Nays, 2.

Cavanaugh            Wilson of Page

Absent or not voting, 13.

Baird	Campbell	Fulton	Ramsey
Beatty	Darting	Johnston	Shinn
Breakenridge	Fackler	Kern	Wilson of Louisa
Browne			

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

#### RESIGNATION OF COMMITTEE CLERK

MR. PRESIDENT: I hereby tender my resignation as Committee Clerk.

GLADYS GUSTIN.

The resignation was accepted.

Senator Stanley moved that a committee of three be appointed to make suitable arrangements for a ceremony in commemoration of Lincoln's birthday.

The motion prevailed and President Pro Tem Shane appointed as such committee Senators Stanley, Carden and Booth.

#### REPORTS OF COMMITTEE

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on Cities and Towns to which was referred Senate File No. 77, a bill for an act to amend section sixty-four hundred eighty (6480) of the Code, 1924, relating to Commission Plan

Cities, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman*.

Ordered passed on file.

Also:

Mr. PRESIDENT: Your committee on Cities and Towns to which was referred Senate File No. 4, by Lange, a bill for an act to amend the law as it appears in paragraphs ten (10) and eleven (11) of section fifty-nine hundred two (5902) of the Code, 1924, relating to the department of public docks in cities and towns, and the manner of defraying the expense thereof, 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.

#### AMENDMENT FILED

I wish to amend Senate Concurrent Resolution No. 10 by adding thereto the following:

“authorizing the secretary of the Senate to send a copy of the resolution to the President of the United States, and to the president of the Senate of the United States and the speaker of the House; also to the Iowa delegation in Congress, and to each Governor of the twelve middle states; also copy of same to the House and Senate, which is now in session, of the twelve states”.

A. J. SHINN.

The Journal of January 29th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 10 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 1, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. Arthur Bottom, pastor of the Methodist Episcopal Church, of Ochevedan, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Slemmons for the day, on request of Senator Ulstad; Senator McFarlane for the day, on request of Senator Langfitt; Senator Wilson of Louisa for the day, on request of Senator McLeland; Senator Fackler for the day, on request of Senator Shane.

## PETITIONS AND MEMORIALS

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

By Senator Merritt, from residents of Carroll County, favoring income tax law, and opposing state bond issue for highways. Highways.

By Senator Ulstad, from barbers of Wright County, favoring the barber bill. Public health.

## INTRODUCTION OF BILLS

Senate File No. 120, by Senator Klemme, a bill for an act to authorize the adjutant general to make free distribution of the roster of Iowa soldiers, sailors, and marines in so far as said roster has been published.

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

Senate File No. 121, by Senator Lange, a bill for an act to



require all banking institutions under the supervision of the superintendent of banking to deposit with the superintendent security or securities for the purpose of securing the payment of assessments against its stockholders and depositors and creditors on liquidation.

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

Senate File No. 122, by Senator Lange, a bill for an act to amend the law as it appears in section seven thousand three (7003) of the Code, 1924, relating to the taxation of bank stock, so as to remove from the consideration of the assessor in fixing the value of said stock, surplus equal to the amount of the paid in capital of said bank.

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

Senate File No. 123, by Senator Clark, a bill for an act to amend Section 10032 (ten thousand thirty-two) of the Code relating to the indexing of certain chattel mortgages.

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

#### REPORTS OF COMMITTEE

Senator Gilchrist submitted the following report:

**MR. PRESIDENT:** Your committee on Judiciary No. 1, to which was referred Senate File No. Seven, a bill for an act to legalize the proceedings of the town council of Dewitt, Iowa, with respect to the granting of a franchise to the Dewitt Telephone Company, and to declare that said proceedings constitute such franchise, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on Judiciary No. 1, to which was referred Senate File No. Ninety-two, a bill for an act to amend Section Ten Thousand Eight Hundred Eleven (10811) of the Code, 1924, relating to the expenses of shorthand court reporters, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *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 report of the joint committee on rules.

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

House Concurrent Resolution No. 3, memorializing congress in favor of the construction of the St. Lawrence waterway project.

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

Senate Concurrent Resolution No. 9, memorializing the Congress of the United States to adopt an adequate tariff schedule on molasses imported for the manufacturing of industrial alcohol.

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

House File No. 13, a bill for an act relating to straightening creek or river.

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 relating to the time for holding the annual meeting and election of officers of Farm Aid Associations.

Also: 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 for the relief of the grantees of C. B. Churchill and John Sullivan.

A. C. GUSTAFSON, *Chief Clerk.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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.

DENVER L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY PRESIDENT

President Pro Tem Shane announced that as President pro tem of the Senate he had signed in the presence of the Senate House Joint Resolution No. 2.

AMENDMENT TO CONCURRENT RESOLUTION NO. 10  
CONSIDERED

Senator Shinn called up for consideration the following amendment and moved its adoption:

Amend Senate Concurrent Resolution No. 10 by adding thereto the following:

“authorizing the secretary of the Senate to send a copy of the resolution to the President of the United States, and to the president of the Senate of the United States and the speaker of the House; also to the Iowa delegation in Congress, and to each Governor of the twelve middle states; also a copy of same to the House and Senate, which is now in session, of the twelve states.”

By unanimous consent on request of Senator Shinn the amendment was amended by striking the words “authorizing the secretary of the Senate” from the first line and by inserting in lieu thereof the words “The secretary of the Senate is hereby authorized and directed”.

The amendment as amended was adopted.

Senator Shinn called up for consideration Senate Concurrent Resolution No. 10, found on page 197 of the Senate Journal.

Senator Frailey moved that the resolution be referred to the committee on banks and banking with instructions to report same back within three days.

Senator Johnston moved to amend the motion by striking therefrom the words “banks and banking” and inserting in lieu thereof the word “agriculture”.

The amendment was accepted.

The motion prevailed and the resolution was referred to the committee on agriculture.

## HOUSE MESSAGES CONSIDERED

House File No. 13, a bill for an act to amend the law as it

appears in Chapter Three Hundred Fifty-three (353), Section Seventy-four hundred twenty-eight (7428), of the Code, 1924, relating to straightening creek or river.

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

House File No. 20, a bill for an act for the relief of the grantees of C. B. Churchill and John Sullivan and for the purpose of having a patent issued in the name of Luther Taylor and Nellie Sims Taylor for a certain tract of land.

Read first and second time and referred to Committee on judiciary No. 1.

House File No. 22, a bill for an act to amend the law as it appears in section two thousand nine hundred twenty-six (2926) of chapter one hundred thirty-eight (138) of the Code, 1924, relating to the time for holding the annual meeting and election of officers of Farm Aid Associations.

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

### THIRD READING OF BILLS

On motion of Senator Shaff, the rules were suspended and Senate File No. 7, a bill for an act to legalize the proceedings of the council of the town of Dewitt, Iowa, with respect to the granting of a franchise to the Dewitt Telephone Company, and to declare that said proceedings constitute such franchise, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Shaff the bill was amended by inserting as Sec. 2 the following: "Sec. 2. This act shall not affect pending litigation." and by renumbering Sec. 2 as Sec. 3. Also by inserting in line 3 of section 3 (as renumbered) the words "Dewitt Observer" before the word "a"; and by inserting in line 4 of said section the words "Clinton Herald" before the word "a"; and by striking from line 5 of said section the word "Des Moines" and inserting in lieu thereof the word "Clinton".

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, 37.

Baird	Clearman	Kimberly	Roberts
Beatty	Dean	Klemme	Shaff
Benson	Dotts	Lange	Shane
Bergman	Frailey	Langfitt	Shinn
Booth	Gilchrist	McLeland	Skromme
Breakenridge	Gunderson	Merritt	Stanley
Brookins	Haskell	Mills	Stoddard
Brush	Johnston	Ramsey	Topping
Cavanaugh	Kern	Rigby	Wilson, of Page
Clark			

Nays, none.

Absent or not voting, 13.

Browne	Ellis	Hartman	Ulstad
Campbell	Fackler	McFarlane	Wilson, of Louisa
Carden	Fulton	Slemmons	Wilson of Polk
Darting			

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 vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### MOTION TO RECONSIDER FILED

We hereby file a motion to reconsider the vote by which Senate File No. 15, by Stoddard, passed the Senate, and also the vote by which the bill passed to its third reading.

FRANK M. BEATTY.

GEORGE A. WILSON.

The Journal of January 31st was corrected and approved.

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

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 2, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. J. G. Waterman, pastor of the Methodist Episcopal church of Dows, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Fackler, from citizens of Corning, favoring five cent gasoline tax. Highways.

By Senator Merritt, from barbers of Greene County, favoring a barber bill. Public health.

By Senator Gunderson, from barbers of Mitchell County, favoring a barber bill. Public health.

By Senator Merritt, from the residents of Carroll County, favoring passage of Income Tax Law, and opposing state bond issue for roads. Highways.

By Senator Breakenridge, from citizens of Palo Alto County, opposing the barber bill. Public health.

By Senator Breakenridge, from barbers of Kossuth County, favoring the barber bill. Public health.

By Senator Hartman, from barbers of Fayette County, favoring the barber bill. Public health.

By Senator McFarlane, from barbers of Grundy County, favoring the barber bill. Public health.

By Senator McFarlane, from voters of Grundy County, favoring the income tax bill. Ways and means.

## REPORTS OF COMMITTEES

Senator Frailey submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 60, a bill for an act to amend section ten thousand eight hundred five (10805) of the Code, 1924, relating to expenses of district judges, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 76, a bill for an act to repeal section twenty-seven hundred sixty-two (2762) of the code 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:

Amend the title by striking out the period after the word "therefor" and inserting, in lieu thereof, a comma and adding the words "in relation to the use and disposal of dead animals."

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 93, a bill for an act to authorize the construction, reconstruction, and repair of sidewalks outside the limits of cities but within the limits of certain school districts, and to provide for the assessment of the cost of such improvement on abutting property, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 110, a bill for an act to amend and revise section ten thousand fifteen (10015) of the Code of 1924, relating to the recording of mortgages and bills of sale of personal property, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Senator Cavanaugh submitted the following report:

MR. PRESIDENT: Your committee on code revision to which was re-

ferred Senate File No. 38, a bill for an act to amend section 3774 (thirty-seven hundred seventy-four) of the code and chapter 67 (sixty-seven), acts 41 (Forty-first) General Assembly relating to the reduction of sentence of convicts in the penitentiary, and in the men's and women's reformatories, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 25, a bill for an act to amend section 334 (three hundred thirty-four) of the code relating to the state appropriation bill and the introduction thereof in the General Assembly, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 48, a bill for an act to provide for the commencement, making up of the issues, and trial, in vacation, of an action of mandamus, 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" in line 3 of section 1, and inserting in lieu thereof the word "may".

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS

Senate File No. 124, by Senator Baird, a bill for an act to amend sections fifty-seven hundred ninety-three (5793) and fifty-seven hundred ninety-five (5795) of the code, relating to additional tax authorized to be levied for park purposes in cities having a population of over twenty-five hundred (2,500), and to the anticipation of taxes levied for park purposes, and the issuing of park certificates or bonds.

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

Senate File No. 125, by Senator Lange, by request, a bill for an act to amend section fifty-six hundred ninety-nine (5699) of the Code, 1924, relating to the appointment of chiefs of police in cities.



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

Senate File No. 126, by Senator Lange, by request, a bill for an act to amend sections twelve thousand nine hundred fifty-one (12951) and twelve thousand nine hundred fifty-three (12953) of the Code, 1924, relating to the selling of concealed weapons.

Read first and second times and referred to committee on police regulations.

Senate File No. 127, by Senator Frailey, a bill for an act to amend and revise Section Ten Thousand Nine Hundred Thirty-three (10,933) and Section Ten Thousand Nine Hundred Thirty-four (10,934) of the Code, 1924, relative to procedure, pleading, trial, and evidence in disbarment proceedings against attorneys and counselors at law.

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

Senate File No. 128, by Senator Topping, a bill for an act to compensate Jonah Smith for service as chaplain at Camp McKinley for the period from June 24, 1896 to September 5, 1898, and to make appropriation therefor.

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

Senate File No. 129, by Senator Wilson of Polk, a bill for an act to repeal the law as it appears in Section seven thousand two hundred twenty-six (7226) of the Code, 1924, relating to the collection of delinquent taxes.

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

Senate File No. 130, by Senator Wilson of Polk, a bill for an act to amend Section Eighteen Hundred Eighty-three (1883) of Chapter Ninety (90) of the Code of Iowa 1924, relating to Certified Shorthand Reporters.

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

Senate File No. 131, by Senator Klemme, a bill for an act to prohibit the use of ferrets in the capture of rabbits.

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

Senate File No. 132, by Senators Rigby and Roberts, a bill for an act to amend Chapter 415 (four hundred fifteen) of Title XXI of the Code, 1924, so as to prohibit branch banking.

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

#### COMMUNICATION FROM HON. NICHOLAS LONGWORTH

January 31, 1927.

PRESIDENT OF THE SENATE, Des Moines, Iowa:

My dear Sir: I have for acknowledgment your communication of recent date transmitting a copy of a Senate Concurrent Resolution adopted by the Forty-second General Assembly of the state of Iowa, regarding the establishment of a Federal Farm Board.

Very truly yours,           NICHOLAS LONGWORTH.

#### SENATE CONCURRENT RESOLUTION NO. 12

Senator Baird offered the following resolution:

Memorializing the Congress of the United States to abolish the Federal Estate Tax:

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

*Whereas, The Federal Estate (Inheritance) Tax Law, as amended February 26, 1926, provides that the estate liable thereunder shall be credited with any inheritance tax paid by the beneficiaries to the state, or states, the credit not to exceed eighty per cent of the federal levy; and*

*Whereas, This amendment menaces the rights of the states, because its object is to persuade them to abandon their state inheritance tax laws in favor of statutes based on the federal law. The tax not being required for revenue at this time, its only object now must be coercion of the states; and*

*Whereas, The joint levy is contrary to the theory of this government, unprecedented and offensive to the independence of the legislature of the sovereign states;*

*Therefore, Be It Resolved by the Senate, the House concurring, That we hereby request the present Congress to repeal immediately the federal estate (inheritance) tax provisions of the revenue law effective February 26, 1926, and abandon this field of taxation in time of peace.*

*Be It Further Resolved, That certified copies of this concurrent resolution be forwarded to Iowa's senators and representatives in the Congress of the United States.*

The resolution was laid over under the rules.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 49, a bill for an act relating to joint conventions of the General Assembly.

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

House File No. 77, a bill for an act relating to corporations which are delinquent in the making of reports.

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 relative to the audit of claims.

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

House File No. 79, a bill for an act relating to the distribution of public documents.

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

House File No. 80, a bill for an act relating to removal of city and town officers.

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

House File No. 81, a bill for an act relating to defaults by county treasurers.

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

House File No. 85, a bill for an act relating to receivers by adding thereto a provision for examination of persons suspected of having taken wrongful possession of the effects of any person, corporation or partnership in receivership, and providing for enforcement of orders connected therewith.

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 relative to escheated lands.

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 relating to the amount of bond in assignment for the benefit of creditors.

Also, 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 the assessment of cost in sewer proceedings.

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 the payment of salaries for certain state officers and employees.

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

House File No. 88, a bill for an act relating to certificates of nomination.

Also, 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 the approval of bonds.

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

House File No. 89, a bill for an act relative to the administration of oaths, and to legalize the acts of the clerk and deputy clerk of the supreme court in administering oaths.

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

House File No. 91, a bill for an act relating to the state printing board and to the superintendent of printing.

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 relating to withdrawals by candidates of nominations.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File No. 49, a bill for an act to amend section thirty (30) of the code, 1924, relating to joint conventions of the general assembly.

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

House File No. 77, a bill for an act to amend chapter 160 (one hundred sixty), acts 41 (forty-first) general assembly, relating to corporations which are delinquent in the making of reports.

Read first and second time and referred to Committee on code revision.

House File No. 78, a bill for an act to amend section 4559 (forty-five hundred fifty-nine) of the code relative to the audit of claims.

Read first and second time and referred to Committee on code revision.

House File No. 79, a bill for an act to amend chapter 20 (twenty), acts 41 (forty-first) general assembly relating to the distribution of public documents.

Read first and second time and referred to Committee on code revision.

House File No. 80, a bill for an act to amend section 1117 (eleven hundred seventeen) of the code relating to removal of city and town officers.

Read first and second time and referred to Committee on code revision.

House File No. 81, a bill for an act to repeal section 7399 (seventy-three hundred ninety-nine) of the code, relating to defaults by county treasurers.

Read first and second time and referred to Committee on code revision.

House File No. 85, a bill for an act to amend Chapter five hundred forty-nine (549) of the Code of 1924, relating to receivers, by adding thereto, a provision for examination of persons suspected of having taken wrongful possession of the effects of any person, corporation or partnership in receivership, and providing for enforcement of orders connected therewith.

Read first and second time and referred to Committee on judiciary No. 1.

House File No. 82, a bill for an act to amend section 10220 (ten thousand two hundred twenty) of the code relative to escheated lands.

Read first and second time and referred to Committee on code revision.

House File No. 86, a bill for an act to amend section twelve thousand seven hundred twenty-six (12726) of the code, relating to the amount of bond in assignments for the benefit of creditors.

Read first and second time and referred to Committee on code revision.

House File No. 84, a bill for an act to amend section 3 (three), chapter 120 (one hundred twenty), acts 41 (forty-first) general assembly, relating to the assessment of cost in sewer proceedings.

Read first and second time and referred to Committee on code revision.

House File No. 87, a bill for an act to repeal section 8609 (eighty-six hundred nine) of the code relating to the payment of salaries for certain state officers and employees.

Read first and second time and referred to Committee on judiciary No. 2.

House File No. 88, a bill for an act to amend section 16 (sixteen) of chapter 27 (twenty-seven) of the Acts 41 (forty-first) General Assembly relating to certificates of nomination.

Read first and second time and referred to Committee on code revision.

House File No. 90, a bill for an act to repeal section 4532 (forty-five hundred thirty-two) of the code relating to the approval of bonds.

Read first and second time and referred to Committee on code revision.

House File No. 89, a bill for an act to amend section 1215 (twelve hundred fifteen) of the code relative to the administration of oaths, and to legalize the acts of the clerk and deputy clerk of the supreme court in administering oaths.

Read first and second time and referred to Committee on code revision.

House File No. 91, a bill for an act to repeal sections 180 (one hundred eighty) and 214 (two hundred fourteen) of the code and to enact a substitute therefor, relating to the state printing board and to the superintendent of printing.

Read first and second time and referred to Committee on code revision.

House File No. 92, a bill for an act to amend section 9 (nine)

of chapter 27 (twenty-seven), Acts 41 (forty-first) General Assembly relating to withdrawals by candidates of nominations.

Read first and second time and referred to Committee on code revision.

#### MATTES MEMORIAL RESOLUTION

Senator Merritt offered the following resolution:

*Whereas*, Honorable Joseph Mattes, a member of this Senate in the Thirty-second, Thirty-second extra, Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies, died at his home at Odebolt, Iowa, on the 17th day of April, 1925, therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and services to the state.

By unanimous consent the resolution was taken up and considered.

The resolution was adopted and the President appointed as such committee Senators Merritt, Campbell and Stoddard.

#### HOUSE CONCURRENT RESOLUTION NO. 3 CONSIDERED

Senator McFarlane called up for consideration the following resolution:

*Whereas*, The vast interior of the United States is without water transportation or direct access to the oceans and as there reside in this area about 40,000,000 people, who make their livelihood directly or indirectly out of the basic industry agriculture, and the increased transportation costs to world markets from the mid-continent have had serious results to agriculture, affecting this section from 6c to 18c per bushel upon grain and which has not been accompanied by similar increases in many agricultural countries, which compete with ours, because they possess greater accessibility to seaboard, and sea rates in such countries are about the same as before the war, and,

*Whereas*, Nature by providing the Mississippi River and the St. Lawrence River has done much towards providing the interior of the United States with access to the sea, and as the construction of a shipway of sufficient depth to admit ocean shipping from the Atlantic to the Great Lakes and the improvement of the Mississippi for water transportation would lessen the economical handicaps of adverse transportation costs from the vast area in the interior of this continent and as the price levels of grain in this area would be thereby increased accordingly and as other commodities and industries of the interior would be likewise benefited by the construction of such waterways, and,

*Whereas*, The American Commission of which Honorable Herbert Hoover is chairman, has made exhaustive study and investigation of the practicability of the construction of the St. Lawrence waterway and of the benefits to flow therefrom and as such benefits would many times exceed the cost thereof and construction of such waterway has been recommended by the American Commission, now, therefore,

*Be It Resolved by the House of Representatives, the Senate concurring:* That the Legislature of the state of Iowa in regular session assembled hereby heartily approve the plan and project for the construction of a deep St. Lawrence river waterway and the improvement of the Mississippi River and hereby requests the senators and congressmen from this state to use their best efforts and endeavors to bring about the immediate passage of the necessary legislation for the construction of the St. Lawrence waterway and for the improvement of the Mississippi waterway; that a copy of this resolution be sent to each of the senators and congressmen of this state and to Honorable Herbert Hoover as chairman of the American Commission and to the Legislatures of the interior states now in session.

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

Ayes, 43.

Baird	Clark	Kern	Shane
Beatty	Clearman	Kimberly	Shinn
Benson	Dean	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fackler	McFarlane	Stoddard
Brookins	Frailey	McLeland	Topping
Browne	Gunderson	Merritt	Ulstad
Brush	Hartman	Mills	Wilson of Page
Carden	Haskell	Ramsey	Wilson of Polk
Cavanaugh	Johnston	Shaff	

Nays, none.

Absent or not voting, 7.

Campbell	Fulton	Rigby	Wilson of Louisa
Darting	Gilchrist	Roberts	

The resolution was adopted.

#### SENATE CONCURRENT RESOLUTION NO. 11 CONSIDERED

Senator Frailey called up for consideration Senate Concurrent Resolution No. 11, found on page 212 of the Senate Journal.

Senator Cavanaugh raised the point of order that the argument was not germane to the question.



The President held the point of order well taken.

Senator Shane moved the previous question, which motion prevailed.

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

Ayes, 34.

Baird	Clark	Lange	Shane
Benson	Clearman	McFarlane	Skromme
Bergman	Dean	McLeland	Stanley
Booth	Ellis	Merritt	Stoddard
Breakenridge	Frailey	Ramsey	Topping
Brookins	Gilchrist	Rigby	Ulstad
Brush	Haskell	Roberts	Wilson of Page
Carden	Johnston	Shaff	Wilson of Polk
Cavanaugh	Kimberly		

Nays, 11.

Beatty	Gunderson	Klemme	Shinn
Browne	Hartman	Langfitt	Slemmons
Dotts	Kern	Mills	

Absent or not voting, 5.

Campbell	Fackler	Fulton	Wilson of Louisa
Darting			

The resolution was adopted.

On motion of Senator Cavanaugh the following communications were ordered printed in the Journal.

#### COMMUNICATION FROM PRESIDENT OF WESTERN UNION

April 20, 1925.

WALTER H. BEAM, ESQ., Secretary of the Senate, Des Moines, Iowa.  
Dear Sir: Please accept our thanks and appreciation for the courteous action represented by the resolution passed by the Senate and concurred in by the House of Representatives at the 41st General Assembly. It is most gratifying to know that the Western Union, through Mr. White, has been of service to the members of the Senate. Yours very truly,

NEWCOMB CARLTON, *President.*

#### COMMUNICATION FROM MRS. MARY E. PRICE

MEMBERS OF THE SENATE: We wish to acknowledge with sincere thanks the kind expression of your sympathy. MRS. MARY E. PRICE.

## COMMUNICATION FROM HENRY JONES

MEMBERS OF THE SENATE: We wish to acknowledge with sincere thanks the kind expression of your sympathy.

HENRY JONES AND FAMILY.

## THIRD READING OF BILLS

On motion of Senator Lange Senate File No. 4, a bill for an act to amend the law as it appears in paragraphs ten (10) and eleven (11) of section fifty-nine hundred two (5902) of the Code, 1924, relating to the department of public docks in cities and towns, and the manner of defraying the expense thereof, with the report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Lange the bill was amended by striking the period (.) from the end of section 3 and adding the following: "without expense to the state."

The bill was read for information.

Senator Lange moved 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.

Baird	Clearman	Kimberly	Roberts
Beatty	Dean	Klemme	Shaff
Benson	Dotts	Lange	Shane
Bergman	Fackler	Langfitt	Shinn
Booth	Frailey	McFarlane	Skromme
Breakenridge	Gilchrist	McLeland	Slemmons
Brookins	Gunderson	Merritt	Stanley
Brush	Hartman	Mills	Topping
Carden	Haskell	Ramsey	Ulstad
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kern		

Nays, none.

Absent or not voting, 8.

Browne	Darting	Fulton	Wilson of Louisa
Campbell	Ellis	Stoddard	Wilson of Page

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

On motion of Senator Shane Senate File No. 77, a bill for an

act to amend section six thousand four hundred eighty (6480) of the Code, 1924, relating to commission plan cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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, 42.

Baird	Clark	Kern	Rigby
Beatty	Clearman	Kimberly	Shaff
Benson	Dotts	Klemme	Shane
Bergman	Ellis	Lange	Shinn
Booth	Fackler	Langfitt	Skromme
Breakenridge	Frailey	McFarlane	Slemmons
Brookins	Gilchrist	McLeland	Stanley
Browne	Gunderson	Merritt	Topping
Brush	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Polk
Cavanaugh	Johnston		

Nays, none.

Absent or not voting, 8.

Campbell	Dean	Roberts	Wilson of Louisa
Darting	Fulton	Stoddard	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title 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 Wilson of Page Senate File No. 92, a bill for an act to amend section ten thousand eight hundred eleven (10811) of the Code, 1924, relating to the expenses of shorthand court reporters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Haskell moved the previous question, which motion prevailed.

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.

Baird	Cavanaugh	Hartman	Ramsey
Beatty	Clark	Haskell	Rigby
Benson	Clearman	Johnston	Shane
Bergman	Dean	Kimberly	Stanley
Booth	Ellis	Klemme	Topping
Breakenridge	Fackler	Lange	Wilson of Page
Browne	Frailey	McFarlane	Wilson of Polk
Brush	Gilchrist		

Nays, 13.

Brookins	Kern	Mills	Skromme
Carden	McLeland	Roberts	Slemmons
Dotts	Merritt	Shinn	Ulstad
Gunderson			

Absent or not voting, 7.

Campbell	Fulton	Shaff	Wilson of Louisa
Darting	Langfitt	Stoddard	

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

Mrs. Ed. H. Campbell was sworn in as clerk for Senator Campbell, effective February 1st.

The Journal of February 1st was corrected and approved.

On motion of Senator Gilchrist the Senate adjourned until 10 a. m. Thursday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 3, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Roy Howard Brown, pastor of the Central Presbyterian Church, of Des Moines.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Rigby for the day, on request of Senator Breakenridge.

## PETITIONS AND MEMORIALS

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

By Senator Hartman, from Izaak Walton League of Postville, Iowa, favoring liberality with the Board of Health. Public health.

By Senator Kern, from barbers of Warren County, favoring the barber bill. Public health.

By Senator Brush, from barbers of Benton County, favoring the barber bill. Public health.

By Senator Carden, from legislative council of Henry County, favoring the bank guarantee law, opposing the state bond issue, opposing the issuing of tax exempt securities, and favoring a state income tax law. Banks and banking.

## INTRODUCTION OF BILLS

Senate File No. 133, by Senator Ramsey, a bill for an act to repeal section two hundred thirty-seven (237) of the code and to enact a substitute therefor, relating to free distribution of certain laws.

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

Senate File No. 134, by Senator Slemmons, a bill for an act to amend the provisions of chapter two hundred fifty-one (251) of the Code, 1924, relating to the licensing and regulation of motor vehicles and providing for permanent license plates.

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

Senate File No. 135, by Senator Stanley, a bill for an act to amend Section two (2) of Chapter One Hundred Thirty-seven (137), Acts of the 41st General Assembly, relating to the powers of the board of waterworks trustees.

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

Senate File No. 136, by committee on public health, a bill for an act to amend Section twenty-five hundred forty (2540) of the Code of 1924 relating to the requirements of each applicant for a license to practice medicine.

Read first and second times and placed on the calendar.

Senate File No. 137, by committee on public health, a bill for an act providing for the appointment of a county health officer, public health nurses and other assistants, the manner of their selection, the compensation therefor, and prescribing the duties thereof.

Read first and second times and placed on the calendar.

Senate File No. 138, by committee on public health, a bill for an act to amend the law as it appears in section twenty-four hundred sixty-five (2465) of the Code, 1924, so as to authorize each examining board connected with the state department of health to maintain memberships in the respective national organizations of such boards, and making an appropriation to the membership fees therein.

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

Senate File No. 139, by Senator Rigby, by request, a bill for an act providing for the forestation of publicly and privately owned lands in Iowa.

Read first and second times and referred to committee on horticulture and forestry.

Senate Joint Resolution No. 2, by Senator Wilson of Page, a Joint Resolution providing for the recognition and establishment of Independence Sunday.

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

#### COMMUNICATION FROM PRESIDENT COOLIDGE'S SECRETARY

Washington, D. C., January 31, 1927.

HON. FRANK SHANE, President of the Senate, Des Moines, Iowa.

MY DEAR SENATOR SHANE: The President directs me to acknowledge the receipt of the copy of the concurrent resolution adopted by the Forty-second General Assembly of the State of Iowa which you sent to him.

Sincerely yours, EVERETT SAUNDERS, *Secretary to the President*

#### MESSAGES FROM THE HOUSE

The 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 bill for an act relating to poll tax lists.

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

House File No. 8, a bill for an act to amend the law so as to provide for the return of excess assessments of cost of constructing main ditches in drainage districts.

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

House File No. 3, a bill for an act to amend the law relating to compensation of assessors.

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

House Concurrent Resolution No. 4, providing for the printing of 3,000 additional copies of the 1926 report of the State Highway Commission and the payment of same out of the funds at the disposition of the State Highway Commission.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION NO. 4

*Resolved by the House, the Senate concurring:* That the State Printing Board be directed to have printed three thousand (3000) additional copies of the 1926 report of the State Highway Commission, such additional copies to be paid for out of funds at the disposition of the State Highway Commission.

## HOUSE MESSAGES CONSIDERED

House File No. 3, a bill for an act to amend the law as it appears in section fifty-five hundred seventy-three (5573) of the Code, 1924, relating to compensation of assessors.

Read first and second time and referred to Committee on county and township affairs.

House File No. 8, a bill for an act to amend the law as it appears in section seventy-four hundred eighty-nine (7489) of the Code, 1924, so as to provide for the return of excess assessments of cost of constructing main ditches in drainage districts.

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

House File No. 54, a bill for an act to amend the law as it appears in section forty-seven hundred eighty-nine (4789) of the Code, 1924, relating to poll tax lists.

Read first and second time and referred to Committee on ways and means.

## REPORTS OF COMMITTEES

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File No. 56, a bill for an act to regulate the occupation of barbering, 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 8 by striking from line 16 the words and figure "two (2) years" and inserting in lieu thereof "six (6) months"; also by inserting after the word "barber" in line 17 the words "and eighteen months as an apprentice".

Amend section 9 by changing the comma in line 23 to a period and striking out the remainder of the section.

Amend section 15 by striking out the word and figure "ten (10)" in line 12 and inserting the word and figure "fifteen (15)".

F. C. STANLEY, *Vice Chairman.*



Ordered passed on file.

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 96, a bill for an act to provide the procedure of the Senate in the consideration of the nominations of public officers when confirmation is required by law, to amend sections 2182 and 3276, and to repeal sections 312, 3915, 8606 and 9132 of the Code relating to the same subject matter, begs leave to report it has had the same under consideration and recommends the same do pass.

A. T. BROOKINS, *Chairman.*

Ordered passed on file.

Senator Breakenridge submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 62, a bill for an act providing for registration of all dealers in agricultural lime to provide for securing samples of agricultural lime and analysis thereof; to furnish analyses to dealers, and for the posting of such analysis, and providing penalty for the violation of the provisions hereof, 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 Senate File No. 62 as follows:

First: Strike out the title and in lieu insert the following:

#### "A BILL FOR

An Act to require sales or shipments of lime for agricultural purposes to be accompanied by an analysis which shall show in percentages the quantity of calcium carbonates therein, to provide for the making and certification of analyses of such lime, to declare the probative force of such certificates, and to prescribe the penalty for violations."

Second: Strike out all after the enacting clause and in lieu insert the following:

"Section 1. Agricultural lime. The vendor of each sale or shipment of lime for agricultural purposes in this state shall deliver to the vendee at the time of sale or delivery, a written, signed statement which shall show in percentages the quantity of calcium carbonates contained in said sale or shipment.

Sec. 2. Delivery defined. Delivery shall be deemed effected by delivering the statement personally to the vendee, or by attaching said statement with bill of lading.

Sec. 3. Unallowable variation. The vendor shall be deemed guilty of a misdemeanor if the actual percentage of calcium carbonates in said

sale or shipment is ten (10) or more per cent less than as shown by the statement delivered as aforesaid.

Sec. 4. The secretary of agriculture of this state shall, on the payment of one dollar (\$1.00), cause an analysis to be made of one (1) or more samples of a sale or shipment of lime purchased for agricultural purposes, and shall certify to the correctness of such analysis and such analysis and certificate shall be prima facie evidence in all proceedings of the percentage of calcium carbonate in said sale or shipment. Said secretary may promulgate such rules as will insure a correct and reliable analysis.

Sec. 5. A vendor who fails to make delivery of the said statement or who delivers a statement which is false within the meaning of section three (3) hereof shall be fined in a sum not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100)."

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Senator Cavanaugh submitted the following report:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 18, a bill for an act to amend section 12885 (twelve thousand eight hundred eighty-five) of the code relating to objections on appeal to the jurisdiction of the court, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 20, a bill for an act to amend section 13781 (thirteen thousand seven hundred eighty-one) of the code relating to motions to set aside indictments, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 21, a bill for an act to amend section 13960 (thirteen thousand nine hundred sixty) of the code relative to commitment for felonies, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 26, a bill for an act to amend section 4547 (forty-five hundred forty-seven) of the code relative to reports by the curators of the state historical society, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 33, a bill for an act to amend section 13999 (thirteen thousand nine hundred ninety-nine) of the code relating to the duty of county attorneys in appeals in criminal cases and to regulate the service of all filings in such cases, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 34, a bill for an act to authorize two or more indictable offenses to be charged in separate counts in the same indictment or trial information, and to regulate the number of peremptory challenges in such cases, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 35, a bill for an act to amend section 1616 (sixteen hundred sixteen) of the code relating to the distribution of taxes and of the proceeds of property sold in proceedings against houses of prostitution and the owners thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 1 by adding thereto the following:

“Said section is also amended by striking from line twelve the word ‘twenty’ and inserting in lieu thereof the word ‘ten’.”

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was re-

ferred Senate File No. 36, a bill for an act to repeal section 478 (four hundred seventy-eight) of the code, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 42, a bill for an act to repeal sections 7013 (seven thousand thirteen) and 7014 (seven thousand fourteen) of the code and to enact a substitute therefor, relating to the payment of taxes by corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 45, a bill for an act to amend sections 10859 (ten thousand eight hundred fifty-nine) and 10865 (ten thousand eight hundred sixty-five) of the code relative to the selection of jury lists, and to provide the numerical size of said lists, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 46, a bill for an act to authorize the code editor to omit certain formal matters in the compilation of the code, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 50, a bill for an act to amend, revise, and codify sections 13744 (thirteen thousand seven hundred forty-four) and 13747 (thirteen thousand seven hundred forty-seven) of the code relating to the power of the court to order amendments to indictments, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was re-

ferred Senate File No. 54, a bill for an act to amend, revise, and codify sections 12845 (twelve thousand eight hundred forty-five) to 12848 (twelve thousand eight hundred forty-eight), inclusive, of the code and to enact substitutes therefor, relating to abstract of record and to the filing and effect thereof on appeal to the supreme court, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

#### REPORT OF SPECIAL COMMITTEE

MR. PRESIDENT: Your committee consisting of Senators Stanley, Carden, and Booth, appointed to arrange an appropriate program for Lincoln's Birthday, beg leave to report the following:

On Saturday morning, February 12th, from eleven o'clock to eleven-thirty, Colonel J. F. McNeill of Oskaloosa, Iowa, will deliver an address on the Lincoln Guard of Honor.

Respectfully submitted,

F. C. STANLEY.  
CHAS. D. BOOTH.  
WILLIAM CARDEN.

Ordered passed on file.

#### THIRD READING OF BILLS

On motion of Senator Wilson of Page Senate File No. 60, a bill for an act to amend section ten thousand eight hundred five (10805) of the Code, 1924, relating to expenses of district judges, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Page moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 33.

Baird	Cavanaugh	Hartman	Mills
Beatty	Clark	Haskell	Ramsey
Benson	Clearman	Johnston	Shaff
Bergman	Dean	Kimberly	Shane
Booth	Ellis	Klemme	Stanley
Browne	Fackler	Lange	Stoddard
Brush	Gilchrist	McFarlane	Topping
Carden	Gunderson	Merritt	Wilson of Page
			Wilson of Polk

Nays, 7.

Brookins	Roberts	Skromm	Ulstad
McLeland	Shinn	Slemmons	

Absent or not voting, 10.

Breakenridge	Dotts	Kern	Rigby
Campbell	Frailey	Langfitt	Wilson of Louisa
Darting	Fulton		

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

On motion of Senator Shane Senate File No. 76, a bill for an act to repeal section twenty-seven hundred sixty-two (2762) of the Code 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 amendment was adopted:

Amend the title by striking out the period after the word "therefor" and inserting, in lieu thereof, a comma and adding the words "in relation to the use and disposal of dead animals."

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.

Baird	Clark	Kern	Roberts
Beatty	Clearman	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Ellis	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Brookins	Gilchrist	McFarlane	Stanley
Browne	Gunderson	McLeland	Topping
Brush	Hartman	Merritt	Ulstad
Carden	Haskell	Mills	Wilson of Page
Cavanaugh	Johnston	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Breakenridge	Dotts	Rigby	Stoddard
Campbell	Frailey	Shaff	Wilson of Louisa
Darting	Fulton		

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

On motion of Senator Wilson of Polk Senate File No. 93, a bill for an act to authorize the construction, reconstruction, and repair of sidewalks outside the limits of cities but within the limits of certain school districts, and to provide for the assessment of the cost of such improvement on abutting 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 Wilson of Polk moved 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	Dean	Klemme	Shane
Beatty	Ellis	Lange	Shinn
Benson	Fackler	Langfitt	Skromme
Bergman	Gilchrist	McFarlane	Slemmons
Booth	Gunderson	McLeland	Stanley
Brookins	Hartman	Merritt	Stoddard
Browne	Haskell	Mills	Topping
Brush	Johnston	Ramsey	Ulstad
Carden	Kern	Roberts	Wilson of Page
Cavanaugh	Kimberly	Shaff	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 9.

Breakenridge	Clark	Frailey	Rigby
Campbell	Darting	Fulton	Wilson of Louisa
	Dotts		

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

On motion of Senator Gilchrist Senate File No. 110, a bill for an act to revise section ten thousand fifteen (10015) of the Code of 1924, relating to the recording of mortgages and bills of sale of personal property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cavanaugh offered the following amendments and moved their adoption:

Amend by striking the word "be" from line 12 and inserting in lieu thereof the word "is". Also amend by striking the word "be" from line

14 and inserting in lieu thereof the word "is". Also amend by striking the word "of" from line 14 and inserting in lieu thereof the word "in".

Senator Cavanaugh withdrew his amendments.

Senator Gilchrist moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 41.

Baird	Clearman	Klemme	Shane
Beatty	Dean	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Bergman	Fackler	McFarlane	Slemmons
Booth	Gilchrist	McLeland	Stanley
Breakenridge	Hartman	Merritt	Stoddard
Browne	Haskell	Mills	Topping
Brush	Johnston	Ramsey	Ulstad
Carden	Kern	Roberts	Wilson of Page
Cavanaugh	Kimberly	Shaff	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 9.

Brookins	Dotts	Fulton	Rigby
Campbell	Frailey	Gunderson	Wilson of Louisa
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 Cavanaugh Senate File No. 38, a bill for an act to amend section 3774 (thirty-seven hundred seventy-four) of the Code and chapter 67 (sixty-seven), Acts 41 (Forty-first) General Assembly relating to the reduction of sentence of convicts in the penitentiary, and in the men's and women's reformatories, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Page moved 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	Clearman	Kimberly	Shaff
Beatty	Dean	Klemme	Shane
Benson	Ellis	Lange	Skromme
Bergman	Fackler	Langfitt	Slemmons
Booth	Gilchrist	McFarlane	Stanley
Breakenridge	Gunderson	McLeland	Stoddard
Browne	Hartman	Merritt	Topping
Brush	Haskell	Mills	Ulstad
Carden	Johnston	Ramsey	Wilson of Page
Cavanaugh	Kern	Roberts	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 9.

Brookins	Dotts	Fulton	Shinn
Campbell	Frailey	Rigby	Wilson of Louisa
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 Cavanaugh Senate File No. 25, a bill for an act to amend section 334 (three hundred thirty-four) of the Code relating to the state appropriation bill and the introduction thereof in the 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 Wilson of Page moved 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.

?

Baird	Clearman	Klemme	Shane
Beatty	Dean	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Bergman	Fackler	McFarlane	Slemmons
Booth	Gilchrist	McLeland	Stanley
Breakenridge	Gunderson	Merritt	Stoddard
Browne	Hartman	Mills	Topping
Brush	Haskell	Ramsey	Ulstad
Carden	Johnston	Roberts	Wilson of Page
Cavanaugh	Kern	Shaff	Wilson of Polk
Clark	Kimberly		

Nays, none.

Absent or not voting, 8.

Brookins	Darting	Frailey	Rigby
Campbell	Dotts	Fulton	Wilson of Louisa

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

On motion of Senator Cavanaugh Senate File No. 48, a bill for an act to provide for the commencement, making up of the issues, and trial, in vacation, of an act of mandamus, 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 the word "shall" in line 3 of section 1, and inserting in lieu thereof the word "may".

The amendment was adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Baird	Cavanaugh	Johnston	Ramsey
Beatty	Clark	Kern	Shaff
Benson	Clearman	Kimberly	Shane
Bergman	Dean	Klemme	Slemmons
Booth	Dotts	Lange	Stanley
Brookins	Fackler	Langfitt	Stoddard
Browne	Gilchrist	McFarlane	Topping
Brush	Gunderson	McLeland	Wilson of Page
Carden	Hartman	Merritt	Wilson of Polk

Nays, 3.

Mills	Shinn	Skromme
-------	-------	---------

Absent or not voting, 11.

Breakenridge	Ellis	Haskell	Ulstad
Campbell	Frailey	Rigby	Wilson of Louisa
Darting	Fulton	Roberts	

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

The journal of February 2d was corrected and approved

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

Senator McFarlane 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 Pro Tem Frank Shane presiding.

### INTRODUCTION OF BILLS

Senate File No. 140, by Senator Shane, a bill for an act to repeal Section Eighty-seven Hundred Forty-one (8741), Code of 1924, and enact a substitute therefor, relating to securities deposited by Life Insurance Companies and Associations.

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

Senate File No. 141, by Senator Kern, a bill for an act to amend section eleven thousand four hundred ninety (11490) of the Code, 1924, relating to the restriction of argument by attorneys in the trial of cases.

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

### REPORTS OF COMMITTEES

Senator Breakenridge submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Concurrent Resolution No. 10, by Shinn, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the resolution do pass:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

*Whereas*, Prior to the necessity for the enactment of the law by the Congress of the United States creating the Federal Reserve System, the currency or circulating medium of the country was based upon gold, silver, and bonds of the United States, and its contraction or expansion by the voluntary action of the owners of the gold and silver, and of the national banking system of the country through the issuance of national

bank notes without any centralized authority with power to restrict or control the same; and

*Whereas*, The property constituting the basis of credit of the banking system of the country is, among other things, real estate, agricultural lands, and their products on equal terms with other property; and

*Whereas*, By the enactment of the Federal Reserve System and its administration by the Federal Reserve Board, the basis of the currency of the country to secure liquid assets at that time necessary is by said system sustained by gold, silver and private credit and the contraction and expansion thereof as to liquid assets lodged in the Federal Reserve Board, and

*Whereas*, Real estate and farm lands were not included as a basis of liquid credit; and

*Whereas*, Agricultural products were not included as a basis of liquid credit by the Federal Reserve System, and

*Whereas*, It is essential for the maintenance of a stable price of property for investment purposes that

(a) Property purchased will sell within a reasonable time after the purchase without loss.

(b) That by reason of the ownership of such property so purchased the purchaser is entitled to credit at the banking institutions of the country; and

*Whereas*, In this intensively agricultural state of Iowa the vast proportion of the value of all the property in the state consists of farm lands, farm products, and other real estate; and

*Whereas*, There is a great public demand from the people in this state of Iowa, and other agricultural sections of the country that the law creating the Federal Reserve System and its administration be modified and changed so that their property and their products shall be on the same basis as other property and other products for rediscount by the Federal Reserve System of the United States; and

*Whereas*, The Federal Reserve System as now constituted as a creature has transcended the powers of its creator; and

*Whereas*, The charter of the Federal Reserve System expires in 1933; and

*Whereas*, There is a bill now pending in Congress for a re-chartering of the Federal Reserve System for a period of fifty years from 1933;

*Now, Therefore, Be It Resolved*, That the Forty-second General Assembly of the State of Iowa hereby directs the attention of the members of Congress now in session to the facts enumerated in the foregoing resolution, and memorialize Congress to enact legislation that will make such

Federal Reserve Board fully representative of the people and the property of the Federal Reserve Districts of the country to the end that the value of money through the rates fixed therefor be made uniform, and that real estate, farm lands and farm products be included in such system as a basis of business credit.

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Senator Dean submitted the following report:

MR. PRESIDENT: Your committee on fish and game to which was referred Senate File No. 2, a bill for an act to repeal the law as it appears in Chapter thirty-six (36), acts of the Forty-first General Assembly, providing for a closed season on muskrats, 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 from line three the period following the word repealed and add thereto the following: "in so far as it applies to the Southern Zone of Iowa as defined in Section 1730 of the Code of 1924."

H. E. DEAN, *Chairman.*

Ordered passed on file.

Senator Slemmons submitted the following report:

MR. PRESIDENT: Your committee on Rules to which was referred House File No. 49, a bill for an act to amend section thirty (30) of the code, 1924, relating to joint conventions of the General Assembly, begs leave to report that it has had the same under consideration and recommends the same do pass.

GEO. F. SLEMMONS, *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. 98 by McFarlane, a bill for an act to empower cities and towns to limit therein the number of public dance halls, or billiard halls, or pool halls, or bowling alleys and to prohibit all such places in excess of the established limitation, 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.

#### ALLEN MEMORIAL RESOLUTION

Senator Fulton offered the following resolution:

*Whereas*, Hon. William S. Allen, a member of the Senate in the Thirty-third and Thirty-fourth General Assemblies, died December 6, 1925, at his home in Fairfield, Iowa,

*Be It Resolved by the Senate of the Forty-second General Assembly that a committee of three be appointed to draft suitable resolutions commemorating his life, character and public service.*

C. J. FULTON.

The resolution was adopted and President Pro Tem Shane appointed as such committee Senators Fulton, Frailey and Carden.

#### AMENDMENT FILED

We move to amend Senate File No. 56, Section 13, by striking out all of paragraph 4 under exemptions, lines 26, 27, 28, 29, 30 and 31, page 8 of the printed bill, and substituting in lieu thereof the following: "Persons lawfully engaged within the State in the practice of beauty culture. However, the provisions of this act shall not be construed to authorize any of the persons exempted to shave or trim the beard, or cut the hair of any male person over twelve years of age."

B. M. STODDARD.

ARCH W. MCFARLANE.

On motion of Senator Ramsey the Senate adjourned until 10 a. m. Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 4, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. H. C. Chambers, pastor of the First Presbyterian church, of Grundy Center, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Roberts for the day on request of Senator Fackler; Senator Topping for the day on request of Senator Stoddard.

## INTRODUCTION OF BILLS

Senate File No. 142, by Senator Clearman, a bill for an act to amend sections fifty-six hundred thirty-two (5632) and fifty-six hundred thirty-three (5633) of the code, 1924, relating to the election and appointment of officers in cities and towns.

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

Senate File No. 143, by Senator Johnston, a bill for an act to amend the law as it appears in Section seventy-eight hundred seventy-eight (7878) of the Code relating to the powers and duties of the Board of Railroad Commissioners.

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

Senate File No. 144, by Senator Bergman, a bill for an act to repeal sections forty-nine hundred thirty-three (4933), forty-nine hundred thirty-four (4934), forty-nine hundred thirty-five (4935) and forty-nine hundred thirty-six (4936) of the Code, 1924, and to enact a substitute therefor relating to the collection of delinquent motor vehicle license fees.

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

President Kimball took the chair at 10:10 a. m.

Senate File No. 145, by Senator Bergman, a bill for an act to amend the law as it appears in section five thousand twenty-five (5025) of the Code, 1924, relating to the driving of motor vehicles by minors.

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

Senate File No. 146, by Senator Bergman, a bill for an act to amend Section forty-nine hundred sixty-eight (4968) of the Code, 1924, relating to the method of computing motor vehicle license fees.

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

Senate File No. 147, by Senator Bergman, a bill for an act to amend Chapter seven (7) of the Acts of the Forty-first General Assembly, relating to authority of agents or inspectors of the motor vehicle department.

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

Senate File No. 148, by Senator Bergman, a bill for an act to amend the law as it appears in Chapter two hundred fifty-one (251) of Title XIII of the Code, 1924, relative to the license fee of electric automobiles.

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

Senate File No. 149, by Senator Shaff, a bill for an act relating to the licensing of motor vehicle operators and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways, and to make uniform the laws relating thereto, and to repeal sections four thousand nine hundred forty-three (4943) to four thousand nine hundred sixty (4960), inclusive, of the Code, 1924.

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



## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 110, a bill for an act to amend section 4056 of the code relating to the collection of charges certified to the county treasurer by the state entomologist.

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

House File No. 109, a bill for an act to amend section 4536 of the code relating to the state library commission.

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

House File No. 111, a bill for an act to amend section 10441 of the code relating to returns of marriage.

Also, the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 77, a bill for an act relating to Commission Plan Cities.

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

Senate File No. 4, a bill for an act to amend the law as it appears in paragraphs 10 and 11 of section 5902 of the Code, 1924, relating to the department of public docks in cities and towns, and the manner of defraying the expense thereof.

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

Senate File No. 55, a bill for an act to amend section 4611 of the code relating to the condemnation of land for highway purposes.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS CONSIDERED

Senator Shane called up for consideration Senate File No. 77, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title to Senate File No. 77 as follows: Strike the word "amend" in the first line and substitute in lieu thereof the word "repeal". Also further amend by inserting after the comma following the figures "1924" the following: "and to enact a substitute in lieu thereof."

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

Ayes, 37.

Baird	Cavanaugh	Kern	Shaff
Beatty	Clark	Klemme	Shane
Benson	Clearman	Lange	Shinn
Bergman	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Breakenridge	Fackler	McLeland	Stanley
Brookins	Fulton	Merritt	Stoddard
Browne	Gilchrist	Mills	Ulstad
Brush	Johnston	Rigby	Wilson of Polk
Carden			

Nays, none.

Absent or not voting, 13.

Campbell	Gunderson	Kimberly	Topping
Darting	Hartman	Ramsey	Wilson of Louisa
Dean	Haskell	Roberts	Wilson of Page
Frailey			

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

Senator Shane moved that the vote by which the amendments were concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 12 CONSIDERED

Senator Baird called up for consideration Senate Concurrent Resolution No. 12, as found on page 228 of the Senate Journal.

Senator Shaff moved that further action be deferred and that consideration of the resolution be made a special order for 10:30 a. m. next Tuesday, which motion prevailed.

#### REPORTS OF COMMITTEES

Senator Shaff submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 78, a bill for an act to repeal sections forty-six hundred twenty-two (4622) and forty-six hundred twenty-three (4623) of the code, and to enact a substitute therefor, to amend section forty-six hundred twenty-five (4625) of the code, all relating to the state highway commission, and to adjust the terms of office of the members of said commission on a basis of a term of six (6) years, begs leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 104, a bill for an act to amend, revise and codify certain sections of the code relative to the primary road system and the primary road fund, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 104 as follows:

Insert in section seventeen (17) of the bill and immediately after the word "of" in line five (5) the following: 'the chairman of said commission or of'.

Add section 38 as follows:

"Sec. 38. The director of the budget shall, at least once each year, cause all books and accounts of the state highway commission to be examined by certified public accountants, and a detailed report of such examinations to be filed and kept in his office."

Amend Sec. 35 as follows:

Insert after the comma following the word "effective" in line three of said section the following:

"provided that all county primary road improvement programs must be approved by the highway commission,".

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 84, a bill for an act to amend the law as it appears in chapter two hundred sixteen (216) of Title XII of the Code, 1924, relating to membership of pupils of the public schools in societies and fraternities, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

#### SENATE FILE NO. 104 MADE SPECIAL ORDER

By unanimous consent on request of Senator Shaff Senate File No. 104 was made a special order for Wednesday at 10:30 a. m.

Senator Frailey moved that the Senate take up for consideration Senate File No. 56, which motion prevailed.

## THIRD READING OF BILLS

On motion of Senator McFarlane Senate File No. 56, a bill for an act to regulate the occupation of barbering by creating a board of examiners for the licensing of persons to carry on such practice, and fixing the fees to be charged therefor; for regulating the sanitation of barber shops, barber schools and barber colleges, for preventing the spreading of contagious and infectious diseases, for promoting the health and safety of the general public and providing penalties for the violation 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 section 8 by striking from line 16 the words and figure "two (2) years" and inserting in lieu thereof "six (6) months"; also by inserting after the word "barber" in line 17 the words "and eighteen months as an apprentice".

Amend section 9 by changing the comma in line 23 to a period and striking out the remainder of the section.

Amend section 15 by striking out the word and figure "ten (10)" in line 12 and inserting the word and figure "fifteen (15)".

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The following amendment offered by Senators Stoddard and McFarlane was considered:

Amend section 13 by striking out all of paragraph 4 under exemptions, lines 26, 27, 28, 29, 30 and 31, page 8 of the printed bill, and substituting in lieu thereof the following: "Persons lawfully engaged within the state in the practice of beauty culture. However, the provisions of this act shall not be construed to authorize any of the persons exempted to shave or trim the beard, or cut the hair of any male person over twelve years of age."

The amendment was adopted.

Senator Breakenridge moved that the Senate adjourn until 1:30 p. m. The motion was lost.

Senator Ellis moved the previous question, which motion prevailed.

Senator McFarlane 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.

Baird	Clark	Kimberly	Skromme
Beatty	Clearman	Lange	Slemmons
Benson	Dean	McFarlane	Stanley
Bergman	Ellis	McLeland	Stoddard
Breakenridge	Frailey	Merritt	Ulstad
Brookins	Hartman	Mills	Wilson
Brush	Haskell	Ramsey	of Page
Carden	Johnston	Shaff	Wilson of Polk
Cavanaugh	Kern	Shane	

Nays, 7.

Browne	Gilchrist	Klemme	Shinn
Dotts	Gunderson	Langfitt	

Absent or not voting, 9.

Booth	Fackler	Rigby	Topping
Campbell	Fulton	Roberts	Wilson of Louisiana
Darting			

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

Senator McFarlane moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 104 by striking the word "may" from the tenth line of section 32 of the bill and by inserting in lieu thereof the word "shall".

O. E. GUNDERSON.

#### HOUSE MESSAGES CONSIDERED

House File No. 109, a bill for an act to amend section 4536 (forty-five hundred thirty-six) of the code relating to the state library commission.

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

House File No. 110, a bill for an act to amend section 4056 (four thousand fifty-six) of the code relating to the collection of charges certified to the county treasurer by the state entomologist.

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

House File No. 111, a bill for an act to amend section 10441 (ten thousand four hundred forty-one) of the code relating to returns of marriage.

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

The Journal of February 3rd was corrected and approved.

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

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 5, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. F. O. Winslow, pastor of the Methodist Episcopal church, of Grundy Center, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shane for the day, on request of Senator Fackler; Senator Roberts for the day, on request of Senator Fackler; Senator Merritt for the day, on request of Senator Frailey; Senator Shaff for the day, on request of Senator Frailey; Senator Ellis for the day, on request of Senator Frailey; Senator Carden for the day, on request of Senator Frailey; Senator Topping for the day, on request of Senator Lange; all other Senators not present, by unanimous consent:

## PETITIONS AND MEMORIALS

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

By Senator Wilson of Page, from the County Farm Bureau Board of Directors of Fremont County, favoring raising of state revenues by special tax and tax on net incomes. Ways and means.

By Senator Shinn, from Board of Supervisors of Harrison County, favoring a joint conference for the purpose of getting bridge contracts approved. Highways.

By Senator Booth, from the Board of Supervisors of Shelby County, favoring a joint conference for the purpose of getting bridge contracts approved. Highways.

## PROOF OF PUBLICATION OF HOUSE FILE NO. 44

I hereby certify that, as Secretary of the Senate, I have received the

proof of publication of House File No. 44, a proposed bill for the legalization of the proceedings of the City Council of the City of Cedar Rapids, Iowa, and legalizing the bonds referred to in said proceedings.

WALTER H. BEAM, *Secretary.*

### INTRODUCTION OF BILLS

Senate File No. 150, by Senator Langfitt, a bill for an act to repeal sections forty-nine hundred thirty-three (4933) to forty-nine hundred thirty-five (4935), inclusive, of the code, and to amend, revise, and codify section forty-nine hundred thirty-six (4936) of the code and to enact a substitute therefor, relating to the collection of delinquent motor vehicle fees.

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

Senate File No. 151, by Senator Beatty, a bill for an act to amend the law as it appears in Section one thousand four hundred three (1403) of the Code, 1924, relating to Compensation Payments.

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

Senate File No. 152, by Senator Beatty, a bill for an act to amend the law as it appears in Section eight thousand one hundred twenty-eight (8128) of the Code relating to the issuance of free passes by common carriers.

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

Senate File No. 153, by Senator Shinn, a bill for an act legalizing and making permanent the transfer of money from the water fund to the fire equipment fund of the city of Missouri Valley, Iowa.

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

Senate File No. 154, by Senator Brookins, a bill for an act to provide for the licensing of all places of business, filling stations or pump stations where gasoline or gasoline compounds are sold at retail, to provide for the regulation thereof and to provide penalties for violations.



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

Senate File No. 155, by Senator Gunderson, a bill for an act to provide the conditions on which judgments may be entered on written instruments.

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

Senate File No. 156, by Senator Wilson of Page, a bill for an act to repeal section fifty-two hundred forty-four (5244) of the code and to enact a substitute therefor, relating to temporary assistants for the county auditor and recorder.

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

#### CUMMINS AND YOUNG MEMORIAL RESOLUTION

Senator Wilson of Polk offered the following resolution:

*Whereas*, The Hon. Albert Baird Cummins died at his home in Des Moines, Iowa, on the 30th day of July, 1926, and

*Whereas*, The Hon. Lafayette Young died at his home in the City of Des Moines, Iowa, on the 15th day of November, 1926, and

*Whereas*, In the deaths of Senator Cummins and Senator Young the nation and the State of Iowa lost two distinguished statesmen and citizens, therefore

*Be It Resolved by the Senate, the House concurring*, That a joint convention of the Senate and the House be held in the House of Representatives Chamber on February 15th, 1927, at 1:30 p. m., for the purpose of adopting suitable resolutions commemorating the life, character and public services of Senator Cummins and Senator Young.

*And Be It Further Resolved*, That Hon. James B. Weaver of Des Moines, Iowa, be invited to present resolutions relative to the life, character and public services of Senator Albert Baird Cummins, and be it further resolved that the Hon. Henry Nollen of Des Moines, Iowa, be invited to present resolutions concerning the life, character and public services of Senator Lafayette Young.

*And Be It Further Resolved*, That the President of the Senate and the Speaker of the House extend to the families of the deceased and to the Governor and officers of the State an invitation to attend said memorial services.

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

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 House was asked:

Senate File No. 7, a bill for an act to legalize the proceedings of the town council of DeWitt, Iowa, with respect to the granting of a franchise to the DeWitt Telephone Company, and to declare that said proceedings constitute such franchise.

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

Senate Concurrent Resolution No. 11, providing for an investigation of the question of Old Age Pensions.

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

House Concurrent Resolution No. 5 relating to the policy of the Federal Reserve Board.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION NO. 5

*Be It Resolved by the House of Representatives, the Senate concurring, That,*

*Whereas*, Prior to the enactment of the law by the Congress of the United States creating the Federal Reserve System, the currency or circulating medium of the country was based upon gold, silver, and bonds of the United States, and its contraction or expansion by the voluntary action of the owners of the gold and silver, and of the national banking system of the country through the issuance of national bank notes without any centralized authority with power to restrict or control the same; and,

*Whereas*, The property constituting the basis of credit of the banking system of the country was, among other things, real estate, agricultural lands, and their products on equal terms with other property; and,

*Whereas*, By the enactment of the Federal Reserve System and its administration by the Federal Reserve Board, the basis of the currency of the country was changed and is now sustained by gold, silver, and private credit, and the contraction and expansion thereof lodged in the Federal Reserve Board of eight men; and,

*Whereas*, Real estate, farm lands, have been eliminated as a basis of credit; and,

*Whereas*, Agriculture is not recognized or treated as an industry by the Federal Reserve System; and,

*Whereas*, Its products are eliminated as a basis of credit on the same terms as the products of other industry at the Federal Reserve System; and,

*Whereas*, It is essential for the maintenance of a stable price of property for investment purposes that

(a) Property purchased will sell within a reasonable time after the purchase without loss.

(b) That by reason of the ownership of such property so purchased the purchaser is entitled to credit at the banking institutions of the country; and,

*Whereas*, In this intensive agricultural state, Iowa, ninety per cent of the value of all the property in the state consists in farm lands and other real estate, and but ten per cent personal property; and,

*Whereas*, The policy designated and pursued by the Federal Reserve System is destructive of the value of real estate and its products for investment purposes; and,

*Whereas*, This has caused innumerable bank and other failures in the State of Iowa and other intensive agricultural sections of the country; and,

*Whereas*, There is a great public demand from the people in this state of Iowa and the other agricultural sections of the country that the law creating the Federal Reserve System and its administration be modified and changed so that their property and their products shall be on the same basis as other property and other products for rediscount at the Federal Reserve System of the United States; and,

*Whereas*, The Federal Reserve Board consists of but eight men who are vested with and exercise the power of the control of the contraction and expansion of the currency of the country and of the contraction and expansion of the credit of the country, both as a whole and as to each section of the country and as to each individual and the property constituting the basis of credit for rediscount at the Federal Reserve Bank; and,

*Whereas*, The people of Iowa as well as of the other intensive agricultural sections of the country have been compelled to pay more for their rediscounts than other sections of the country; and,

*Whereas*, The charter of the Federal Reserve System expires in 1933; and,

*Whereas*, There is a bill now pending in Congress for a rechartering of the Federal Reserve System for the period of fifty years from 1933;

*Now, Therefore, Be It Resolved,* That the Forty-second General Assembly of the State of Iowa direct the attention of the members of Congress now in session to the facts enumerated in the foregoing resolution and memorialize Congress to enact such legislation as will take from the control of eight men constituting the Federal Reserve Board or any other like number of men the power vested and exercised by them, by making said Federal Reserve Board fully representative of the people and the property of the Federal Reserve Districts of the country, to the end that the value of money through the rates fixed therefor be made uniform to all citizens of the Republic alike, and that real estate farm lands be restored to their former and rightful place as a basis of credit in the business world and that the products of the farm be placed on an equal basis with the products of other industries and other sections of the country with this most powerful and controlling financial institution of our country.

*Be It Further Resolved,* That the charter of the Federal Reserve Bank ought never to be renewed until the equalities above designated in this resolution be made effective by law and its administration.

The chief clerk of the House is hereby authorized and directed to send a copy of the resolution to the President of the United States and the Speaker of the House; also to the Iowa delegation in Congress, and to each Governor of the twelve middle states; also a copy of same to the House and Senate, which is now in session, of the twelve states.

#### HOUSE CONCURRENT RESOLUTION NO. 5 MADE SPECIAL ORDER

Senator Breakenridge moved that House Concurrent Resolution No. 5 be made a special order for 10:30 a. m. Monday.

Senator Shinn moved to amend the motion by making the time 1:30 p. m.

The amendment was accepted.

The motion carried.

#### HOUSE CONCURRENT RESOLUTION NO. 4 CONSIDERED

Senator Frailey called up the following resolution and moved its adoption:

*Resolved By the House, the Senate concurring:* That the State Printing Board be directed to have printed three thousand (3,000) additional copies of the 1926 report of the State Highway Commission, such additional copies to be paid for out of funds at the disposition of the State Highway Commission.

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

Ayes, 28.

Beatty	Clark	Klemme	Shinn
Benson	Clearman	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Frailey	McFarlane	Stoddard
Brookins	Fulton	Mills	Ulstad
Browne	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 22.

Baird	Dean	Johnston	Shaff
Bergman	Dotts	Kimberly	Shane
Brush	Ellis	McLeland	Stanley
Campbell	Gilchrist	Merritt	Topping
Carden	Hartman	Roberts	Wilson of Louisa
Darting	Haskell		

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson of Page, 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 File Number 77, Senate File Number 4, and Senate File Number 55.

D. L. WILSON,  
*Chairman Senate Committee.*  
FRED R. BLYTHE,  
*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. 77, Senate File No. 4 and Senate File No. 55.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully report they have on this 5th day of February, 1927, sent to the governor for his approval:

Senate Files Nos. 77, 4, and 55.

D. L. WILSON, *Chairman.*

Passed on file.

## THIRD READING OF BILLS

On motion of Senator Fulton Senate File No. 96, a bill for an act to provide the procedure of the Senate in the consideration of nominations of public officers when confirmation by the Senate is required by law, to amend sections twenty-one hundred eighty-two (2182) and thirty-two hundred seventy-six (3276), and to repeal sections three hundred twelve (312), thirty-nine hundred fifteen (3915), eighty-six hundred six (8606), and ninety-one hundred thirty-two (9132) of the Code, relating to the same subject matter, 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 all following the word "publication" in line 3, section 5, and substituting the words: "in The Daily Ledger, a newspaper published in Fairfield, Iowa, and in the Keosauqua Republican, a newspaper published in Keosauqua, Iowa."

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, 28.

Beatty	Clark	Klemme	Shinn
Benson	Clearman	Lange	Skromme
Booth	Fackler	Langfitt	Stemmons
Breakenridge	Frailey	McFarlane	Stanley
Brookins	Fulton	Mills	Ulstad
Browne	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 22.

Baird	Dean	Johnston	Shaff
Bergman	Dotts	Kimberly	Shane
Brush	Ellis	McLeland	Stoddard
Campbell	Gilchrist	Merritt	Topping
Carden	Hartman	Roberts	Wilson of Louisa
Darting	Haskell		

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.

By unanimous consent on request of Senator Fulton Senate File No. 9 was withdrawn from further consideration.

On motion of Senator Cavanaugh Senate File No. 18, a bill for an act to amend section 12885 (twelve thousand eight hundred eighty-five) of the Code relating to objections on appeal to the jurisdiction of the 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 Beatty moved 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.

Beatty	Clearman	Lange	Skromme
Benson	Fackler	Langfitt	Stemmons
Breakenridge	Frailey	McFarlane	Stanley
Brookins	Fulton	Mills	Ulstad
Browne	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk
Clark	Klemme	Shinn	

Nays, none.

Absent or not voting, 23.

Baird	Darting	Haskell	Shaff
Bergman,	Dean	Johnston	Shane
Booth	Dotts	Kimberly	Stoddard
Brush	Ellis	McLeland	Topping
Campbell	Gilchrist	Merritt	Wilson of Louisa
Carden	Hartman	Roberts	

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

On motion of Senator Cavanaugh Senate File No. 21, a bill for an act to amend section 13960 (thirteen thousand nine hundred sixty) of the Code relative to commitments for felonies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Beatty moved 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.

Beatty	Clearman	Lange	Skronme
Benson	Dean	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Frailey	Mills	Stoddard
Browne	Fulton	Ramsey	Ulstad
Cavanaugh	Kern	Rigby	Wilson of Page
Clark	Klemme	Shinn	Wilson of Polk

Nays, none.

Absent or not voting, 22.

Baird	Darting	Haskell	Roberts
Bergman	Dotts	Johnston	Shaff
Booth	Ellis	Kimberly	Shane
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Wilson of Louisa
Carden	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 Cavanaugh Senate File No. 26, a bill for an act to amend section 4547 (forty-five hundred forty-seven) of the Code relative to reports by the curators of the State Historical Society, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Dean	Lange	Slemmons
Benson	Fackler	Langfitt	Stanley
Breakenridge	Frailey	Mills	Stoddard
Brookins	Fulton	Ramsey	Ulstad
Cavanaugh	Gunderson	Rigby	Wilson of Page
Clark	Kern	Shinn	Wilson of Polk
Clearman	Klemme	Skromme	



Nays, none.

Absent or not voting, 23.

Baird	Carden	Haskell	Roberts
Bergman	Darting	Johnston	Shaff
Booth	Dotts	Kimberly	Shane
Browne	Ellis	McFarlane	Topping
Brush	Gilchrist	McLeland	Wilson of Louisa
Campbell	Hartman	Merritt	

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

On motion of Senator Cavanaugh Senate File No. 33, a bill for an act to amend section 13999 (thirteen thousand nine hundred ninety-nine) of the Code relating to the duty of county attorneys in appeals in criminal cases and to regulate the service of all filings in such 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 Beatty moved 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.

Beatty	Fackler	Langfitt	Stanley
Benson	Frailey	McFarlane	Stoddard
Breakenridge	Fulton	Mills	Ulstad
Brookins	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk
Clark	Klemme	Shinn	
Clearman	Lange	Slemmons	

Nays, none.

Absent or not voting, 24.

Baird	Carden	Hartman	Roberts
Bergman	Darting	Haskell	Shaff
Booth	Dean	Johnston	Shane
Browne	Dotts	Kimberly	Skromme
Brush	Ellis	McLeland	Topping
Campbell	Gilchrist	Merritt	Wilson of Louisa

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

On motion of Senator Cavanaugh Senate File No. 35, a bill for an act to amend section 1616 (sixteen hundred sixteen) of the Code relating to the distribution of taxes and of the proceeds of property sold in proceedings against houses of prostitution and the owners thereof, 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 1 by adding thereto the following:

"Said section is also amended by striking from line twelve the word 'twenty' and inserting in lieu thereof the word 'ten'."

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Clearman	Klemme	Skronime
Benson	Dean	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Frailey	Mills	Stoddard
Browne	Fulton	Ramsey	Ulstad
Cavanaugh	Gunderson	Rigby	Wilson of Page
Clark	Kern	Shinn	Wilson of Polk

Nays, 1.

Lange

Absent or not voting, 21.

Baird	Darting	Haskell	Roberts
Bergman	Dotts	Johnston	Shaff
Booth	Ellis	Kimberly	Shane
Brush	Gilchrist	McLeland	Topping
Campbell	Hartman	Merritt	Wilson of Louisa
Carden			

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

On motion of Senator Cavanaugh Senate File No. 36, a bill for an act to repeal section 478 (four hundred seventy-eight) of the Code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Dean	Klemme	Skromme
Benson	Fackler	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stanley
Brookins	Fulton	McFarlane	Stoddard
Browne	Gunderson	Mills	Ulstad
Cavanaugh	Hartman	Ramsey	Wilson of Page
Clark	Kern	Rigby	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 21.

Baird	Darting	Johnston	Shaff
Bergman	Dotts	Kimberly	Shane
Booth	Ellis	McLeland	Shinn
Brush	Gilchrist	Merritt	Topping
Campbell	Haskell	Roberts	Wilson of Louisa
Carden			

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

On motion of Senator Cavanaugh Senate File No. 42, a bill for an act to repeal sections 7013 (seven thousand thirteen) and 7014 (seven thousand fourteen) of the Code and to enact a substitute therefor, relating to the payment of taxes by 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 Beatty moved 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.

Beatty	Fackler	Lange	Skromme
Benson	Frailey	Langfitt	Slemmons
Breakenridge	Fulton	McFarlane	Stanley
Brookins	Gunderson	Mills	Stoddard
Cavanaugh	Hartman	Ramsey	Ulstad
Clark	Kern	Rigby	Wilson of Page
Clearman	Klemme	Shinn	Wilson of Polk

Nays, none.

Absent or not voting, 22.

Baird	Carden	Haskell	Shaff
Bergman	Darting	Johnston	Shane
Booth	Dean	Kimberly	Topping
Browne	Dotts	McLeland	Wilson of Louisa
Brush	Ellis	Merritt	
Campbell	Gilchrist	Roberts	

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

On motion of Senator Cavanaugh Senate File No. 46, a bill for an act to authorize the Code editor to omit certain formal matters in the compilation of the Code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Dean	Lange	Skromme
Benson	Fackler	Langfitt	Slemmons
Breakenridge	Frailey	McFarlane	Stanley
Brookins	Fulton	Mills	Stoddard
Browne	Gunderson	Ramsey	Ulstad
Cavanaugh	Kern	Rigby	Wilson of Page
Clark	Klemme	Shinn	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 21.

Baird	Darting	Haskell	Roberts
Bergman	Dotts	Johnston	Shaff
Booth	Ellis	Kimberly	Shane
Brush	Gilchrist	McLeland	Topping
Campbell	Hartman	Merritt	Wilson of Louisa
Carden			

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

On motion of Senator Cavanaugh Senate File No. 54, a bill for an act to amend, revise, and codify sections 12845 (twelve thou

sand eight hundred forty-five) to 12848 (twelve thousand eight hundred forty-eight), inclusive, of the Code and to enact substitutes therefor, relating to abstract of record and to the filing and effect thereof on appeal to 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 Cavanaugh moved that the reading just had be considered the third reading, which motion prevailed.

Senator Stoddard raised the point of order that discussion was out of order, as the bill had passed the third reading.

The President held the point of order well taken.

Senator McFarlane moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

Senator Cavanaugh moved 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.

Beatty	Dean	Lange	Slemmons
Benson	Fackler	Langfitt	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Brookins	Fulton	Mills	Ulstad
Browne	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark	Kern	Shinn	
Clearman	Klemme	Skromme	

Nays, none.

Absent or not voting, 20.

Baird	Carden	Haskell	Roberts
Bergman	Darting	Johnston	Shaff
Booth	Dotts	Kimberly	Shane
Brush	Ellis	McLeland	Topping
Campbell	Gilchrist	Merritt	Wilson of Louisa

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

On motion of Senator McFarlane, Senate File No. 98, a bill for an act to empower cities and towns to limit therein the number

of public dance halls, or billiard halls, or pool halls, or bowling alleys and to prohibit all such places in excess of the established 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 McFarlane moved that the reading just had be considered the third reading, which motion prevailed.

Senator McFarlane moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking the word "or" from line 2, and the first word "or" from line 3; also by striking the second word "or" from line 3 and inserting in lieu thereof the word "and".

The amendment was lost.

Senator McFarlane moved 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.**

Beatty	Gunderson	McFarlane	Slemmons
Benson	Hartman	Mills	Stanley
Cavanaugh	Kern	Ramsey	Stoddard
Clark	Klemme	Rigby	Ulstad
Fackler	Lange	Shinn	Wilson of Page
Frailey	Langfitt	Skronime	Wilson of Polk
Fulton			

**Nays, 1.**

**Browne**

**Absent or not voting, 23.**

Baird	Campbell	Gilchrist	Roberts
Bergman	Carden	Haskell	Shaff
Booth	Clearman	Johnston	Shane
Breakenridge	Darting	Kimberly	Topping
Brookins	Dotts	McLeland	Wilson of Louisa
Brush	Ellis	Merritt	

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

## SEN. CONCURRENT RESOLUTION NO. 14

Senator Stoddard offered the following resolution:

*Whereas*, There has come to the attention of members of the 42nd General Assembly the fact that there is activity on the part of certain bridge contractors to foment criticism of the plans and specifications of the State Highway Commission with respect to bridges on secondary roads, and to promote appeals with reference thereto to the Budget Director, and

*Whereas*, We believe that the members of the legislature, and the people of the State of Iowa, are entitled to full and complete information with reference to such activities of bridge contractors, and other persons, and

*Whereas*, The State Highway Commission has requested that a complete investigation with reference to such matters be made,

*Therefore, Be It Resolved by the Senate, the House concurring*, That a joint committee, consisting of five members of the Senate, appointed by the President of the Senate, and five members of the House, appointed by the Speaker of the House, undertake and complete, as soon as possible, an investigation of the matters herein suggested.

The resolution was laid over under the rules.

## MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 33 passed the Senate and to reconsider the vote by which the same passed to its third reading.

GEO. A. WILSON.

## AMENDMENT FILED

I move to amend Senate File No. 104, by adding thereto the following:

"Sec. 37. The state highway commission is hereby authorized to cooperate with the proper officials of neighboring states, their subdivisions, and (or) subdivisions of this state in the construction, purchase and maintenance of bridges across streams which form the boundary line between this state and such neighboring states and which bridges constitute connecting links between the primary roads of this state and the similar road system of such neighboring state.

Payment for such bridges or maintenance thereof shall be made from the primary road fund provided that not more than two per cent of said fund in any year may be expended for such bridges."

B. M. STODDARD.

C. A. BENSON.

Senator Stoddard moved that a committee of three, including

Senator Mills, be appointed to investigate and purchase a National as well as a state flag at a reasonable price for use in the Senate chamber.

The motion prevailed and the President appointed as such committee Senators Mills, Stoddard and Rigby.

The Journal of February 4th was corrected and approved.

Senator Langfitt moved that the Senate adjourn until 10:30 a. m. Monday.

Senator Wilson of Polk 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. Monday.



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 7, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. H. J. Moore, pastor of the Union Park Presbyterian church, of Des Moines.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Topping for the day, on request of Senator Lange; Senator Wilson of Louisa for the day, on request of Senator McLeland; Senator Dean having received notice of the death of his sister at Primghar, on motion of Senator Stoddard he was excused for the time of his absence.

## COMMUNICATION FROM PRESIDENT COOLIDGE'S SECRETARY

Washington, D. C.,  
February 4, 1927.

HON. W. C. RAMSAY, *Secretary of State*,  
State Capitol Bldg., Des Moines, Iowa.

MY DEAR MR. SECRETARY: The President directs me to acknowledge the receipt of the copy of Senate Concurrent Resolution No. 9, in regard to the duty on molasses imported for the manufacturing of industrial alcohol, and to say that this matter is being brought to the attention of the U. S. Tariff Commission.

Sincerely yours,

EVERETT SANDERS,  
*Secretary to the President.*

## COMMUNICATION FROM NICHOLAS LONGWORTH

Washington, D. C.,  
February 4, 1927.

W. C. RAMSAY, *Esq.*, *Secretary of State*,  
Des Moines, Iowa.

MY DEAR MR. RAMSAY: I have for acknowledgment your communication of February 2nd transmitting a copy of Senate Concurrent Resolu-

tion No. 9 as passed by the Senate on January 26th, 1927, and concurred in by the House of Representatives on January 28th, 1927.

Very truly yours,

NICHOLAS LONGWORTH.

#### COMMUNICATION FROM RICHMOND P. HOBSON

A communication was received from Richmond P. Hobson, secretary general of the World Conference on Narcotic Education, relative to the observance of Narcotic Education Week.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 5, 1927, he had approved the following bills:

Senate File No. 4, relating to the department of public docks in cities.

Senate File No. 55, relating to the condemnation of land for highway purposes.

Senate File No. 77, relating to commission plan cities.

#### INTRODUCTION OF BILLS

Senate File No. 157, by Senator Beatty, a bill for an act to amend the law as it appears in Section seventy-eight hundred seventy-eight (7878) of the Code relating to the powers and duties of the Board of Railroad Commissioners.

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

Senate File No. 158, by Senators Stoddard and McFarlane, a bill for an act to regulate the practice of cosmetology, and to provide for the examination and licensing of practitioners thereof; to provide rules and regulations concerning sanitation and health in such practice; and to amend sections twenty-four hundred thirty-eight (2438), twenty-four hundred thirty-nine (2439), twenty-four hundred forty (2440), twenty-four hundred fifty (2450), twenty-four hundred fifty-two (2452), twenty-four hundred fifty-five (2455), and twenty-five hundred sixteen (2516) of the code, 1924, 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. 159, by Senator Stoddard, a bill for an act to make an appropriation to pay the expenses of the boundary commission appointed under chapter three hundred thirteen (313), acts fortieth (40) general assembly.

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

Senate File No. 160, by Senator Skromme, a bill for an act to repeal the law as it appears in chapter four hundred thirty-two (432) of Title XXIII of the Code, 1924, and to enact a substitute therefor, relating to unfair discrimination in sales and purchases, and to provide for the enforcement of the provisions thereof.

Read first and second times and referred to committee on commerce and trade.

Senate File No. 161, by Senator Stoddard, a bill for an act to appropriate the sum of seventeen thousand four hundred dollars, twenty-seven cents (\$17,400.27) to pay the deficit in the amount appropriated for state aid to county and district fairs.

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

Senate File No. 162, by Senator Browne, a bill for an act to amend sections ninety-one hundred ninety-one (9191), ninety-two hundred sixty-three (9263), and ninety-two hundred ninety-nine (9299) of the Code, relating to the payment and distribution of dividends of banks, banking institutions, trust companies, and all private persons and corporations who receive money or any other valuable consideration as deposits from persons or any public institutions or corporations, wherever residing or doing business.

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

Senate File No. 163, by Senator Bergman, a bill for an act to repeal chapter two hundred forty-four (244) and chapter two hundred forty-five (245) of the code, relating to township roads and road poll taxes, and to enact a substitute therefor; and to amend section nine (9) of chapter six (6) of the acts of the forty-

first (41st) general assembly, relating to the gasoline license fees going to township roads.

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

Senate File No. 164, by Senator Wilson of Polk, a bill for an act to repeal Sections Thirteen Thousand Forty-seven (13047) of the Code, and to enact a substitute therefor, and providing for penalty for violation thereof, and to repeal Section Thirteen Thousand Forty-nine (13049) of the Code, relating to false drawing or uttering of checks.

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

Senate File No. 165, by Senator Wilson of Polk, a bill for an act to amend Section Ten Thousand Eight hundred Forty-six (10846) of the Code of 1924, relating to the fees of Grand Jurors in Counties having a population of 140,000 inhabitants and over.

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 adopted the following concurrent resolution in which the concurrence of the House was asked :

Senate Concurrent Resolution No. 13 relating to a joint convention of the Senate and House for the purpose of adopting suitable resolutions commemorating the life, character and public services of Senator Cummins and Senator Young.

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

House File No. 107, a bill for an act relating to the filing of vacancies on school boards.

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

House File No. 27, a bill for an act relative to abolishing county high schools, disposing of their property and buildings and the holding of an election therefor.

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

House File No. 51, a bill for an act relating to appeal bonds in the mayor's and police courts.

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

House File No. 55, a bill for an act relating to the use of voting machines.

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 relative to false assumption as an officer.

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 relating to embezzlement of funds received by a public officer.

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 duties of the clerk of the probate court and providing for notice, in certain cases, to consular representatives.

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

House File No. 23, a bill for an act extending the closed season on quail for an indefinite period.

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 the issuance of fishing and hunting licenses and duplicates therefor, fixing fees and providing for the accounting of such fees.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 3, a bill for an act relating to the method of the removal of commissioners of public docks in cities and towns where a department of public docks has been established.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 31, a bill for an act relating to the dieting, lodging, and care of prisoners.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 40, a bill for an act relating to garnishment and to provide for notice of the filing of and trial on, pleadings controverting the answer of garnishees.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 11, a bill for an act relating to limitation of taxes in certain cities operating under the commission plan of government.

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 relating to the expenses of the officers and employees of the state budget department.

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 procedure in an action for forcible entry and detention.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 5, a bill for an act relative to examinations, promotions, and appointments under civil service in cities and towns.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 80, a bill for an act to authorize the refund of excess money paid by any person for the purchase of a copy of the book of Annotations to the Code, and to make an appropriation therefor.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 3

Amend by striking section 1 and inserting in lieu thereof the following:

Section 1. That the law as it appears in section fifty-nine hundred one (5901) of the Code, 1924, be amended by striking from line six (6) the word "mayor" and substituting the word "council" in lieu thereof. Also amend by striking from lines seven (7) and eight (8) beginning after the word "appoint", and ending with the word "council" the following phrase: "with the approval of the council,". Also amend by striking from lines twenty-three (23), fifty (50), fifty-three (53) and fifty-six (56) the word "mayor" and substituting in lieu thereof the word "council".

#### HOUSE AMENDMENTS TO SENATE FILE NO. 31

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Section fifty-two hundred forty-five (5245) of the code, 1924, is hereby amended by striking from lines one (1) and two (2) the words: 'in this chapter provided', and inserting in lieu thereof the words: 'otherwise provided'.

Section 2. Section fifty-two hundred forty-eight (5248) of the code, 1924, is hereby repealed."

Amend the title by striking out all after the word "Act" in line one (1), and inserting in lieu thereof the following:

"to amend the law as it appears in section fifty-two hundred forty-five (5245) of the code, 1924, relating to fees belonging to the county, and to repeal section fifty-two hundred forty-eight (5248) of the code, 1924, relating to dieting, lodging, and care of prisoners."

#### HOUSE MESSAGES CONSIDERED

House File No. 107, a bill for an act to amend the law as it appears in section forty-two hundred twenty-three (4223) of the Code, 1924, relating to the filling of vacancies on school boards.

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

House File No. 27, a bill for an act repealing section four thousand ninety-five (4095) of the Code, 1924, and enacting a substitute therefor relative to abolishing county high schools, disposing of their property and buildings and the holding of an election therefor.

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

House File No. 51, a bill for an act to amend section five thousand seven hundred thirty-five (5735) of the code, 1924, relating to appeal bonds in the mayor's and police courts.

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

House File No. 55, a bill for an act to amend chapter twenty-five (25), acts of the Forty-first General Assembly, relating to the use of voting machines.

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

House File No. 102, a bill for an act to amend section thirteen thousand three hundred seven (13307) of the code, 1924, relative to false assumption as an officer.

Read first and second time and referred to committee on police regulations.

House File No. 100, a bill for an act to amend the law as it appears in section thirteen thousand twenty-nine (13029) of the Code, 1924, relating to embezzlement of funds received by a public officer.

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

House File No. 50, a bill for an act to amend chapter five hundred four (504) of the code, 1924, relating to the duties of the clerk of the probate court and providing for notice, in certain cases, to consular representatives.

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

House File No. 23, a bill for an act to amend section seventeen hundred sixty-seven (1767) of the Code, 1924, extending the closed season on quail for an indefinite period.

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

House File No. 18, a bill for an act to repeal section seventeen hundred twenty-five (1725) of the Code, 1924, and enacting a substitute therefor, relating to the issuance of fishing and hunting licenses and duplicates therefor, fixing fees and providing for the accounting of such fees.

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

#### HOUSE CONCURRENT RESOLUTION NO. 5 CONSIDERED

The time having arrived for the consideration of the special order, House Concurrent Resolution No. 5, Senator Shinn called same up for consideration, as found on page 268 of the Senate Journal.



Senator Stoddard moved the previous question, which motion was lost.

Senator Shaff moved that House concurrent resolution No. 5 be amended by striking out all after the enacting clause and inserting in lieu thereof the substitute amendment recommended by the committee on agriculture to Senate concurrent resolution No. 10 as found on page 253 of the Senate journal.

President Pro Tem Shane took the chair at 3:05 p. m.

President Kimball resumed the chair at 3:15 p. m.

Senator Shinn invoked rule 8.

On the question "Shall the substitution be made?" the vote was:

Ayes, 23.

Baird	Cavanaugh	Haskell	Shaff
Benson	Clark	Johnston	Shane
Bergman	Clearman	Lange	Stanley
Breakenridge	Darting	McLeland	Stoddard
Brush	Ellis	Roberts	Wilson of Polk
Carden	Frailey		

Nays, 19.

Beatty	Fackler	Klemme	Skromme
Booth	Fulton	Langfitt	Slemmons
Brookins	Gunderson	Merritt	Ulstad
Browne	Hartman	Mills	Wilson of Page
Dotts	Kern	Shinn	

Absent or not voting, 8.

Campbell	Gilchrist	Ramsey	Topping
Dean	Kimberly	Rigby	Wilson of Louisa

The substitution was made.

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

Ayes, 42.

Baird	Clark	Johnston	Shane
Beatty	Clearman	Kern	Shinn
Benson	Darting	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fackler	McFarlane	Stoddard
Brookins	Frailey	McLeland	Ulstad
Browne	Fulton	Merritt	Wilson of Page
Brush	Gunderson	Mills	Wilson of Polk
Carden	Hartman	Roberts	
Cavanaugh	Haskell	Shaff	

Nays, none.

Absent or not voting, 8.

Campbell  
Dean

Gilchrist  
Kimberly

Ramsey  
Rigby

Topping  
Wilson of Louisa

The resolution having received a constitutional majority was declared to have passed the Senate.

Senator Shinn 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.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 7.

D. L. WILSON,  
*Chairman Senate Committee.*  
FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President announced that as President of the Senate he had signed in the presence of the Senate Senate File No. 7.

#### REPORTS OF COMMITTEE

Senator McLeland submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 16, a bill for an act to amend section eighty-five hundred eighty-five (8585) of the code and to invest associations incorporated by acts of any territorial legislatures of Iowa for cemetery purposes, 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 section:

"Section 2. This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Burlington Hawkeye and the Ottumwa Courier, newspapers published at Burlington, Iowa, and Ottumwa, Iowa, without expense to the state."

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 103, a bill for an act to amend Section ten thousand thirty-one (10031) of the Code relating to fees to be collected by county recorders, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 123, a bill for an act to amend Section 10032 (ten thousand thirty-two) of the Code relating to the indexing of certain chattel mortgages, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 81, a bill for an act to amend section 7171 of the code relating to the levy of taxes, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

I move to amend Senate File No. 78, by striking all after line eight (8) in section one (1) and substituting the following:

"4623. Appointment. Within sixty (60) days after the convening of the General Assembly in regular session in nineteen hundred twenty-nine (1929), and each two (2) years thereafter, the governor with the approval of two-thirds ( $\frac{2}{3}$ ) of the Senate in executive session shall appoint a successor to any member of the commission whose term will expire on July first (1) following. Each member so appointed shall serve for a period of four (4) years from July first (1) of the year of appointment."

Sec. 2. Section forty-six hundred twenty-five (4625) of the code is repealed and the following enacted in lieu thereof:

"4625. Compensation. Each member of the commission shall receive ten dollars per day for each day actually employed in the work of the commission, provided that he shall not receive in excess of three thousand dollars per annum as such compensation. Each member shall also receive the actual necessary expenses incurred in the performance of his duties."

Sec. 3. Temporary provision. Immediately after this act takes effect, the governor with the approval of two-thirds ( $\frac{2}{3}$ ) of the Senate in executive session shall appoint members of the commission as follows:

One member to complete the term of office ending July first (1), nineteen hundred twenty-seven (1927), one the term ending July first (1), nineteen hundred twenty-nine (1929), and one the term ending July first (1), nineteen hundred thirty-one (1931), all as fixed by former statutes; and one to succeed the dean of engineering of the State College of Agriculture and Mechanic Arts, and serve to July first (1), nineteen hundred thirty-one (1931). Such appointees shall qualify at once upon approval by the Senate.

Sec. 4. Publication clause. This act is deemed of immediate importance and shall take effect from and after its publication in The Elkader Register, a newspaper published in Elkader, Iowa, and in The Daily Ledger, a newspaper published in Fairfield, Iowa.

C. J. FULTON.

I move to amend the title of Senate File No. 78 so that it will read

An Act to repeal section forty-six hundred twenty-two (4622), section forty-six hundred twenty-three (4623), and section forty-six hundred twenty-five (4625) of the code, all relating to the state highway commission, and to adjust the terms of office of its members on the basis of a term of four (4) years.

C. J. FULTON.

I move the following be substituted for Senate Concurrent Resolution No. 14:

*Whereas*, It has been called to the attention of the Forty-second General Assembly that certain bridge contractors are fomenting criticism of the plans and specifications of the State Highway Commission for bridges on secondary roads, and

*Whereas*, Certain county supervisors have criticised these plans and specifications, and

*Whereas*, Certain taxpayers have appealed to the Budget Director to review certain contracts and the rulings of the Highway Commission in relation thereto, and

*Whereas*, The Budget Director has rendered certain decisions, and

*Whereas*, The State Highway Commission has requested that a complete investigation of these matters be made, therefore,

*Be It Resolved by the Senate, the House concurring,* That a joint committee consisting of five (5) members of the Senate, appointed by the President of the Senate and five (5) members of the House, appointed by the Speaker of the House, make such investigation and as soon as possible report upon the justice of the criticisms.

C. J. FULTON.

The Journal of February 5th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 10 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 8, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. F. C. Witzigman, of Cedar Falls, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Browne for the forenoon, on request of Senator Shane.

## PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Senator Merritt, from residents of Carroll County, favoring passage of income tax law, and opposing passage of state bond issue. Highways.

## INTRODUCTION OF BILLS

Senate File No. 166, by Senator Carden, a bill for an act to repeal paragraph four (4) of section sixty-nine hundred forty-six (6946) of the code and to enact a substitute therefor, relating to exemptions from taxation.

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

Senate File No. 167, by Senators Kern and Klemme, a bill for an act to repeal section five hundred twenty (520) of the code and to enact a substitute therefor relating to the election and term of office of county officers.

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

## S. F. 75 WITHDRAWN

By unanimous consent on request of Senator Kern Senate File No. 75 was withdrawn from further consideration.

## S. F. 119 WITHDRAWN

By unanimous consent on request of Senator Klemme Senate File No. 119 was withdrawn from further consideration.

## SENATE RESOLUTION

Senator Fulton offered the following resolution:

*Whereas*, The law provides that the governor's full term appointments on certain commissions shall be approved by two-thirds of the members of the senate in executive session, and

*Whereas*, Such an appointment in the session of the Forty-first General Assembly was not approved as the law directs, but approval was refused, and

*Whereas*, Afterward in direct opposition to the spirit and intent of the law the rejected appointee was named to succeed himself, and

*Whereas*, Such appointee accepted the appointment and is now serving in an official capacity,

*Be It Resolved by the Senate of the Forty-second General Assembly of the State of Iowa*, That officials of the State of Iowa are not above the laws which they are charged to see are "faithfully executed" and are not absolved from their obligations. In the governor's own words, "Respect for law and the enforcement of the law are paramount. The violation of law means suffering and should mean punishment in the political world as it does in the natural world."

The resolution was laid over under the rules.

President Kimball took the chair at 10:08 a. m.

## INTRODUCTION OF BILLS

Senate File No. 168, by Senator McFarlane, a bill for an act to amend the law as it appears in Section Sixty-Three Hundred Fifteen (6315) of the Code, relating to Firemen's and Policemen's pensions.

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

Senate File No. 169, by Senator Faekler, a bill for an act to authorize the board of supervisors to transfer county road funds

to county bridge and culvert funds, and to transfer county bridge and culvert funds to county road funds.

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

#### HOUSE AMENDMENTS CONSIDERED

Senator Cavanaugh called up for consideration Senate File No. 31, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking out all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Section fifty-two hundred forty-five (5245) of the code, 1924, is hereby amended by striking from lines one (1) and two (2) the words: 'in this chapter provided', and inserting in lieu thereof the words: 'otherwise provided'.

Section 2. Section fifty-two hundred forty-eight (5248) of the code, 1924, is hereby repealed."

Amend the title by striking out all after the word "Act" in line one (1), and inserting in lieu thereof the following:

"to amend the law as it appears in section fifty-two hundred forty-five (5245) of the code, 1924, relating to fees belonging to the county, and to repeal section fifty-two hundred forty-eight (5248) of the code, 1924, relating to dieting, lodging, and care of prisoners."

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

Ayes, 41.

Baird	Clark	Johnston	Roberts
Beatty	Clearman	Kern	Shane
Benson	Darting	Kimberly	Shinn
Bergman	Dotts	Klemme	Skromme
Booth	Fackler	Lange	Stemmons
Breakenridge	Frailey	Langfitt	Stoddard
Brookins	Fulton	McFarlane	Topping
Brush	Gilchrist	McLeland	Ulstad
Campbell	Hartman	Merritt	Wilson of Page
Carden	Haskell	Mills	Wilson of Polk
Cavanaugh			

Nays, none.

Absent or not voting, 9.

Browne	Gunderson	Rigby	Stanley
Dean	Ramsey	Shaff	Wilson of Louisa
Ellis			



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 Slemmons House File No. 49, a bill for an act to amend section thirty (30) of the Code, 1924, relating to joint conventions of the 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 Slemmons moved 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	Clark	Johnston	Roberts
Beatty	Clearman	Kern	Shane
Benson	Darting	Kimberly	Shinn
Bergman	Dotts	Klemme	Skromme
Booth	Fackler	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stoddard
Brookins	Fulton	McFarlane	Topping
Brush	Gilchrist	McLeland	Ulstad
Campbell	Gunderson	Merritt	Wilson of Page
Carden	Hartman	Mills	Wilson of Polk
Cavanaugh	Haskell	Ramsey	

Nays, none.

Absent or not voting, 7.

Browne	Ellis	Shaff	Wilson of Louisa
Dean	Rigby	Stanley	

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

On motion of Senator Benson Senate File No. 78, a bill for an act to repeal sections forty-six hundred twenty-two (4622) and forty-six hundred twenty-three (4623) of the Code, and to enact substitutes therefor, to amend section forty-six hundred twenty-five (4625) of the Code, all relating to the state highway commission, and to adjust the terms of office of the members of said commission on the basis of a term of six (6) years., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following amendments filed by Senator Fulton were considered:

Amend the title so that it will read

An Act to repeal section forty-six hundred twenty-two (4622), section forty-six hundred twenty-three (4623), and section forty-six hundred twenty-five (4625) of the code, all relating to the state highway commission, and to adjust the terms of office of its members on the basis of a term of four (4) years.

Amend by striking all after line eight (8) in section one (1) and substituting the following:

"4623. Appointment. Within sixty (60) days after the convening of the General Assembly in regular session in nineteen hundred twenty-nine (1929), and each two (2) years thereafter, the governor with the approval of two-thirds ( $\frac{2}{3}$ ) of the Senate in executive session shall appoint a successor to any member of the commission whose term will expire on July first (1) following. Each member so appointed shall serve for a period of four (4) years from July first (1) of the year of appointment."

Sec. 2. Section forty-six hundred twenty-five (4625) of the code is repealed and the following enacted in lieu thereof:

"4625. Compensation. Each member of the commission shall receive ten dollars per day for each day actually employed in the work of the commission, provided that he shall not receive in excess of three thousand dollars per annum as such compensation. Each member shall also receive the actual necessary expenses incurred in the performance of his duties."

Sec. 3. Temporary provision. Immediately after this act takes effect, the governor with the approval of two-thirds ( $\frac{2}{3}$ ) of the Senate in executive session shall appoint members of the commission as follows:

One member to complete the term of office ending July first (1), nineteen hundred twenty-seven (1927), one the term ending July first (1), nineteen hundred twenty-nine (1929), and one the term ending July first (1), nineteen hundred thirty-one (1931), all as fixed by former statutes; and one to succeed the dean of engineering of the State College of Agriculture and Mechanic Arts, and serve to July first (1), nineteen hundred thirty-one (1931). Such appointees shall qualify at once upon approval by the Senate.

Sec. 4. Publication clause. This act is deemed of immediate importance and shall take effect from and after its publication in The Elkader Register, a newspaper published in Elkader, Iowa, and in The Daily Ledger, a newspaper published in Fairfield, Iowa.

The amendment to the title was adopted.

The second amendment was adopted.

The time having arrived for the consideration of special order No. 1, Senator Baird asked that same be deferred until after the Senate had disposed of the matter pending, which request was granted.

The bill was read for information.

Senator Benson moved 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.

Baird	Clearman	Kern	Shaff
Beatty	Darting	Kimberly	Shane
Benson	Dotts	Klemme	Shinn
Bergman	Ellis	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Frailey	McFarlane	Stanley
Brookins	Fulton	McLeland	Stoddard
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Roberts	Wilson of Polk
Clark	Johnston		

Nays, none.

Absent or not voting, 4.

Browne	Dean	Rigby	Wilson of Louisa
--------	------	-------	------------------

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

Senator Benson 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 CONCURRENT RESOLUTION NO. 12 CONSIDERED

Senator Baird called up for consideration Senate Concurrent Resolution No. 12, as found on page 228 of the Senate Journal.

Senator Klemme moved that the Senate adjourn until 1:30 p. m. The motion was lost.

Senator Haskell moved the previous question, which motion prevailed

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

## Ayes, 23.

Baird	Darting	Kimberly	Shaff
Benson	Ellis	Klemme	Shane
Bergman	Frailey	Lange	Stoddard
Brush	Fulton	McFarlane	Topping
Clark	Haskell	Ramsey	Wilson of Polk
Clearman	Johnston	Roberts	

## Nays, 23.

Beatty	Cavanaugh	Kern	Skromme
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Fackler	McLeland	Stanley
Brookins	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Carden	Hartman	Shinn	

Absent or not voting, 4.

Browne	Dean	Rigby	Wilson of Louisa
--------	------	-------	------------------

The vote being a tie, the President of the Senate voted "aye" on the resolution.

The resolution was adopted.

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

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

## Ayes, 24.

Baird	Darting	Kimberly	Shaff
Benson	Ellis	Klemme	Shane
Bergman	Frailey	Lange	Stanley
Brush	Fulton	McFarlane	Stoddard
Clark	Haskell	Ramsey	Topping
Clearman	Johnston	Roberts	Wilson of Polk

## Nays, 22.

Beatty	Cavanaugh	Kern	Shinn
Booth	Dotts	Langfitt	Skromme
Breakenridge	Fackler	McLeland	Slemmons
Brookins	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Carden	Hartman		

Absent or not voting, 4.

Browne	Dean	Rigby	Wilson of Louisa
--------	------	-------	------------------

The motion prevailed.

## REPORT OF COMMITTEE

Senator Stoddard submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations to which was referred Senate File No. 159, a bill for an act to make an appropriation to pay the expenses of the boundary commission appointed under chapter 313, acts of the fortieth 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.

## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully report they have on this 8th day of February, 1927, sent to the governor for his approval, Senate File No. 7, a bill for an act to legalize the proceedings of the town council of Dewitt, Iowa, with respect to the granting of a franchise to the Dewitt Telephone Company, and to declare that said proceedings constitute such franchise.

D. L. WILSON, *Chairman.*

Passed on file.

## AMENDMENTS FILED

Amend House File No. 3 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section fifty-five hundred seventy-three (5573) of the Code is hereby amended by striking out the first ten (10) lines thereof and inserting in lieu thereof the following:

“Each township assessor shall receive in full for all services required of him by law, a sum to be paid out of the county treasury and fixed annually by the board of supervisors at its January session, for the current year, but said compensation shall not exceed the sum of one dollar (\$1.00) per assessment roll.”

J. G. MERRITT.

Amend Section 35 of Senate File No. 104 by inserting at the beginning thereof, the following paragraph:

“All county primary road improvement programs and bonds issued therefor must be approved by the Highway Commission.”

A. H. BERGMAN.

The journal of February 7th was corrected and approved.

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

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 9, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Wm. Wilgus Bowers, pastor of the Methodist Episcopal Church, of Washington, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Gunderson, from members of City Council of Forest City, Iowa, favoring use of primary road funds by cities and towns. Highways.

By Senator Gunderson, from citizens of Lake Mills, Winnebago County, Iowa, favoring use of primary road funds by cities and towns. Highways.

By Senator Merritt, from residents of Carroll County, favoring passage of income tax law. Ways and Means.

Senator Shane moved that when the Senate recess at noon today it be to reconvene at 1:30 p. m., which motion prevailed.

## W. R. LEWIS MEMORIAL RESOLUTION

Senator Beatty offered the following resolution and moved its adoption:

*Whereas*, Honorable W. R. Lewis, a member of this Senate in the Twenty-seventh and Twenty-eighth General Assemblies, died at his home in Montezuma, Iowa, on the 23rd day of January, 1927, therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and services to the state.

The resolution was adopted, and the President appointed as such committee Senators Beatty, Johnston and Haskell.

## INTRODUCTION OF BILLS

Senate File No. 170, by Senator Fulton, a bill for an act to repeal section eighty-three hundred (8300) of the Code of Iowa, 1924, relating to right-of-way for telegraph or telephone lines along the public road or across rivers or over any lands belonging to the State of Iowa, or to any private individual; to annul all rights of any kind or nature heretofore granted to or claimed by any person, firm or corporation under said law; to authorize the construction and operation of telegraph or telephone lines along the public roads outside the limits of cities and towns; and to provide that a franchise must be procured in cities and towns for the construction of telegraph or telephone lines, except long distance telegraph or telephone lines running from one city or town to another city or town or to points outside said city or town.

Read first and second times and referred to committee on telephone and telegraph.

Senate File No. 171, by Senator Lange, a bill for an act to legalize the renewal of the corporate period of Roshek Brothers Company of Dubuque, Iowa.

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

Senate File No. 172, by Senator Wilson of Polk, a bill for an act to amend, revise, and codify sections twelve thousand eighty-three (12083), twelve thousand eighty-four (12084), and twelve thousand eighty-eight (12088) of the code relating to attachment bonds.

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

Senate File No. 173, by Senator Wilson of Polk, a bill for an act to repeal section ten thousand eight hundred forty-one (10841) of the code, relating to the salary of the clerk of the district court.

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

Senate File No. 174, by Senator Wilson of Polk, a bill for an act to amend sections thirty-eight hundred eight (3808) and thirty eight hundred nine (3809) of the code, relating to annual reports

to the board of parole, and to repeal section thirty-eight hundred ten (3810) relating to duties of the county auditor.

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

Senate File No. 175, by Senator Ellis, a bill for an act to amend the law as it appears in Chapter seventy-two (72) of the Code, 1924, relating to Workmen's Compensation Insurance.

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

Senate File No. 176, by Senator Slemmons, a bill for an act to amend section seventeen hundred thirty-four (1734) of the Code, 1924, relating to fishing with trot-lines.

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

#### SENATE FILE NO. 151 REREFERRED

Senate File No. 151 was recalled from the committee on judiciary No. 2 and referred to the committee on labor.

#### MOTION TO RECONSIDER CONSIDERED

Senator Klemme called up for consideration the motion to reconsider the vote by which the rules of the Senate of the 42nd General Assembly were adopted, the vote by which Rule 21 as proposed by the committee was stricken and the vote by which the amendment to the amendment was adopted, as found on page 207 of the Senate Journal. (Action on rules found on page 186 of the Senate Journal.)

Senator Gunderson invoked rule 8.

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

Ayes, 24.

Beatty	Fackler	Klemme	Shane
Booth	Fulton	McLeland	Shinn
Brookins	Gilchrist	Merritt	Skromme
Browne	Gunderson	Mills	Slemmons
Campbell	Hartman	Rigby	Ulstad
Dotts	Kern	Roberts	Wilson of Page



Nays, 23.

Baird	Clark	Johnston	Shaff
Benson	Clearman	Kimberly	Stanley
Bergman	Darting	Lange	Stoddard
Breakenridge	Ellis	Langfitt	Topping
Brush	Frailey	McFarlane	Wilson of Polk
Cavanaugh	Haskell	Ramsey	

Absent or not voting, 3.

Carden                      Dean                      Wilson of Louisa

The motion to reconsider prevailed.

### REPORTS OF COMMITTEES

Senator McLeland submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 167, a bill for an act to repeal section 520 of the code and to enact a substitute therefor relating to the election and term of office of county officers, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 3, a bill for an act to amend the law as it appears in section fifty-five hundred seventy-three (5573) of the code relating to compensation of assessors, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 83, a bill for an act to amend, revise, and codify section 5268 of the code, relating to the issuance of bonds by counties, and to the form, maturity, and payment of such bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *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. 124, a bill for an act to amend sections fifty-seven hundred ninety-three (5793) and fifty-seven hundred ninety-five

(5795) of the code, relating to additional tax authorized to be levied for park purposes in cities having a population of over twenty-five hundred (2,500), and to the anticipation of taxes levied for park purposes, and the issuing of park certificates or 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 section 4, publication clause.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 125, a bill for an act to amend section fifty-six hundred ninety-nine (5699) of the code, 1924, relating to the appointment of chiefs of police in cities, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 107, a bill for an act to amend the law as it appears in section forty-two hundred twenty-three (4223) of the code, 1924, relating to the filling of vacancies on school boards, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *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 concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution No. 6 providing for a joint convention at 11:30 today and inviting the Governor of Oregon to address the joint convention.

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

House File No. 60, a bill for an act relating to the proof and certification of public fund deposits, and to the liquidation and control of the assets of banks in the hands of the superintendent of banking, or of a receiver.

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

House File No. 141, a bill for an act relating to the support and maintenance of children in the Iowa Soldiers' Orphans' Home, and to enact a substitute therefor.

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

House File No. 140, a bill for an act relative to the commitment of neglected, dependent, and delinquent children.

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

House File No. 41, a bill for an act relating to elections, to regulate the manner of electing township trustees and township clerks, and to define their qualifications.

Also, that the House refuses to concur in the Senate amendments to the following concurrent resolution in which the concurrence of the House was asked:

House concurrent resolution No. 5 memorializing Congress for a change in the policy of the Federal Reserve System.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 94, a bill for an act to make an appropriation to pay the expenses incurred by the special committee appointed by the president of the Senate and speaker of the House to investigate the banking conditions in this and other states.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO S. F. NO. 94

Amend by adding thereto 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 Greeley Home Press and Dayton Review, newspapers published at Greeley, Iowa, and Dayton, Iowa, respectively.

#### HOUSE CONCURRENT RESOLUTION NO. 6

*Be It Resolved by the House and the Senate concurring:* That the Senate and the House meet in joint session Wednesday, February 9th, at 11:30 a. m. for the purpose of hearing Governor Pierce of the State of Oregon.

#### HOUSE CONCURRENT RESOLUTION NO. 6 CONSIDERED

Senator Gilchrist asked for unanimous consent to consider House Concurrent Resolution No. 6 ~~at~~ this time, which consent was denied.

Senator Gilchrist moved that the Senate consider House Concurrent Resolution No. 6 at this time, which motion prevailed.

The resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Shaff Senate File No. 104, a bill for an act to amend, revise, and codify sections forty-six hundred eighty-seven (4687) to forty-seven hundred six (4706), inclusive, section forty-seven hundred eight (4708), section forty-seven hundred twelve (4712), section forty-seven hundred eighteen (4718), section forty-seven hundred nineteen (4719), sections forty-seven hundred twenty-seven (4727) to forty-seven hundred thirty-eight (4738), inclusive, section forty-seven hundred forty-one (4741), section forty-seven hundred forty-three (4743), section forty-seven hundred forty-four (4744), section forty-seven hundred fifty-five (4755), and section five thousand one (5001) of the Code, 1924, and chapter one hundred fourteen (114) of the laws of the forty-first general assembly, and to amend section five thousand two (5002) of the Code, 1924, relative to the primary road system and the primary road fund, to transfer the control of the primary roads to the state, to empower the state to construct and maintain the primary road system, to do away with special assessments for paving primary roads, to refund for such assessments heretofore levied, and to do away with the area basis for allotting primary road funds among the counties, 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 Senate File No. 104 as follows:

Insert in section seventeen (17) of the bill and immediately after the word "of" in line five (5 )the following: 'the chairman of said commission or of'.

Add section 38 as follows:

"Sec. 38. The director of the budget shall, at least once each year, cause all books and accounts of the state highway commission to be examined by certified public accountants, and a detailed report of such examinations to be filed and kept in his office."

Amend Sec. 35 as follows:

Insert after the comma following the word "effective" in line three of said section the following:

"provided that all county primary road improvement programs must be approved by the highway commission,".

The first amendment was adopted.

Senator Haskell raised the point of order that as the amendment had been adopted the discussion was out of order.

The President held the point of order well taken.

Senator Brookins moved that the vote by which the amendment was adopted be reconsidered.

Senator Wilson of Page moved that the vote by which the amendment was adopted be reconsidered.

Senator Brookins raised the point of order that the motion of the Senator from Page was out of order, as he (Senator Brookins) had voted in the affirmative and his motion should be put.

The President held the point of order well taken.

The motion to reconsider prevailed.

#### COMMITTEE FROM THE HOUSE

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

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

#### JOINT CONVENTION

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

The President announced a quorum present and the joint convention duly organized.

President Kimball appointed a committee of three consisting of: Senator Roberts and Representatives Torgeson and Johnson of Keokuk to invite Hon. Walter M. Pierce, former governor of Oregon, to address the joint session.

Governor Hammill and Hon. Walter M. Pierce were escorted to the Speaker's Station.

The Governor then introduced Hon. Walter M. Pierce and he addressed the House.

Senator Rigby of Jones moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate Chamber and resumed regular session.

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

### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

### INTRODUCTION OF BILLS

Senate File No. 177, by Senator Stoddard, a bill for an act to promote the use of materials, products and supplies produced, manufactured or made in Iowa in the construction, repair, maintenance and upkeep of any public buildings, public monuments, public structures, or additions thereto; also to require the use of only such materials, supplies and provisions in the maintenance and provisioning of any state, county, school district or other municipal institution.

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

Senate File No. 178, by Senator Shane, a bill for an act to legalize certain transfer of funds by the city of Eldon, Iowa.

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

### HOUSE MESSAGES CONSIDERED

House File No. 60, a bill for an act to amend the law as it appears in chapter one hundred seventy-three (173), as amended by chapter one hundred seventy-four (174), and chapter one hundred seventy-nine (179), as amended by chapter one hundred eighty (180), of the acts of the Forty-first (41) General Assembly, relating to the proof and certification of public fund deposits,

and to the liquidation and control of the assets of banks in the hands of the superintendent of banking, or of a receiver.

Read first and second time and referred to committee on banks and banking.

House File No. 141, a bill for an act to repeal section 3720 (thirty-seven hundred twenty) of the code relating to the support and maintenance of children in the Iowa Soldier's Orphans' Home, and to enact a substitute therefor.

Read first and second time and referred to committee on child welfare.

House File No. 140, a bill for an act to amend section 3666 (thirty-six hundred sixty-six) of the code relative to the commitment of neglected, dependent, and delinquent children.

Read first and second time and referred to committee on child welfare.

House File No. 41, a bill for an act to amend chapter thirty-five (35) of the Code relating to elections, to regulate the manner of electing township trustees and township clerks, and to define their qualifications.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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 No. 17, 11, 80, 29, 40, and 5, and House File No. 49.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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, 11, 80, 29, 40 and 5.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 9th day of February, sent to the governor for his approval, Senate Files Nos. 17, 11, 80, 29, 40, and 5.

D. L. WILSON, *Chairman.*

The report was adopted.

#### SENATE CONCURRENT RESOLUTION NO. 15

Senators Stoddard and Shaff offered the following resolution:

*Whereas*, The forty-second general assembly has by house concurrent resolution number 3, placed its hearty approval and endorsement upon the plan of improvement of the Mississippi and Missouri rivers,

*Now, Therefore, Be It Resolved by the Senate, the House concurring*, That a joint convention of the two houses be held at eleven o'clock, a. m. on February 11th, and that Mr. Stewart W. Gilman, Mayor of Sioux City, Iowa, and Mr. H. W. Seaman, of Clinton, Iowa, representing the Mississippi-Missouri River Waterways Improvement Association, be invited to address the joint convention at that time.

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

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

Ayes, 46.

Baird	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Dotts	Lange	Shinn
Booth	Ellis	Langfitt	Skromme
Breakenridge	Fackler	McFarlane	Slemmons
Brookins	Frailey	McLeland	Stanley
Browne	Gilchrist	Merritt	Stoddard
Brush	Gunderson	Mills	Topping
Campbell	Hartman	Ramsey	Ulstad
Carden	Haskell	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern		

Nays, none.



Absent or not voting, 4.

Beatty                      Dean                      Fulton                      Wilson of Louisa

The resolution was adopted.

Senator Stoddard 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.

Senator Slemmons moved that the address given by Ex-Governor Pierce of Oregon to the joint convention today be printed in the Senate Journal. The motion carried.

#### POINT OF ORDER ON RULES RAISED

Senator Breakenridge raised the point of order that the motion to reconsider filed by Senator Klemme today was out of order, on the grounds that the adoption of rules ordered on an affirmative vote can not be reconsidered.

Senator Gilchrist raised the point of order that it would be impossible at this time to raise the question as now raised by Senator Breakenridge, inasmuch as the motion to reconsider has already been passed upon and declared to have been carried, and no point of order having been raised at that time it is impossible to raise same now.

The President held the point of order by Senator Breakenridge to be well taken.

Senator Fulton appealed from the decision of the chair.

Senator Fulton invoked rule 8.

On the question "Shall the decision of the chair be sustained?" the vote was:

Ayes, 34.

Baird	Clearman	Klemme	Rigby
Beatty	Darting	Lange	Shaff
Bergman	Ellis	Langfitt	Shane
Booth	Frailey	McFarlane	Stanley
Breakenridge	Gilchrist	McLeland	Stoddard
Brush	Haskell	Merritt	Topping
Carden	Johnston	Mills	Wilson of Page
Cavanaugh	Kern	Ramsey	Wilson of Polk
Clark	Kimberly		

Nays, 13.

Brookins	Fackler	Hartman	Skromme
Browne	Fulton	Roberts	Slemmons
Campbell	Gunderson	Shinn	Ulstad
Dotts			

Absent or not voting, 3.

Benson	Dean	Wilson of Louisa
--------	------	------------------

The decision of the chair was sustained.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 104.

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

Ayes, 35.

Baird	Cavanaugh	Johnston	Ramsey
Beatty	Clark	Kern	Rigby
Benson	Clearman	Kimberly	Shaff
Bergman	Darting	Lange	Shane
Booth	Dotts	Langfitt	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brush	Frailey	Merritt	Topping
Campbell	Hartman	Mills	Wilson of Page
Carden	Haskell		Wilson of Polk

Nays, 11.

Brookins	Gilchrist	Roberts	Slemmons
Browne	Gunderson	Shinn	Ulstad
Fulton	Klemme	Skromme	

Absent or not voting, 4.

Dean	Fackler	McLeland	Wilson of Louisa
------	---------	----------	------------------

The amendment was adopted.

Senator Roberts offered the following amendment and moved that it be substituted for the second amendment by the committee:

Amend section 16 by striking out the word "final" in line 4 and by inserting after the word "vouchers" in line 5 the words "by the state board of audit".

Senator Ellis raised the point of order that the amendment by the committee was proposing to add section 38, while the substitute amendment was to section 16 and therefore out of order.

Senator Roberts withdrew his substitute amendment.

The second committee amendment was adopted:

Senator Roberts now offered the following amendment and moved its adoption:

Amend section 16 by striking the word "final" from line 4 and by inserting after the word "approval" in line 5 the words "by the state board of audit".

The amendment was adopted.

By unanimous consent on request of Senator Bergman, the third committee amendment was withdrawn.

Senator Bergman offered the following amendment and moved its adoption:

Amend Section 35 by inserting at the beginning thereof the following paragraph:

"All county primary road improvement programs and bonds issued therefor must be approved by the Highway Commission".

Action was deferred temporarily.

Senator Gilchrist moved that Hon. W. C. Edson, late speaker of the House be invited to address the Senate.

The motion prevailed and the President appointed Senator Gilchrist as a committee of one to escort Mr. Edson to the desk.

Mr. Edson addressed the Senate briefly.

Consideration of Senate File No. 104 was resumed.

By unanimous consent on request of Senator Bergman, his amendment was amended by inserting the words "the amount of the" after the word "and".

The amendment was adopted.

Senator Gunderson offered the following amendment and moved its adoption.

Amend by striking the word "may" from line 10 of section 32 and inserting in lieu thereof the word "shall".

Senator Gunderson withdrew the amendment.

Senator Gunderson offered the following amendment and moved its adoption.

Amend by striking the word "may" from the tenth line of Section thirty-

two (32) and by inserting in lieu thereof the word "shall", and further amend said section by striking the period at the end of line eleven (11) and adding at the end of said line the following: "providing that the primary road fund shall not be charged with the cost of maintaining the hard surfacing within cities and towns specified above in excess of twenty feet in width."

Senator Shane moved the previous question on the amendment, which motion prevailed.

Senator Fackler invoked rule 8.

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

Ayes, 24.

Breakenridge	Dotts	Kern	Roberts
Brookins	Fackler	Klemme	Shinn
Browne	Fulton	Langfitt	Skromme
Brush	Gilchrist	McLeland	Slemmons
Campbell	Gunderson	Merritt	Ulstad
Carden	Hartman	Mills	Wilson of Page

Nays, 23.

Baird	Clearman	Kimberly	Shane
Beatty	Darting	Lange	Stanley
Bergman	Ellis	McFarlane	Stoddard
Booth	Frailey	Ramsey	Topping
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark	Johnston	Shaff	

Absent or not voting, 3.

Benson	Dean	Wilson of Louisa
--------	------	------------------

The amendment was adopted.

The following amendment filed by Senators Stoddard and Benson was taken up and considered:

Amend by adding the following section:

"Sec. 37. The state highway commission is hereby authorized to cooperate with the proper officials of neighboring states, their subdivisions, and (or) subdivisions of this state in the construction, purchase and maintenance of bridges across streams which form the boundary line between this state and such neighboring states and which bridges constitute connecting links between the primary roads of this state and the similar road system of such neighboring state.

Payment for such bridges or maintenance thereof shall be made from the primary road fund provided that not more than two per cent of said fund in any year may be expended for such bridges."

Senator Baird offered the following amendment to the amendment and moved its adoption.

Amend by inserting in line three following the word "in" the following:

"negotiations relative to", and by striking from the amendment the last paragraph thereof.

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

Ayes, 21.

Baird	Clearman	Johnston	Shaff
Beatty	Darting	Kimberly	Shane
Bergman	Ellis	McFarlane	Stanley
Carden	Frailey	Ramsey	Topping
Cavanaugh	Haskell	Roberts	Wilson of Polk
Clark			

Nays, 26.

Benson	Dotts	Lange	Shinn
Booth	Fackler	Langfitt	Skromme
Breakenridge	Fulton	McLeland	Slemmons
Brookins	Gilchrist	Merritt	Stoddard
Browne	Hartman	Mills	Ulstad
Brush	Kern	Rigby	Wilson of Page
Campbell	Klemme		

Absent or not voting, 3.

Dean	Gunderson	Wilson of Louisa
------	-----------	------------------

The amendment to the amendment was lost.

Senator Browne invoked rule 8.

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

Ayes, 18.

Benson	Fulton	Merritt	Shinn
Browne	Hartman	Mills	Slemmons
Brush	Lange	Rigby	Stoddard
Campbell	Langfitt	Shaff	Ulstad
Dotts	McLeland		

Nays, 30.

Baird	Clark	Haskell	Roberts
Beatty	Clearman	Johnston	Shane
Bergman	Darting	Kern	Skromme
Booth	Ellis	Kimberly	Stanley
Breakenridge	Fackler	Klemme	Topping
Brookins	Frailey	McFarlane	Wilson of Page
Carden	Gilchrist	Ramsey	Wilson of Polk
Cavanaugh	Gunderson		

Absent or not voting, 2.

Dean                      Wilson of Louisa

The amendment was lost.

#### REPORTS OF COMMITTEE

Senator Frailey submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 66, a bill for an act to amend, revise and codify sections 11903 and 11904 of the Code, relating to the service of notice in proceedings for the administration of the estates of absentees, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 57, a bill for an act to amend section four (4) of chapter seventeen (17) of the Laws of the Forty-first (41st) General Assembly, relating to electric storage batteries, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 53, a bill for an act to repeal section 11484 and to make section 13858 of the code, applicable to civil trials, all relating to the subject of civil procedure, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

I move to amend Senate File No. 2, by substituting the following amendment for the committee amendment:

Strike from line three (3) the period following the word "repeal" and add thereto the following: "Excepting as it applies to the stocked meandered lakes of the state.

S. A. BRUSH.

## AMENDMENTS TO S. F. 104 FILED

Amend by adding to Section 28, the following:

When any county has voted a bond issue for improvement of primary roads, prior to the taking effect of this act, such improvement program shall be completed as authorized by the voters of said county.

FRANK SHANE.

Amend by striking from lines 9 and 10 of section 6, the words "under this act".

A. H. BERGMAN.

I move to amend Section 9 of the bill by striking lines 24, 25 and 26 of said section and inserting in lieu thereof the following:

"Improvements shall be made and carried on in such manner as to equalize the work in all sections of the State, as nearly as possible. It is made mandatory that special attention shall be given to bringing the sections of the State, where improvements have been retarded, to an equality and on the same basis with the more advanced sections."

H. GUY ROBERTS.

I move to amend Section 12 of Senate File No. 104 by striking out all of said section after the word "contract" in line seven thereof and inserting in lieu thereof the following:

"At a cost not to exceed the lowest bid received, or if the estimated cost of the work proposed does not exceed the sum of \$5,000.00 may proceed to the construction of the same by day labor."

GEO. A. WILSON.

Amend section 9 by striking therefrom all after the word "bridged" in line 19 up to and including the word "road" in line 25.

C. B. KERN.

The Journal of February 8th was corrected and approved.

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

# JOURNAL OF THE SENATE

---

SENATE CHAMBER.  
DES MOINES, IOWA, FEBRUARY 10, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. Wm. P. Webb, pastor of the Methodist Episcopal Church, of Ireton, Iowa.

## PETITIONS AND MEMORIALS

The following petition was presented and referred to the designated committee:

By Senator Breakenridge, from the Emmetsburg Community Club, favoring the defeat of Senate File No. 67, relating to oleo-margerine. Dairy and foods.

## INTRODUCTION OF BILLS

Senate File No. 179 by Senator Browne, a bill for an act to amend Section eighty-nine hundred thirty-six (8936) of the Code, relating to insurance.

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution No. 7 providing that a Joint Convention of the two houses be held Saturday morning, February 12th, at 11:00 o'clock and that Colonel McNeil be invited to address the Joint Convention.

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 legalize the proceedings of the Town Council of Earlville, Iowa, with respect to the transfer of certain funds from the Electric Light Fund to the General Fund of said town.

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

House File No. 83, a bill for an act to prohibit the possession or control of machine guns, to prohibit any person from assisting another in obtaining possession of such gun, to determine and fix the punishment for a violation of such prohibition; to declare certain exceptions, to authorize the destruction of such guns and to prescribe in part the substance of the indictment or information in such cases and the evidence by which it may be sustained.

Also, That the House has adopted the following Concurrent Resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 15 providing for a Joint Convention of the two houses to be held at eleven o'clock, a. m., on February 11th, and extending an invitation to Mr. Stewart W. Gilman, Mayor of Sioux City, Iowa, and Mr. H. W. Seaman, of Clinton, Iowa, to address the Joint Convention.

Also, That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 78, a bill for an act relating to the state highway commission, and to adjust the terms of office of its members on the basis of a term of four (4) years.

A. C. GUSTAFSON, *Chief Clerk*

#### HOUSE AMENDMENT TO SENATE FILE NO. 78

Amend Senate File No. 78 by striking the title therefrom and substituting in lieu thereof the following:

A bill for an act to amend, revise, and codify sections forty-six hundred twenty-two (4622) to forty-six hundred twenty-five (4625), inclusive, of the code, relating to the state highway commission.

Further amend by striking all after the enacting clause and substituting in lieu thereof the following:

Sections forty-six hundred twenty-two (4622) to forty-six hundred twenty-five (4625) of the code are amended, revised and codified to read as follows:

Section 1. Creation and membership—location. There is hereby created a state highway commission which shall consist of one (1) member from each congressional district. The office of said commission shall be located at Ames, Iowa.

Sec. 2. Nomination and election—term. The members of said commis-

sion shall be nominated and elected at the biennial election in nineteen hundred twenty-eight (1928), the commissioners elected in congressional districts numbered one (1), three (3), five (5), seven (7), nine (9) and eleven (11), for terms ending January 1, 1930, the commissioners elected in congressional districts numbered two (2), four (4), six (6), eight (8), and ten (10), for terms ending January 1, 1932, and all commissioners nominated and elected after the year nineteen hundred twenty-eight (1928) shall be elected for terms of four (4) years each, and in the same manner in which representatives in Congress are nominated and elected, except as otherwise hereinafter provided.

Sec. 3. Vacancies. Vacancies in said commission shall be filled in the manner hereinafter provided for the election of the first or provisional commission. Within ten (10) days after a vacancy occurs in said commission the auditor of state shall call a meeting of the boards of supervisors of the counties of the district in which the vacancy occurs for the nomination and election of a commissioner to fill the vacancy, said notice, call and election to be in the same manner hereinafter provided for the nomination and election of the first or provisional board of commissioners.

Sec. 4. Organization. The members of said commission shall meet on the second secular day of January following their election and organize by the selection of a chairman from their members.

Sec. 5. Compensation. Each member shall receive ten dollars (\$10) per day for each day actually employed in the work of the commission, provided said compensation, for each commissioner, shall not exceed two thousand dollars (\$2,000) per annum. Each member shall receive all actual necessary expenses incurred in the performance of his duties.

Sec. 6. Provisional commission. Within ten (10) days after the taking effect of this act, the auditor of state shall call in each congressional district and at some convenient place therein a joint meeting of the boards of supervisors of the various counties of such district for the purpose of electing a provisional member from said district to serve on said commission until the second secular day in January, nineteen hundred twenty-nine (1929), and until his successor is elected and qualified.

Sec. 7. Nature of call. The call for said provisional election shall state the purpose of said meeting and the time and place thereof, which time shall not be on a date more than thirty (30) days after said call is issued.

Sec. 8. Notice. Said call shall be transmitted by said auditor by registered mail to the chairman of the board of supervisors of each county in the district. Said chairman shall at once notify each member of his board of the contents of said call.

Sec. 9. Provisional election. At said time and place the members of said various boards shall meet and organize by the election of a chairman and secretary. Each board of supervisors shall have the right to cast an equal number of votes and may divide their votes in fractions and the members present may cast the votes of the board and shall proceed to elect

by majority vote by ballot a provisional member of the state highway commission. The chairman and secretary shall issue to the member so elected a certificate of election.

Sec. 10. Each supervisor shall be entitled to receive from his county the actual necessary expenses incurred by him in attending said meeting.

Sec. 11. Qualification and organization. The said provisional members, so elected, shall meet at the office of the present state highway commission at Ames, Iowa, on the second Tuesday following their election, and qualify by taking the oath required of other civil officers, and organize as herein provided for the organization of the regular board.

Sec. 12. Vacancies occurring in the provisional board shall be filled as provided in section three of this act.

Sec. 13. Termination of office. Upon the qualification of said provisional members, the term of office of the present members of said state highway commission shall terminate.

Sec. 14. Publication clause. This act is deemed of immediate importance, and shall take effect from and after its publication in two (2) newspapers of this state as provided by law.

#### HOUSE CONCURRENT RESOLUTION NO. 7

*Whereas*, Colonel J. F. McNeil, the only surviving member of President Lincoln's personal guard, who guarded his body after his death until burial, will be in the city Saturday, February 12th.

*Therefore Be It Resolved by the House, the Senate concurring*, That a Joint Convention of the two Houses be held Saturday morning, February 12th, at 11:00 o'clock and that Colonel McNeil be invited to address the Joint Convention.

#### AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 5 CONSIDERED

Senator Shinn asked unanimous consent to call up for consideration House Concurrent Resolution No. 5, which consent was granted.

Senator Shinn moved that the Senate recede from its amendments to House Concurrent Resolution No. 5.

President Kimball took the chair at 10:15 a. m.

Senator Campbell moved the previous question, which motion prevailed.

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

Ayes, 21.

Beatty	Fackler	Langfitt	Shinn
Booth	Fulton	McLeland	Skromme
Brookins	Gunderson	Merritt	Slemmons
Browne	Hartman	Mills	Ulstad
Campbell	Kern	Roberts	Wilson of Page
Dotts			

Nays, 26.

Baird	Clark	Kimberly	Shaff
Benson	Clearman	Klemme	Shane
Bergman	Darting	Lange	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brush	Frailey	Ramsey	Topping
Carden	Haskell	Rigby	Wilson of Polk
Cavanaugh	Johnston		

Absent or not voting, 3.

Dean                      Gilchrist                      Wilson of Louisa

The Senate refused to recede.

#### CONFERENCE COMMITTEE ON HOUSE CONCURRENT RESOLUTION NO. 5

The President appointed as a conference committee on the part of the Senate on House Concurrent Resolution No. 5, Senators Shinn, Breakenridge, Frailey, and Cavanaugh.

#### 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. 49.

#### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 104.

Senator Shane offered the following amendment and moved its adoption:

Amend by adding to Section 28, the following:

When any county has voted a bond issue for improvement of primary roads, prior to the taking effect of this act, such improvement program shall be completed as authorized by the voters of said county.

By unanimous consent on request of Senator Shane the amendment was amended by striking therefrom the words "prior to the taking effect of this act,".

The amendment was adopted.

Senator Bergman offered the following amendment and moved its adoption:

Amend by striking from lines 9 and 10 of section 6, the words "under this act".

The amendment was adopted.

Senator Roberts offered the following amendment and moved its adoption:

Amend Section 9 by striking lines 24, 25 and 26 of said section and inserting in lieu thereof the following:

"Improvements shall be made and carried on in such manner as to equalize the work in all sections of the State, as nearly as possible. It is made mandatory that special attention shall be given to bringing the sections of the State, where improvements have been retarded, to an equality and on the same basis with the more advanced sections."

Senator Breakenridge offered the following amendment to the amendment and moved its adoption:

Amend by striking the word "equalize" from line 2 and inserting in lieu thereof the word "distribute". Also amend by striking out all following the period in line 2.

Senator Rigby offered the following amendment as a substitute amendment and moved its adoption:

Amend section 9 by striking out lines 24, 25 and 26 and inserting in lieu thereof the following:

"Improvement shall be made and carried on in such manner as to equalize the work in all sections of the state, as nearly as possible, giving special attention to bringing the sections of the state where improvements have been retarded to an equality and on the same basis with the more advanced sections."

Senator Lange moved the previous question, on the substitution which motion prevailed.

On the question "Shall the substitution be made?" the vote was:

Ayes, 31.

Baird	Clark	Kern	Shaff
Beatty	Clearman	Kimberly	Shane
Benson	Darting	Lange	Stanley
Bergman	Ellis	Langfitt	Stoddard
Booth	Frailey	McFarlane	Topping
Brush	Fulton	Mills	Wilson of Page
Carden	Haskell	Rigby	Wilson of Polk
Cavanaugh	Johnston	Roberts	

Nays, 16.

Breakenridge	Dotts	Klemme	Shinn
Brookins	Gilchrist	McLeland	Skromme
Browne	Gunderson	Merritt	Slemmons
Campbell	Hartman	Ramsey	Ulstad

Absent or not voting, 3.

Dean	Fackler	Wilson of Louisa
------	---------	------------------

The substitution was made.

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

Ayes, 31.

Baird	Clark	Kern	Shaff
Beatty	Clearman	Kimberly	Shane
Benson	Darting	Lange	Stanley
Bergman	Ellis	Langfitt	Stoddard
Booth	Frailey	McFarlane	Topping
Brush	Fulton	Mills	Wilson of Page.
Carden	Haskell	Rigby	Wilson of Polk
Cavanaugh	Johnston	Roberts	

Nays, 17.

Breakenridge	Fackler	Klemme	Shinn
Brookins	Gilchrist	McLeland	Skromme
Browne	Gunderson	Merritt	Slemmons
Campbell	Hartman	Ramsey	Ulstad
Dotts			

Absent or not voting, 2.

Dean	Wilson of Louisa
------	------------------

Amendment adopted.

Senator Shane asked for unanimous consent to amend his amendment previously adopted, which consent was denied.

Senator Shane moved to amend his amendment to section 28 as follows:

Amend by striking the words in the first line "to section 28" and inserting in lieu thereof the words "at the beginning of section 35".

Also amend by adding the word "provided" at the end thereof.

Senator Gilchrist raised the point of order that the motion was out of order in that it seeks to reconsider an amendment which has already been carried without making a motion to reconsider.

The President held the point not well taken.

The amendment to the amendment was adopted.

Senator Wilson of Polk withdrew his amendment to section 12 as found on page 321 of the Senate Journal.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend section 12 by striking out the words as they appear in lines 7 and 8, "or may proceed to the construction by day labor at a cost not to exceed the lowest bid received", and insert in lieu thereof the following:

"at a cost not to exceed the lowest bid received, or if the estimated cost of the work proposed does not exceed the sum of \$5,000.00 may proceed to the construction of the same by day labor."

The amendment was adopted.

Senator Kern offered the following amendment and moved its adoption:

Amend section 9 by striking therefrom all after the word "bridged" in line 19 up to and including the word "road" in line 25.

Senator Shaff raised the point of order that the amendment was out of order inasmuch as the substance had been acted on in the Roberts amendment.

The President held the amendment out of order with reference to lines 24 and 25.

Senator Fulton moved to amend the amendment by striking out all after the word "to" in the second line and inserting in lieu thereof the words "end of line 23".

The amendment to the amendment was adopted.

The amendment was adopted.

The Journal of February 9th was corrected and approved.

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

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## INTRODUCTION OF BILLS

Senate File No. 180, by committee on military affairs, a bill for an act authorizing the investments in certain securities of the Additional Bonus and Disability Fund created by Sec. 8 Chap. 332 Acts of the Thirty-ninth General Assembly.

Read first and second times and placed on the calendar.

Senate File No. 181, by committee on military affairs, a bill for an act to amend Chapter 273 of the Code, 1924, requiring certain information to be furnished soldiers' relief commission to the State bonus board.

Read first and second times and placed on the calendar.

Senate File No. 182, by Senator Baird, a bill for an act to amend section ten thousand six hundred fifty-five (10,655) of the 1924 Code, relating to jurisdiction of courts in civil matters.

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

Senate File No. 183, by Senator Gilchrist, a bill for an act to require the clerks of the district court to report convictions for liquor violations to the state bureau of investigation.

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

Senate File No. 184, by Senator Gilchrist, a bill for an act to amend Chapter six hundred sixteen (616) of the Code, 1924, relating to criminal investigation, identification of persons accused of crime, and identification of dead bodies.

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

Senate File No. 185, by Senator Ellis, a bill for an act to amend Chapter five hundred sixty-six (566) of the Code, 1924, relating to certain cases in rape.

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



## HOUSE MESSAGES CONSIDERED

House File No. 24, a bill for an act to legalize the proceedings of the Town Council of Earlville, Iowa, with respect to the transfer of certain funds from the Electric Light Fund to the General Fund of said Town.

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

House File No. 83, a bill for an act to prohibit the possession or control of machine guns, to prohibit any person from assisting another in obtaining possession of such gun, to determine and fix the punishment for a violation of such prohibition; to declare certain exceptions, to authorize the destruction of such guns, and to prescribe in part the substance of the indictment or information in such cases and the evidence by which it may be sustained.

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

## REPORT OF COMMITTEE

Senator Breakenridge submitted the following report:

MR. PRESIDENT: Your committee on Agriculture to which was referred Senate File No. 70, a bill for an act to amend section 2641 of the code, relating to violations of the law governing registration of animals, begs leave to report it has had the same under consideration and recommends the same do pass.

W. J. BREAKENRIDGE, *Chairman*.

Ordered passed on file.

## HOUSE CONCURRENT RESOLUTION

## NO. 7 CONSIDERED

Senator Ramsey called up for consideration House Concurrent Resolution No. 7, as found on page 359 of the House Journal, and moved its adoption.

The resolution was adopted.

Senator Cavanaugh moved that the remarks of Col. McNeil be taken so that same may be printed in the Journal if wanted.

The motion carried.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 104.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 2 lines 9 and 10 and substituting therefor the following: "of roads shall be, with the consent of the federal authorities, subject to".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 2 lines 14 to 18 inclusive and to the comma (,) in line 19, and substituting therefor the following: "The State Highway Commission may add to the primary system such roads as will afford access to cities, towns and state parks and as will connect it with interstate roads at the state line."

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from lines 7 and 8 of section 3 the words "the refund account,".

President Pro Tem Shane took the chair at 1:53 p. m.

Senator Fulton withdrew the amendment.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking the comma (,) at the end of line 6 of section 4 and inserting a period (.) in lieu thereof and striking the remainder of the section.

The amendment was lost.

Senator Breakenridge offered the following amendment and moved its adoption:

Amend section 5 by adding thereto the following: "Where any county has built bridges on primary roads out of county funds since July 4, 1921, said county shall be reimbursed for said bridges out of the primary road fund."

Senator Gilchrist offered the following amendment as a substitute amendment and moved its adoption:

Amend by striking all of section 5 and renumbering the following sections.

The substitute amendment was lost.

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

Ayes, 16.

Breakenridge	Dotts	Langfitt	Shinn
Brookins	Fackler	McLeland	Skromme
Browne	Gunderson	Merritt	Slemmons
Campbell	Hartman	Mills	Ulstad

Nays, 29.

Baird	Clearman	Kimberly	Shaff
Beatty	Darting	Klemme	Shane
Benson	Ellis	Lange	Stanley
Bergman	Frailey	McFarlane	Stoddard
Booth	Haskell	Ramsey	Topping
Brush	Johnston	Rigby	Wilson of Page
Cavanaugh	Kern	Roberts	Wilson of Polk
Clark			

Absent or not voting, 5.

Carden	Fulton	Gilchrist	Wilson of Louisa
Dean			

Amendment lost.

Senator Brush moved that the vote by which the following amendment was adopted be reconsidered:

Amend by striking the word "may" from the tenth line of section thirty-two (32) and by inserting in lieu thereof the word "shall", and further amend said section by striking the period at the end of line eleven (11) and adding at the end of said line the following: "providing that the primary road fund shall not be charged with the cost of maintaing the hard surfacing within cities and towns specified above in excess of twenty feet in width."

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

Ayes, 29.

Baird	Clark	Johnston	Roberts
Beatty	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Ellis	Lange	Stanley
Booth	Frailey	McFarlane	Stoddard
Brush	Hartman	Ramsey	Topping
Carden	Haskell	Rigby	Wilson of Polk
Cavanaugh			

Nays, 19.

Breakenridge	Fackler	Langfitt	Skromme
Brookins	Fulton	McLeland	Slemmons
Browne	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Dotts	Kern	Shinn	

Absent or not voting, 2.

Dean                      Wilson of Louisa

· Motion to reconsider prevailed.

The amendment was lost.

Senator Fulton moved that section 8 be referred to the committee on highways with instructions to report it out, setting out the specific powers and duties of the State Highway Commission.

Senator Cavanaugh was called to the chair at 2:50 p. m.

President Pro Tem Shane resumed the chair at 2:55 p. m.

Senator Shaff moved as a substitute motion that the bill be amended by inserting in line 2 of section 8 after the word "the" the words "construction and maintenance of".

The substitution was made.

The amendment was adopted.

Senator Shinn moved that the bill as amended be printed for the information of the Senate.

The motion was lost.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from line 9 of section 26 the words "refund is made" and inserting in lieu thereof the words "special assessment became a lien upon the land".

Senator Campbell offered the following amendment as a substitute amendment and moved its adoption:

Amend by striking out all of paragraph 2 of section 26 and inserting in lieu thereof the following:

In case of sale of such adjoining lands prior to making such refund and such assessments have not been paid in full, the same shall be paid to the parties interested in proportion to the amount paid or assumed by

them respectively or as may be agreed between such parties at the time such refund is made.

The substitution was made.

The amendment was adopted.

Senator Cavanaugh offered the following amendment and moved its adoption:

Amend by striking out sections 22, 23, 24, 25 and 26 and renumbering the following sections.

Senator Ellis moved the previous question, on the amendment, which motion prevailed.

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

Ayes, 17.

Breakenridge	Fulton	Langfitt	Skromme
Browne	Gilchrist	McLeland	Slemmons
Cavanaugh	Gunderson	Roberts	Ulstad
Dotts	Kern	Shinn	Wilson of Page
Fackler			

Nays, 31.

Baird	Carden	Johnston	Rigby
Beatty	Clark	Kimberly	Shaff
Benson	Clearman	Klemme	Shane
Bergman	Darting	Lange	Stanley
Booth	Ellis	McFarlane	Stoddard
Brookins	Frailey	Merritt	Topping
Brush	Hartman	Mills	Wilson of Polk
Campbell	Haskell	Ramsey	

Absent or not voting, 2.

Dean                      Wilson of Louisa

Amendment lost.

Senator Cavanaugh offered the following amendment and moved its adoption:

Amend section 23 by striking out all of line 4 and inserting in lieu thereof the following: "that no refund shall be made within a period".

The amendment was lost.

The bill was read for information.

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

Senator Shinn moved that further debate on the bill be deferred until 10 a. m. tomorrow.

Senator McFarlane raised the point of order that there could be no debate as the bill had passed to the third reading.

President Pro Tem Shane held the point well taken.

Senator Shinn moved that the Senate adjourn until 10 a. m. Friday. The motion lost.

Senator Slemmons moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

The President resumed the chair at 4:45 p. m.

Senator McFarlane moved the previous question, which motion prevailed.

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, 29.

Baird	Clark	Kimberly	Shaff
Beatty	Clearman	Klemme	Shane
Benson	Darting	Lange	Stanley
Bergman	Ellis	McFarlane	Stoddard
Booth	Frailey	Ramsey	Topping
Brush	Haskell	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk
Cavanaugh			

Nays, 19.

Breakenridge	Fackler	Kern	Shinn
Brookins	Fulton	Langfitt	Skronime
Browne	Gilchrist	McLeland	Slemmons
Campbell	Gunderson	Merritt	Ulstad
Dotts	Hartman	Mills	

Absent or not voting, 2.

Dean                      Wilson of Louisa

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 vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shane the Senate went into executive session.

#### EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. H. E. Dean, of Ocheyedan, Osceola County, as a member of the State Highway Commission for the unexpired term of James W. Holden, resigned, which expires June 30, 1929.

On motion and roll call the Senate confirmed the appointment of Carl C. Riepe, of Burlington, Des Moines County, as a member of the Iowa State Highway Commission for the unexpired term of Wm. Collinson, deceased, which expires June 30, 1927.

On motion and roll call the Senate confirmed the appointment of Carl C. Riepe, of Burlington, Des Moines County, as a member of the State Highway Commission to succeed himself for the term of four years, beginning July 1, 1927.

The Senate arose from executive session and resumed regular session.

#### REPORTS OF COMMITTEE

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers to which was referred Senate File No. 113, a bill for an act to amend Section Five Thousand One Hundred Ninety-one (5191), Paragraph Eleven (11) of the Code, 1924, relative to the compensation of Sheriff for meals and lodging of prisoners, 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 as Section 2 the following:

Also:

Section 2. "This act being deemed of immediate importance shall take effect from and after its publication in the Evening Democrat, Fort Madison, Iowa, and the Keokuk Gate City, Keokuk, Iowa."

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

MR. PRESIDENT: Your committee on compensation of public officers to which was referred Senate File No. 107, a bill for an act to amend paragraphs Three (3) and Four (4) of Section Five Thousand Two Hundred

Twenty-nine (5229), relating to salary of assistant county attorney, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

On motion of Senator Johnston the Senate adjourned until 10 a. m. Friday.



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 11, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. E. G. Williams, pastor of the Westminster Presbyterian Church of Des Moines.

## PETITIONS AND MEMORIALS

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

By Senator Shinn, from residents of the ninth district, favoring a permanent closed season for quail. Fish and game.

By Senator Haskell, from voters of Linn County, opposing bond issue, and favoring Bank guarantee law. Banks and banking.

By Senator Slemmons, from voters of Buchanan County, asking for law prohibiting use of trot-lines in fishing. Fish and game.

By Senator Kimberly, from a voter of Scott County, opposing income tax bill, opposing beauty parlor bill, opposing barber shop bill and opposing the proposed bill for licensing oil stations. Ways and means.

## PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of Senate File No. 153, a proposed bill for the legalization of the proceedings of the city council of the City of Missouri Valley, Iowa.

WALTER H. BEAM, *Secretary.*

## INTRODUCTION OF BILLS

Senate File No. 186, by Senator Fulton, a bill for an act to repeal sections thirty-nine (39) to forty-six (46), inclusive, Code, 1924, relative to the standing committee on retrenchment and reform.

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

Senate File No. 187, by Senator Bergman, a bill for an act to levy an additional license fee on gasoline sold in the state of Iowa to provide additional primary road funds.

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

Senate File No. 188, by Senator Bergman, a bill for an act to repeal section five thousand thirty (5030) of the Code, 1924, relative to the speed of motor vehicles in cities and towns and to enact a substitute therefor. Also to amend Chapter Fifteen (15) of the Acts of the Forty-first (41st) General Assembly relative to the speed of motor vehicles outside of cities and towns.

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

Senate File No. 189, by Senator McFarlane, a bill for an act to amend the law as it appears in subdivisions three (3), ten (10) and eleven (11) of Section Eighty-five hundred twenty-six (8526) of Chapter three hundred ninety-three (393) of the Code of Iowa, 1924, relating to the regulation and supervision of investment companies.

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the Speaker has appointed as members of the conference committee on the part of the House on Concurrent Resolution No. 5, Representatives Knudson of Hamilton, Akin of Carroll, Hale of Howard and Johnson of Marion.

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

House File No. 12, a bill for an act relating to the delivery of skimmed milk, ice cream, or buttermilk, to require the pasteurization of skimmed milk, cream and all milk or cream from which ice cream or buttermilk is derived, to define pasteurization, to require a record thereof, and to authorize an injunction to restrain violations of this act.

A. C. GUSTAFSON, *Chief Clerk.*

#### SENATE CONCURRENT RESOLUTION NO. 16

Senator Browne offered the following resolution:

*Whereas*, J. A. Tracy, state fire marshal, has extended to the members of the General Assembly an invitation to attend an advance showing of a picture relating to fire prevention, taken by the International Association of Fire Chiefs, and

*Whereas*, It is of vital importance to the people that they may be enlightened as to fire prevention, therefore

*Be It Resolved by the Senate, the House concurring*, That the invitation be accepted to attend said showing, to be given through the courtesy of the Des Moines Theater on Tuesday, February 15th, at 9 a. m.

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

The resolution was adopted.

Senator Browne 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.

#### HOUSE MESSAGE CONSIDERED

House File No. 12, a bill for an act to repeal Chapter Sixty (60) of the laws of the Forty-First General Assembly, and to enact a substitute therefor, relating to the delivery of skimmed milk, ice cream, or buttermilk, to require the pasteurization of skimmed milk, cream and all milk or cream from which ice cream or buttermilk is derived, to define pasteurization, to require a record thereof, and to authorize an injunction to restrain violations of this act.

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

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 31.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 31.

## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 11th day of February, sent to the governor for his approval, Senate File No. 31.

D. L. WILSON, *Chairman.*

The report was adopted.

## THIRD READING OF BILLS

On motion of Senator McFarlane House File No. 107, a bill for an act to amend the law as it appears in section forty-two hundred twenty-three (4223) of the Code, 1924, relating to the filling of vacancies on school boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator McFarlane moved 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	Clark	Kern	Shaff
Beatty	Cleerman	Kimberly	Shane
Benson	Darting	Klemme	Shinn
Bergman	Dotts	Lange	Skromme
Breakenridge	Ellis	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stanley
Browne	Frailey	McLeland	Stoddard
Brush	Fulton	Merritt	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Booth	Gunderson	Roberts	Wilson of Louisa
Dean	Johnston		

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

Senator McFarlane 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 Senate File No. 136, a bill for an act to amend section twenty-five hundred forty (2540) of the code of 1924 relating to the requirements of each applicant for a license to practice medicine, a committee bill, was taken up and considered.

Senator Beatty offered the following amendment and moved its adoption:

Amend by striking lines 10, 11 and 12.

President Kimball took the chair at 10:30 a. m.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption.

Amend by striking out lines 8 and 9.

Senator Fulton withdrew his amendment.

The bill was read for information.

Senator Fackler moved 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	Carden	Hartman	Shane
Beatty	Clark	Haskell	Skromme
Benson	Clearman	Kern	Stanley
Bergman	Darting	Lange	Stoddard
Booth	Dotts	McFarlane	Topping
Breakenridge	Ellis	Merritt	Ulstad
Brookins	Fackler	Mills	Wilson of Page
Brush	Frailey	Ramsey	Wilson of Polk
Campbell	Fulton		

Nays, 11.

Browne	Gunderson	McLeland	Shinn
Cavanaugh	Kimberly	Rigby	Slemmons
Gilchrist	Klemme	Roberts	

Absent or not voting, 5.

Dean	Langfitt	Shaff	Wilson of Louisa
Johnston			

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

Senator Fackler 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 Senate File No. 137, a bill for an act providing for the appointment of a county health officer, public health nurses and other assistants, the manner of their selection, the compensation therefor, and prescribing the duties thereof, a committee bill, was taken up and considered.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend section 5 by striking from lines 3 and 4 the words "after consultation with the state health commission".

Action was deferred temporarily.

#### COMMITTEE FROM THE HOUSE

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

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

## JOINT CONVENTION

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

President Kimball announced a quorum present and the joint convention duly organized.

Senator Shaff of Clinton moved that a committee of three be appointed, one from the Senate and two from the House, to notify Hon. Stewart Gilman, Mayor of Sioux City, and Mr. H. W. Seaman, representing the Mississippi-Missouri River Waterways Improvement Association of Clinton, that the joint convention was ready to receive them.

Motion prevailed, and the President appointed as such committee: Senator Shaff of Clinton, and Representatives Hempel of Clayton and Forsling of Woodbury.

Senator Shaff, from the committee appointed to notify Messrs. Gilman and Seaman that the joint convention was ready to receive them, appeared with the visiting guests.

Lieutenant Governor Kimball then presented Hon. Stewart Gilman, and Mr. H. W. Seaman, who addressed the joint convention.

Patterson of Kossuth moved that the remarks of Mr. Gilman and Mr. Seaman be printed in the Journal.

Motion prevailed.

## REMARKS OF HONORABLE STEWART GILMAN

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION:

The project of improving the Missouri River is a very old one, the first appropriation by the government was made in 1838, so when we are advocating the improvement of the Missouri River we are not starting anything new.

For many years the work was done without any definite plan and practically no good results. About 1908 the government made a thorough survey of the Missouri River from its mouth to Yankton, South Dakota, and the government engineers reported favorably for the improvement of this stream for navigation purposes by a channel from six to twelve feet deep from St. Louis to Sioux City. This was adopted by Congress but the appropriation was confined to the river as far north as Kansas

City. The government at this time appropriated twenty million dollars to be spent on the lower river. When the war came on however, work was discontinued and barges that had been in operation were bought up by the United States government and there has been very little commerce on the river since that time.

The government has, however, in the last three years, again started spending money under the terms of this old bill and the river from St. Louis to Kansas City has been about seventy-five per cent completed. Mr. Walter S. Dickey, editor of the Kansas City Post, is trustee for the funds of the old barge line and has nearly nine hundred thousand dollars on hand in Liberty Bonds and cash, which they will immediately invest in barges and tow boats as soon as the river has been completed.

Our bill for the upper Missouri River authorizes an expenditure of twelve million dollars. It was passed by both the House and Senate in the short session of Congress and puts our upper Missouri River project on the same basis as the river below Kansas City and makes the whole river project a definite government policy and assures us that this river will be made navigable at the expense of the United States government.

Secretary Hoover, in his speech at Kansas City a year ago last October, advocated a complete system of inland waterway transportation, laying out a system of nine thousand miles of improved rivers, with great trunk lines from Chicago to New Orleans north and south, and from Kansas City to Pittsburgh east and west, with the feeders of the upper Missouri to Sioux City or even further north, the upper Mississippi to Minneapolis, the Tennessee Cumberland and other streams. He said in his speech that as far as the engineering problem is concerned, the question is behind us. It has been solved. We have an unbroken line of favorable engineers' reports as to the practical question of the navigability of this great stream. The chief of engineers, General Jadwin, did not approve of the construction of the upper Missouri River at this time. He said it was practical and feasible but he said it was best to wait for a few years until the lower river had been completed. The senators and representatives, however, approved the project by a vote of fifty-seven to nine in the Senate and two hundred seventy-six to eighty-two in the House.

The advantages of water transportation are so self-evident that it seems hardly necessary to present them to the people of Iowa. There is no question but that the prices of our grain would be increased to the extent of the saving in freight not only on the grain that actually will be handled on the river but on all the grain placed on the market, for the simple reason that a man could obtain the same prices for two cars of grain even if one of them went to the Pacific coast while the other went down the river to New Orleans and from there to Liverpool.

The present rate on wheat from Sioux City to New Orleans is nineteen cents per bushel. According to the government engineer whose report in some ways was not favorable to our project, this rate could be reduced to eleven and four-tenths cents per bushel and many feel that even this



figure is too high, but accepting their own statement it would mean a saving of seven and six-tenths cents on every bushel of grain raised in territory which could be roughly described as including the states of North and South Dakota, Iowa and Nebraska.

Testimony taken at the various hearings showed beyond any question of doubt that the farmers of Kansas received two and one-half to three cents a bushel more for the one hundred million bushels of wheat they produced last year than they would have received if a barge line from St. Louis to New Orleans had not been in operation.

This barge line from St. Louis to New Orleans is operated by the government.

It is not a question of theory but is a demonstrated success, having not only reduced the rates but made a profit of nearly five hundred thousand this last year, having charged off a depreciation of six hundred thousand. There are other advantages too numerous to go into detail with reference to the improvement of this river, the protection of land through the erosion of land actually taken away by the river, the deepening of the channel so that drainage conditions would be improved, and reaching small towns and cities that are not on the railroad line, are some of these minor benefits to be derived. The great thing of it all, however, is the fact that it would put every farmer in the state of Iowa within six hours by truck of cheap transportation. It would enable manufacturers and individuals to establish themselves in our cities of the middle west.

At present there are one hundred sixty-five different railroads that maintain joint rates in connection with the Mississippi Barge Line. The Supreme Court has decided not only that the railroads must make joint rates with the barge line but that the savings in rates must be reflected to the inland cities so that Des Moines, Lincoln and Sioux Falls would receive the same saving in freight rates that Sioux City, Omaha and Kansas City would receive. The objection has been raised that this might affect the railroad business but Secretary Hoover has refuted that by his figures with reference to railroad traffic. The railroad tonnage of the United States has increased from one hundred fifteen billion ton miles to three hundred sixty billion ton miles in the last twenty-five years.

Secretary Hoover says that we can expect that it will double every twelve and one-half years from now on. Under these conditions the railroad must either provide greatly enlarged terminals at various points or they must let the slow-moving nonperishable freight like coal, grain, oil, lumber, sugar, hay, fertilizer, cement, etc., all move on the rivers while they receive the higher prices for the more perishable, quick-moving freight. The last terminal the Milwaukee constructed in Chicago cost seventy-five million dollars and it will only be adequate for a few years. The capacity of the river is equal to that of six hundred railroads the same length.

Mr. Richardson, president of the Western Kentucky Coal Company,

hailed thirty thousand tons of coal down the Ohio last October at a saving of thirteen thousand dollars in freight for one trip.

The construction of the Panama Canal has given the coast cities and the Gulf cities a great advantage over our inland cities for purposes of distribution. A Lyon & Healy piano can be shipped from New York to Los Angeles for twelve dollars and a half less than the same piano can be shipped from Chicago to Los Angeles, and there are thousands of other cases too numerous to go into in detail, that show the tremendous saving of water transportation and increased cost of terminals for the railroad makes it imperative for the people of Iowa to look to water transportation as their only salvation against the high cost of railroad transportation and the railroad thus will receive the more profitable business when the lower cost commodities are handled on the rivers.

What far-sighted, thinking man in the state of Iowa can object to the improvement of this river at government expense, especially when he knows the state of New York, according to Senator Copeland, in his speech before the Senate, contributed one-fourth of the expense of the national treasury, seven hundred thirty-three million dollars in 1925, while Iowa contributed fourteen million dollars, Nebraska seven million dollars and South Dakota a little over one million dollars. He says that if the taxpayers of New York do not object to this expenditure of government funds, that a senator from a state like Utah that contributes a very small fraction of this expense should not complain.

In a few years the American people will be astonished by the volume of freight that is carried on the rivers. According to the World's Almanac for 1927, freight carried on our domestic rivers, canals and channels amounted to two hundred four million tons, while the entire farm commerce of the Atlantic, Pacific and Gulf ports amounted to ninety-two million. The Monongahela which is a very small stream, carried twenty-three million tons of freight last year, only two hundred thousand tons less than the Panama Canal. The Pennsylvania Railroad objected to the canalization of the Monongahela and before it was done they had one single track railroad parallel to this stream, but after it was built, they now have four such lines of track showing how a railroad business is helped by the development of waterway transportation.

The Missouri River Navigation Association is an organization which was started after Secretary Hoover's speech at the convention attended by eight hundred delegates from the Missouri River, representing all of the farm bureau and other agricultural organizations of this section as well as the business and commercial organizations. Its president is Mr. A. J. Weaver, a farmer and fruit grower of Fall City, Nebraska, who has already addressed the state legislatures of Nebraska and South Dakota on this same subject. Among its directors are two members of this very body, Senator Stoddard and Ralph Prichard, representative from Woodbury County. This is our own organization, bringing trans-

portation right into the heart of the country that has been described by Governor Loudon as being "the marooned empire". Our land is the most fertile land in the United States, our transportation costs are the highest of any agricultural section of the world. Distribution, manufacturing and industry are being forced away from our people by this system of high tariff on freight. Iowa can support a population of twenty million. Our population is increasing at the rate of two or three million people a year. I think it is beyond the possibility of dispute to say that it would be better if these new millions can reside within the state of Iowa so that the workers and laborers and the employers of our great manufacturing industries would be close to the food supply. It would be better for them and also better for the farmers than it is to have them huddled together in Chicago and New York as they are at present.

The country of Germany, impoverished as it was by the result of the war, has continued to spend vast sums on their waterways and cheap transportation has made German goods available at low cost all over the world. If we had equal transportation rates with their agricultural costs, the fertility of our land would give us a natural advantage and it is therefore up to us to use our endeavors in every way possible to further the work of the Missouri River Improvement Association, to see that the government prosecutes the completion of this great task with every possible speed so that the river will be not only improved to Sioux City, but is brought up into the great wheat-growing country of Montana and North Dakota where steamboats are still plowing the Missouri River between Williston and Bismarck.

It will not come in a month, it will not come in a year, it is not a substitute for the McNary bill, it is simply a common sense business project, not a theory but a demonstrated fact by the experience of the barge line on the lower Missouri River. Our senators and congressmen from these states vote unanimously and work enthusiastically for the passage of our river bill through Congress. They have studied the question, there is no more doubt about the engineering features of this project than there is about the construction of a ten-story steel building. It is our own local project.

If it is true, as Senator Bruce has said in the Senate, that the people of Iowa do not know where their own interest lies, then we might as well abandon this project and swim along idly with the current, but if we are far-sighted we will do what the United States Steel Corporation did when they got the government to spend one hundred million dollars on the Ohio and Monongahela Rivers where they are carrying freight for fourteen cents a ton against a railroad rate of eighty-nine cents and where they have just recently declared a forty per cent stock dividend on their stock. Do we need a forty per cent dividend on our stock in Iowa land?

#### REMARKS OF MR. H. W. SEEMAN

Mr. Halleck W. Seaman, banker and manufacturer of Clinton, Iowa, and who until recently has been a member of the Board of

Advisors to the Secretary of War on Inland Waterways Corporation, addressed the Joint Convention as follows:

MR. SPEAKER, MEMBERS OF THE IOWA LEGISLATURE:

It is somewhat difficult for one to follow Mr. Stewart Gillman who has given you the ground work of the river improvement program for the Upper Mississippi and the Missouri. However, I appreciate this opportunity greatly as I fully believe there is a considerable lack of information throughout the state as to the real benefits to accrue to Iowa from the completion of these two major projects.

Mr. Gillman has fully covered the Missouri, and, if you will bear with me for a few moments, I will endeavor to rapidly sketch what it means to Iowa to have the Upper Mississippi in full commission; in fact, what it means to Iowa to have the entire system of Mississippi waterways fully completed and functioning as a going transportation medium.

By the passage of the last Rivers & Harbors Bill Congress has definitely appropriated all the moneys needed to provide a six-foot channel from St. Louis north to the Twin Cities. The physical features of this stretch of the river are better than 85 per cent completed so as to provide a six-foot channel. The only weak point in the entire distance from St. Paul to St. Louis lies in the 22-mile section from St. Paul to the mouth of the St. Croix at Prescott. In order to increase this depth of water Congress has provided for a lock and dam in the vicinity of Prescott which will give them ultimately a nine-foot channel into the Twin Cities. The bill also provided for a survey to be made by the United States engineers to ascertain the possibilities and cost of increasing the depth from six to nine feet, so that the boats now operating on the lower Mississippi could be interchangeable for the Ohio, Mississippi, Illinois and Missouri Rivers.

Three oil-burning tow boats of 750 H. P. each are now building at the Dubuque shipyards and fifteen 500-ton barges are now being completed in the Pittsburgh district on the Ohio, and additional forty-five barges of like capacity will be built as early as possible. Other tow-boats from the lower river will also ply on the Upper Mississippi.

What Iowa needs is to appreciate that this navigation of the Upper Mississippi River and the Missouri will benefit not only the cities on the river but that these cities will be merely Ports of Entry through which the products going to and from Iowa will be transferred from and to the interior, so that Des Moines and all other interior cities are as much interested in the lower freight rates arising from the use of the river as these river towns themselves.

While Iowa has a marvelous record for the production of corn, cattle, hogs, oats and poultry—overtopping every other state in the union in that record, yet in the matter of population and general prosperity Iowa

is at the lowest ebb of any of the states of the union, other than Nevada and Vermont. From 1900 to 1910 Iowa actually lost in population. From 1910 to 1925 Iowa has gained but little and that gain is all recorded in the advance of the interior cities of the state.

What Iowa needs is low cost of transportation, in addition to a new policy upon the part of the Iowa railroads that will enable the state to process within the state those things which it produces in major volume. We should not send our corn, wheat, oats, cattle and hogs out of the state as grains but as flour, oatmeal, corn syrup, beef and pork. We cannot afford to allow the railroads centering in Chicago to drain our state of the products of its soil simply to satisfy the demands of its eastern connections for haulage to the seaboard. The new north and south trend of traffic occasioned by the Panama Canal detour necessitates a strenuous campaign on the part of the people of Iowa to stop these grains and Iowa products at Mississippi River points, either by way of warehousing or for packing house purposes so that we will make possible a growth in our industrial activities. The advent of labor-saving machinery has a tendency to use less labor on the farms.

Industries that depend upon foreign export or west coast deliveries can no longer exist in the middle states in competition with the Atlantic seaboard unless the cost of transportation on these items is very materially decreased. The only decrease possible lies in the hands of the railroads and in the use of the low-cost water haulage. These railroads can not continue to increase wages and high cost for materials and lower their rates. They demand a greater density of traffic in Iowa and other western states, but the policy of the railroads is adverse to the realization of such hopes. The only way to densify the traffic along the railroads in these states is to so organize their traffic as to encourage the location of industries along their rails.

How can this be done? When you stop to think about it you will realize that our middle western states produce nothing in the way of raw materials for factory use other than plain victuals. We have a great abundance of iron ore to the north of us and inspection of the map will show you that these iron ore fields are about due north of Des Moines and that the Mississippi River bysects these great iron ore fields. Until recently the iron ore from this Lake Superior region has been going to Pittsburgh. The abolition of the nefarious "Pittsburgh Plus" made it possible for the Chicago district to supersede Pittsburgh as the greatest center of steel industry in the country, but with the abolition of this discrimination the Chicago district is now becoming the greatest center of steel production in the world. And now, those who are in touch with the details of the steel business tell us that eventually there will be a further westward migration of the steel industry to towns along the Mississippi River, such as Dubuque, Clinton, Davenport, Burlington, St. Louis and Memphis. The iron ore fields of the north can be reached by rail from St. Paul as easily as from Duluth and one tow of barges down the Mississippi will handle as much iron ore as any two or three of the Great Lakes carriers that now

supply the Pittsburgh and Gary districts. The coking coal required can be barged down the Ohio from the eastern Kentucky and West Virginia fields and thence up the Mississippi. We now have also in southern Illinois a grade of coal from which coke can be made to answer all metallurgical requirements of steel making.

The Ohio River is an example of what can be done in the way of intensive navigation. The Carnegie Steel Company, Jones & Laughlin and other great industrial organizations are spending millions of dollars in building boats and barges for the transportation of their finished products to the gulf, and for use in the territory west of the Mississippi. When the Upper Mississippi is in full use for navigation the steel plants located at Mississippi River towns will be able to furnish the inland cities with their finished products for local fabrication. We will then cease to hear of the migration of our western manufacturing plants to the Atlantic Coast, which is now taking place at a rapid rate. That is, those of them that engage in export trade. The population of the United States is piling up on the Atlantic seaboard, and inasmuch as the products of the manufacturers are now brought to the Atlantic seaboard at a much less cost than to interior points, this piling-up process will continue in ever-increasing volume until the movement is counteracted by the use of our rivers as low-cost transportation mediums.

It is worth while to remember that we are now bringing from the south of us all of our lumber—the pine forests of the north having vanished under the woodman's axe. Even the lumber of the west coast is taken through the Panama Canal to Baltimore and other eastern points and then drilled back by rail as far as Mississippi River until it meets the rail rate from the coast.

The day is not far distant when there will be again at Mississippi and Missouri ports great lumber yards, and the interior points will be served by rail with this important product, and a much less rate than at present by all rail.

With the exception of the small output of copper mined at Butte, all the blister copper of the United States is taken by boat to the Atlantic Coast where it is refined by the electrolytic method and then shipped over the Allegheny Mountains into the basin section of the country, where around 70 per cent of the total copper is ultimately consumed.

The automobile, radio, telegraph, telephone and electric industries account for the use of this great tonnage of copper. We can produce by electricity here just as cheaply as any point on the Jersey Coast, but it must be produced at points where they have a sufficient volume of condensing water so that the turbine can be used.

Lead and zinc are rapidly coming to the front. The old method of producing by retort process is being superseded by the electrolytic method. The great bulk of the zinc of the United States is now produced in the

Tri-State district of Missouri, Oklahoma and Kansas. The concentrates can be moved toward the market at a less cost than the finished zinc and this zinc can now be refined by the electrolytic method at Mississippi and Illinois River points where the finished product will be in closer contact with the ultimate markets.

We use in this section vast amounts of sugar, rice, coffee, tea, tin, molybdenum, antimony, bauxite (the ore of aluminum), fertilizers, linseed and cottonseed meals, lumber, canned fruits and canned fish from the west coast; in fact, everything that enters into our daily life except bread, meat and butter. Without exception all of these products come to us from the countries lying to the south of us. Our basic need is to get them at a less cost than now and the only way open for that purpose is the use of our great rivers.

In the brief half hour at my command it is impossible to go into the details of our debacle of industries in the Middle West. To sum up the situation my investigations have convinced me, and the mere recital of the facts should convince you, that Iowa must have an outlet to the sea that will measurably compensate for the handicap imposed by the operation of the Panama Canal. The loss to the railroads of their transcontinental haul can only be compensated by the greater density of traffic along their rails. This can only be secured by the establishment of manufacturing industries that will preferably process raw materials that originate in the state, or that can be brought into the state by means of the cheaper water haul. What we need is population and population means industrial towns. The present policy of the railroads in draining the state of its raw materials and increasing the railroad rates is hostile to the best interests of the state and until this situation can be materially bettered there is no hope for Iowa keeping step with the march of progress in the country as a whole.

One of the most important items in the establishment of large capacity storage elevators and warehouses at Mississippi River and ultimately at Missouri River points so as to care for the surpluses of the state. This idea has been advanced by the Iowa Bankers Association and endorsed by the Mississippi Valley Association. It should receive the enthusiastic support of the entire state. I would welcome an opportunity at some future time to go into this matter in greater detail, but as my half hour is now completed all I can say in conclusion is that Iowa needs the intensive use of the great natural water highways which now cradle the state.

Senator Stoddard of Woodbury moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

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

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ramsey for the afternoon on request of Senator McFarlane.

#### INTRODUCTION OF BILLS

Senate File No. 190, by Senator Merritt, a bill for an act to amend section ten thousand eight hundred thirty-seven (10837) of the code of 1924 relating to fees of Clerk of the District Court.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 191, by Senator Clearman, a bill for an act to repeal paragraph two (2) of section thirty-six hundred twelve (3612) of the code and to enact a substitute therefor, relating to the appointment of probation officers.

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

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 11, 1927, he had approved the following bills:

Senate File No. 7, relating to franchise to Dewitt Telephone Company.

Senate File No. 5, amending section 5696 and 5698 of the Code.

Senate File No. 11, amending section 6600 of the Code.

Senate File No. 17, relating to expenses of officers of State Budget Department.

Senate File No. 29, relating to procedure in action for forcible entry.



Senate File No. 40, relating to garnishment.

Senate File No. 80, authorizing refund of excess payments for Annotations to the Code.

#### COMMUNICATIONS

A communication was received from Hon. Lloyd Thurston, United States Congressman, acknowledging receipt of House Concurrent Resolution No. 3, relating to the St. Lawrence-Great Lakes waterway project.

A communication was received from the Woman's Relief Corps, inviting the members of the Senate to the presentation to the State of Iowa of a Tablet of Lincoln's Gettysburg Oration on February 14th, at 2:30.

Senator Frailey moved that the Senate be present at the unveiling of the Lincoln Gettysburg Memorial Tablet on Monday, February 14th.

The motion carried.

#### ACTION ON S. F. 137 DEFERRED

Senator Campbell moved that further action on Senate File No. 137 be deferred until Friday, February, 18th, which motion prevailed.

#### LEAVE OF ABSENCE

By unanimous consent on request of Senator Campbell, Senators Fulton, Darting and Campbell were excused for the remainder of the day.

On motion of Senator Clearman the Senate went into executive session.

#### EXECUTIVE SESSION

On motion and roll call the Senate approved the appointment of Honorable Ray Yenter, of Iowa City, Johnson County, Iowa, as commissioner of insurance for the term of four years, beginning July 1, 1927.

The Senate arose from executive session and resumed regular session.

#### THIRD READING OF BILLS

On motion of Senator Ellis, Senate File No. 2, a bill for an act to repeal the law as it appears in Chapter thirty-six (36), Acts

of the Forty-first General Assembly, providing for a closed season on muskrats, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from line three the period following the word repealed and adding thereto the following: "in so far as it applies to the Southern Zone of Iowa as defined in Section 1730 of the Code of 1924."

The following amendment filed by Senator Brush was considered:

Amend by substituting the following amendment for the committee amendment:

Strike from line three (3) the period following the word "repealed" and add thereto the following: "excepting as it applies to the stocked meandered lakes of the state."

The amendment was lost.

The bill was read for information.

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

Senator Ellis invoked Rule 8.

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

Ayes, 25.

Baird	Ellis	Langfitt	Skromme
Benson	Frailey	McFarlane	Slemmons
Bergman	Gilchrist	Merritt	Stanley
Booth	Hartman	Mills	Stoddard
Carden	Haskell	Roberts	Topping
Clark	Kimberly	Shane	Wilson of Polk
Clearman			

Nays, 14.

Beatty	Cavanaugh	Kern	McLeland
Breakenridge	Dotts	Klemme	Shinn
Brookins	Fackler	Lange	Ulstad
Browne	Gunderson		

Absent or not voting, 11.

Brush	Dean	Ramsey	Wilson of Louisa
Campbell	Fulton	Rigby	Wilson of Page
Darting	Johnston	Shaff	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Topping Senate File No. 16, a bill for an act to amend section eighty-five hundred eighty-five (8585) of the Code and to invest associations incorporated by acts of any territorial legislatures of Iowa for cemetery purposes with the same power to acquire lands for cemetery purposes as are possessed by like associations incorporated under the statutes 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 amendment was adopted:

Amend by adding the following section:

"Section 2. This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Burlington Hawkeye and the Ottumwa Courier, newspapers published at Burlington, Iowa, and Ottumwa, Iowa, without expense to the state."

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting before the word "association" in line 4 the word "existing" and by striking the words "and now existing" from line 6.

The amendment was lost.

The bill was read for information.

Senator Topping moved 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.

Baird	Clark	Kern	Shane
Beatty	Clearman	Kimberly	Shinn
Benson	Dean	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Fackler	Langfitt	Stanley
Brookins	Frailey	McFarlane	Stoddard
Browne	Gilchrist	McLeland	Topping
Carden	Hartman	Merritt	Ulstad
Cavanaugh	Haskell	Mills	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Breakenridge	Ellis	Ramsey	Shaff
Brush	Fulton	Rigby	Wilson of Louisa
Campbell	Gunderson	Roberts	Wilson of Page
Darting	Johnston		

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

Senator Topping 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 Clark Senate File No. 123, a bill for an act to amend Section 10032 (ten thousand thirty-two) of the Code relating to the indexing of certain chattel mortgages, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark moved 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.

Baird	Clearman	Kimberly	Shinn
Beatty	Dean	Klemme	Skromme
Benson	Dotts	Lange	Slemmons
Bergman	Ellis	Langfitt	Stanley
Booth	Fackler	McFarlane	Stoddard
Breakenridge	Gilchrist	McLeland	Topping
Brookins	Gunderson	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Polk
Clark	Kern	Shane	

Nays, none.

Absent or not voting, 15.

Browne	Darting	Johnston	Shaff
Brush	Frailey	Ramsey	Wilson of Louisa
Campbell	Fulton	Rigby	Wilson of Page
Carden	Haskell	Roberts	

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

On motion of Senator Slemmons Senate File No. 81, a bill for an act to amend section seventy-one hundred seventy-one (7171) of the Code relating to the levy of taxes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Slemmons offered the following amendment and moved its adoption:

Amend by adding thereto the following as section 2:

"Sec. 2. Said section is further amended by striking the comma (,) after the word "dollar" in line 2 of paragraph 2 and inserting in lieu thereof a period (.)"

The amendment was adopted.

The bill was read for information.

Senator Slemmons moved 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	Clearman	Kimberly	Roberts
Beatty	Dotts	Klemme	Shane
Benson	Ellis	Lange	Shinn
Bergman	Fackler	Langfitt	Skromme
Booth	Frailey	McFarlane	Slemmons
Breakenridge	Gilchrist	McLeland	Stanley
Carden	Gunderson	Merritt	Stoddard
Cavanaugh	Hartman	Mills	Ulstad
Clark			

Nays, 3.

Haskell	Topping	Wilson of Polk
---------	---------	----------------

Absent or not voting, 14.

Brookins	Darting	Kern	Shaff
Browne	Dean	Ramsey	Wilson of Louisa
Brush	Fulton	Rigby	Wilson of Page
Campbell	Johnston		

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

Senator Slemmons moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 159, a bill for an act to make an appropriation to pay the expenses of the

boundary commission appointed under chapter three hundred thirteen (313), acts fortieth (40) 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 Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Baird	Dean	Klemme	Shane
Beatty	Dotts	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Bergman	Fackler	McFarlane	Slemmons
Booth	Frailey	McLeland	Stanley
Breakenridge	Gilchrist	Merritt	Stoddard
Carden	Hartman	Mills	Topping
Cavanaugh	Haskell	Rigby	Ulstad
Clark	Kern	Roberts	Wilson of Polk
Clearman	Kimberly		

Nays, none.

Absent or not voting, 12.

Brookins	Campbell	Gunderson	Shaff
Browne	Darting	Johnston	Wilson of Louisa
Brush	Fulton	Ramsey	Wilson of Page

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 Baird Senate File No. 124, a bill for an act to amend sections fifty-seven hundred ninety-three (5793) and fifty-seven hundred ninety-five (5795) of the code, relating to additional tax authorized to be levied for park purposes in cities having a population of over twenty-five hundred (2,500), and to the anticipation of taxes levied for park purposes, and the issuing of park certificates or bonds, 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 section 4, publication clause.

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.

Baird	Dean	Kern	Roberts
Beatty	Dotts	Klemme	Shane
Benson	Ellis	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Frailey	McFarlane	Stanley
Carden	Gilchrist	McLeland	Stoddard
Cavanaugh	Hartman	Merritt	Topping
Clark	Haskell	Rigby	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 17.

Bergman	Darting	Kimberly	Shinn
Brookins	Fulton	Mills	Ulstad
Browne	Gunderson	Ramsey	Wilson of Louisa
Brush	Johnston	Shaff	Wilson of Page
Campbell			

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

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Frailey Senate File No. 113, a bill for an act to amend section five thousand one hundred ninety-one (5191), paragraph eleven (11), of the code of 1924, relative to the compensation of sheriff for meals and lodging of prisoners, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by adding as section 2 the following:

"Sec. 2. This act being deemed of immediate importance shall take ef-

fect from and after its publication in the Evening Democrat, Fort Madison, Iowa, and the Keokuk Gate City, Keokuk, Iowa."

The bill was read for information.

Senator Frailey moved 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.

Baird	Dean	Kimberly	Shane
Beatty	Dotts	Klemme	Shinn
Benson	Ellis	Lange	Slemmons
Booth	Fackler	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Carden	Gilchrist	Merritt	Topping
Cavanaugh	Hartman	Mills	Ulstad
Clark	Haskell	Rigby	Wilson of Polk
Clearman	Kern	Roberts	

Nays, none.

Absent or not voting, 15.

Bergman	Campbell	Johnston	Skromme
Brookins	Darting	Langfitt	Wilson of Louisa
Browne	Fulton	Ramsey	Wilson of Page
Brush	Gunderson	Shaff	

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

Senator Frailey 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 McFarlane Senate File No. 107, a bill for an act to amend paragraphs three and four of section five thousand two hundred and twenty-nine (5229) Code 1924, relating to salary of Assistant County Attorney, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator McFarlane the bill was amended by inserting after the word "Regular" in line 8 of section 1 the words "session of the Forty-first General".

The bill was read for information.

Senator McFarlane moved 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	Clearman	Kern	Rigby
Beatty	Dotts	Kimberly	Roberts
Benson	Ellis	Klemme	Shane
Booth	Fackler	Lange	Shinn
Breakenridge	Frailey	McFarlane	Stanley
Carden	Gilchrist	McLeland	Topping
Cavanaugh	Gunderson	Merritt	Wilson of Polk
Clark	Haskell	Mills	

Nays, none.

Absent or not voting, 19.

Bergman	Darting	Langfitt	Stoddard
Brookins	Dean	Ramsey	Ulstad
Browne	Fulton	Shaff	Wilson of Louisa
Brush	Hartman	Skromme	Wilson of Page
Campbell	Johnston	Slemmons	

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

Senator McFarlane 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 Benson Senate File No. 66, a bill for an act to amend, revise, and codify sections eleven thousand nine hundred three (11903), and eleven thousand nine hundred four (11904) of the Code, relating to the service of notice in proceedings for the administration of the estates of absentees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Benson further action was deferred until Monday, February 14th.

On motion of Senator Breakenridge Senate File No. 70, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code, relating to violations of the law governing registration of animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Breakenridge moved 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	Clearman	Kern	Rigby
Beatty	Darting	Kimberly	Roberts
Benson	Dotts	Klemme	Shane
Booth	Ellis	Lange	Shinn
Breakenridge	Fackler	McFarlane	Stanley
Carden	Frailey	McLeland	Topping
Cavanaugh	Gilchrist	Merritt	Wilson of Polk
Clark	Haskell	Mills	

Nays, none.

Absent or not voting, 19.

Bergman	Dean	Langfitt	Stoddard
Brookins	Fulton	Ramsey	Ulstad
Browne	Gunderson	Shaff	Wilson of Louisa
Brush	Hartman	Skromme	Wilson of Page
Campbell	Johnston	Slemmons	

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

Senator Breakenridge 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.

#### MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 2, by Ellis, failed to pass the Senate.

O. F. LANGE.

#### AMENDMENTS FILED

Senator Benson moved that all committee amendments to Senate File No. 62, as printed on pages 243 and 244 of the Senate Journal, be stricken out and the following be substituted therefor:

First. Strike out the title and in lieu insert the following:

#### "A BILL FOR

An act to require sales or shipments of lime for agricultural purposes to be accompanied by an analysis which shall show in separate percentages the quantity of calcium carbonates and magnesium carbonates therein, to provide for the making and certification of analyses of such lime, to declare the probative force of such certificates, and to prescribe the penalty for violations."

Second. Strike out all after the enacting clause and in lieu insert the following:

"Section 1. Agricultural lime. The vendor of each sale or shipment of lime for agricultural purposes in this state shall deliver to the vendee at the time of sale or delivery, a written, signed statement which shall show in separate percentages the quantity of calcium carbonates and magnesium carbonates contained in said sale or shipment.

"Sec. 2. Delivery defined. Delivery shall be deemed effected by delivering the statement personally to the vendee, or by attaching said statement with bill of lading.

"Sec. 3. Unallowable variation. The vendor shall be deemed guilty of a misdemeanor if the actual percentage of calcium carbonates or magnesium carbonates in said sale or shipment is ten (10) or more per cent less than as shown by the statement delivered as aforesaid.

"Sec. 4. Miscellaneous analyses. Any person may cause samples of agricultural lime to be submitted to the secretary of agriculture of this state and said secretary, upon the payment of one dollar (\$1.00) for each sample, shall cause an analysis to be made of each such sample and shall certify to the correctness thereof.

"Sec. 5. Special analyses. Upon request of a purchaser of agricultural lime sold in this state, and upon payment of a fee of three dollars (\$3.00) the secretary of agriculture or his authorized agent shall procure from such shipment a composite sample or samples and cause an analysis thereof to be made; and shall certify to the correctness thereof, but such analysis shall be made and certified only of samples procured by said secretary or his authorized agent from a shipment which has not been removed from the car or conveyance in which it was loaded by the seller.

"Sec. 6. Presumption. The certificate provided for in the preceding section shall be prima facie evidence in all proceedings as to the percentage of calcium carbonates and magnesium carbonates in said shipment.

"Sec. 7. Penalty. A vendor who fails to make delivery of the said statement or who delivers a statement which is false within the meaning of section three (3) hereof shall be fined in a sum not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100)."

The Journal of February 10th was corrected and approved.

Senator McFarlane moved that when the Senate adjourn tomorrow it be to reconvene Monday at 1:30 p. m.

Senator Haskell raised the point of order that the motion was out of order.

The President held the point not well taken.

The motion prevailed.

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

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 12, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. Jonah Smith, pastor of the Presbyterian Church, of Burlington, Iowa.

The President took the chair at 10:02 a. m.

## PETITIONS AND MEMORIALS

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

By Lieutenant Governor Kimball, from the Association of Commerce of Muscatine, opposing the state income tax law. Ways and means.

By Senator Browne, from board of supervisors of Jackson County, Iowa, favoring a vote against the abolishing of present system of County Homes. County and township affairs.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Beatty for the day on request of Senator Gilchrist; Senator McFarlane for the day on request of Senator Haskell; Senator Brush for the day on request of Senator Haskell; Senator Johnston for the day on request of Senator Haskell; Senator Frailey for the day on request of Senator Haskell; Senator Shaff for the day on request of Senator Dean; Senator Clark for the day on request of Senator Dean; Senator Ellis for the day on request of Senator Dean; Senator Campbell for the day on request of Senator Lange; Senator Wilson of Page for the day on request of Senator Browne; Senator Mills for the day on request of Senator Slemmons.

## INTRODUCTION OF BILLS

Senate File No. 192, by committee on board of control, a bill for an act to amend section thirty-seven hundred fifty-seven

(3757) of the Code, 1924, relating to the employment of prisoners.

Read first and second times and placed on the calendar.

Senate File No. 193, by Senator Stoddard, a bill for an act to repeal paragraph one (1) of section forty-eight hundred sixty-three (4863) of the code as amended by chapter nine (9), acts forty-first (41) general assembly, and to enact a substitute therefor, relating to the definition of motor vehicles.

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

#### HOUSE AMENDMENTS CONSIDERED

Senator Lange called up for consideration Senate File No. 3, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking section 1 and inserting in lieu thereof the following:

Section 1. That the law as it appears in section fifty-nine hundred one (5901) of the code, 1924, be amended by striking from line six (6) the word "mayor" and substituting the word "council" in lieu thereof. Also amend by striking from lines seven (7) and eight (8) beginning after the word "appoint", and ending with the word "council" the following phrase: "with the approval of the council." Also amend by striking from lines twenty-three (23), fifty (50), fifty-three (53) and fifty-six (56) the word "mayor" and substituting in lieu thereof the word "council".

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

Ayes, 31.

Benson	Dotts	Klemme	Shinn
Booth	Fackler	Lange	Skromme
Brookins	Gilchrist	Langfitt	Slemmons
Browne	Gunderson	McLeland	Stoddard
Carden	Hartman	Merritt	Topping
Clearman	Haskell	Rigby	Ulstad
Darting	Kern	Roberts	Wilson of Polk
Dean	Kimberly	Shane	

Nays, none.

Absent or not voting, 19.

Baird	Campbell	Fulton	Shaff
Beatty	Cavanaugh	Johnston	Stanley
Bergman	Clark	McFarlane	Wilson of Louisa
Breakenridge	Ellis	Mills	Wilson of Page
Brush	Frailey	Ramsey	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

#### SENATE FILE NO. 6 REREFERRED

By unanimous consent on request of Senator Benson, Senate File No. 6 was withdrawn from the committee on dairy and food and referred to the committee on appropriations.

#### MOTION TO RECONSIDER CONSIDERED

Senator Wilson of Polk called up for consideration his motion to reconsider the vote by which Senate File No. 33 passed the Senate, and moved its adoption.

The motion prevailed.

Senator Wilson moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

By unanimous consent on request of Senator Wilson of Polk the bill was amended by striking the word "is" from line 5 of section 2 and by inserting in lieu thereof the words "has been".

The bill was read for information.

Senator Wilson of Polk moved 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.

Benson	Fulton	Klemme	Shinn
Booth	Gilchrist	Lange	Skromme
Browne	Gunderson	Langfitt	Slemmons
Carden	Hartman	McLeland	Stoddard
Clearman	Haskell	Rigby	Topping
Darting	Kern	Roberts	Ulstad
Dotts	Kimberly	Shane	Wilson of Polk
Fackler			

Nays, none.

Absent or not voting, 21.

Baird	Campbell	Frailey	Ramsey
Beatty	Cavanaugh	Johnston	Shaff
Bergman	Clark	McFarlane	Stanley
Breakenridge	Dean	Merritt	Wilson of Louisa
Brookins	Ellis	Mills	Wilson of Page
Brush			

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

#### SENATE CONCURRENT RESOLUTION NO. 17

Senator Stoddard offered the following resolution :

*Resolved by the Senate, the House concurring, That when adjournment is had on Saturday, February 26, it be to reconvene on Monday afternoon, March 7, at two p. m.*

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

The resolution was adopted.

#### SENATE FILE NO. 125 INDEFINITELY POSTPONED

On motion of Senator Topping, the report of the committee on cities and towns, reporting Senate File No. 125 for indefinite postponement, was taken up and adopted.

#### COMMITTEE FROM THE HOUSE

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

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

#### JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor Kimball, President of the Senate presiding.

President Kimball announced a quorum present and the joint convention duly organizes.

Senator Stanley of Mahaska moved that a committee of three be appointed, one from the Senate and two from the House, to notify Col. J. F. McNeil that the joint convention was ready to receive him.

Motion prevailed, and the President appointed as such committee Senator Stanley of Mahaska, and Representatives Crozier of Mahaska and W. S. Kennedy of Lee.

Senator Stanley, from the committee appointed to notify Col.

J. F. McNeil, that the joint convention was ready to receive him, appeared with the visiting guest.

Lieutenant Governor Kimball then introduced Col. J. F. McNeil, who addressed the joint convention.

Senator Stanley moved that the remarks of Col. J. F. McNeil be printed in the journal.

Motion prevailed.

#### ADDRESS BY COLONEL MCNEIL OF THE LINCOLN GUARD OF HONOR

Let me take this moment to acknowledge the appreciation of the courtesy extended me by being permitted to take part in this program today, and to express the hope that no one here is expecting anything so dignified as an address, as I am going to speak in a conversational way of an incident or two happening so long ago that they might only be classed as ancient history, and this fact awakens the fear that perhaps after all my recollections will not be interesting to this distinguished body of men, busy looking after the welfare of our great commonwealth, and presumably not so much concerned about the past as about looking after the activities of the present and problems of the future.

The events about which I am to speak, while they attracted a great deal of attention at the time and aroused international interest, yet we know how different, one might say indifferent, the matter appears when looking through the past and of many intervening years, and yet when I attempt to apologize, I am reminded of what the principal of the Illinois high school told the boys in my graduating class. Never to begin their talk with an apology as an apology rarely sounds well to an audience and does not contribute anything to a speech under consideration. On one occasion he had a number of boys about him and told them, one by one, what occupation they should follow when out of school. When it came my turn he read my countenance carefully saying there was in my expression a lot of theology and he was sure that I would be a preacher. The audience does not seem to appreciate that but in my home town where they know me, they would. I meant that for a joke. On returning occasionally to Springfield I always call upon him and mention this little incident and he always insists that on the original diagnosis that I should have been a preacher.

We recall that President Lincoln was assassinated on the night of April 14, 1865, death resulting the next morning from that cowardly pistol shot fired from behind by John Wilkes Booth. The funeral ceremonies were widely attended by people all over the community and other states. The funeral procession left Washington for Springfield on April 21st, stopping at many cities where the remains were taken from the train and conveyed to churches and appropriate ceremonies were observed, and even



where it was known the train would not stop, great crowds assembled without regard to weather conditions, chanting songs as the train slowly pulled through the station. The train reached Springfield on the morning of May 3d, having traveled approximately 1,700 miles through a period of twelve days. The remains were taken to the capitol building, placed in state in the House of Representatives Chamber and for twenty-four hours afterwards the doors were open and hundreds of citizens, neighbors and friends passed in review.

Mr. Lincoln never visited his home city from the time he left it to take that memorable journey as President-elect, and a few of his friends who bade him goodbye never again looked upon that rugged kindly face until this occasion afforded them that opportunity. The following morning, May 4th, the funeral procession formed and as the remains were carried from the State Capitol, two hundred and fifty voices chanted "Peace Troubled Soul."

An idea of the size of the funeral procession, when the head of the procession reached the cemetery the rear end had not yet passed the capitol building one and one-half miles away. The remains of President Lincoln were placed in the receiving vault where nature formed an amphitheatre. Bishop Simpson of the Methodist Episcopal church officiated.

Those of you who have visited the Lincoln monument will recall it has two facings, one North and one South. In the south half is situated the Memorial Hall, containing mementos and records mostly pertaining to his administration, and up over the door of Memorial Hall a bronze statue ten feet in height, looking out over the city where Lincoln lived from 1857 to 1861. On the North half is located the catacomb or original receiving vault containing crypts intended to receive the remains of the President and family.

In the summer of 1876 the custodian, Dr. John Carol Power, received information that a little band was being formed in Chicago to steal the remains of the President with the intent of holding them for ransom. The doctor communicated with the chief of police of Chicago and formulated plans of catching the robbers. On the night of November 7th of that year the robbers attempted to make the theft. The chief of police took down three or four detectives, joining Dr. Power after dark, secreting themselves in Memorial Hall where a thick wall separated them from the catacomb. After waiting a while they went around the monument attempting to catch the robbers redhanded but by some means they were alarmed and escaped, but ten days later they were arrested in Chicago and received very light penitentiary sentence. On investigation it was found that the casket had been partly removed from the sarcophagus at the time the robbers were interrupted. Two or three nights later a few members of the Lincoln National Association met to remove the President's remains, to and through Memorial Hall, and deposited it on a projecting ledge and covered them with some loose boards. It was the idea to give some kind of secrecy to the burial. Now the most incredulous thing, as it always appeared to me, is that the casket containing Mr. Lincoln's remains stayed in that position for two years.

In the fall of 1878 it may be recalled the remains of Alexander T. Stewart, former merchant prince of New York City, were stolen and held for a large ransom. Communication was made between the robbers and friends of the family and a large ransom was paid, the body returned and apparently no questions asked. This fired the old gentleman anew and they requested Dr. Power to call to his assistance such aid as he might deem necessary and give the remains some safe and secret burial. The doctor invited five of his friends to meet, myself included, some night at Memorial Hall where he told us what he had mapped out. Although more than half a century has passed since the doctor made that little talk, regarding which he said he had passed most of the afternoon trying to think up some ironclad oath to bind us to secrecy, finally concluding there was nothing more binding than our word of honor, which was exchanged between us, and it was sufficient.

Omitting details, we took charge of the casket, lowered it through halls and narrow passageways to the basement and there in a little room which looked like it had been made for that purpose only, we dug a grave and buried all that was mortal of Abraham Lincoln. Robert T. Lincoln and members of the Lincoln National Association knew in a way where burial was made, but only we six knew the exact location of the body.

A little while after that he added three to our number and organized the Lincoln Guard of Honor, incorporated under the laws of the State of Illinois, meaning the organization incorporated existed as long as any of the incorporators were alive and today of that little band of nine friends, six of whom having seen some service in the Civil War, four of us having grown up as boys in Springfield, I am the sole survivor.

Mrs. Lincoln, widow of the President, passed away at Springfield July 12, 1882, and Robert T. Lincoln came to Springfield to the funeral and left the request with the guard that they should take his mother's remains and bury them with those of his father. That night we went to the cemetery and complied with his request.

We organized the Lincoln Guard of Honor with an idea of purchasing the Lincoln home in Springfield, filling it with mementos of the President, and later putting in charge a custodian and keeping it open to the public. One of our members went to Washington to see Robert T. Lincoln, but he was unwilling to have the remains taken by any other organization, and we had to give up this project.

Another idea was to hold patriotic services at the tomb on the 15th of April, beginning at twenty-two minutes to seven o'clock in the morning, corresponding to the time of Lincoln's death. We kept up these services for many years but finally our band began to disintegrate, members moving from the state, others engaging in business away and finally concluding that in a way we had transacted the business we had set out to do and these arrangements having been made the bodies of President and Mrs. Lincoln were brought back to the floor of the catacomb and buried beneath the floor. And here the activities of the Lincoln Guard of Honor were terminated.

Senator Fulton of Jefferson moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

#### REPORTS OF COMMITTEES

Senator Gilchrist submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 20, a bill for an act for the relief of the grantees of C. B. Churchill and John Sullivan, and for the purpose of having a patent issued in the name of Luther Taylor and Nellie Sims Taylor for a certain tract of land, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking the period and inserting a comma in lieu thereof at the end of section three (3) of the bill, and by adding the words: "without expense to the state."

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 64, a bill for an act to amend the law as it appears in Chapter Four Hundred Eighteen (418) of Title XXIII of the code, 1924, relating to money and interest, begs leave to report it has had the same under consideration and returns the same for the consideration of the Senate and without recommendations by the committee.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Gunderson submitted the following report:

MR. PRESIDENT: Your committee on child welfare to which was referred Senate File No. 115, a bill for an act to amend chapter seventy-eight (78), acts of the Forty-first (41st) General Assembly, relating to children's boarding homes, 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 the last line of section one (1) the words "fourteen years", and inserting in lieu thereof the words "ten years".

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

The Journal of February 11th was corrected and approved.

On motion of Senator Wilson of Polk the Senate adjourned until 1:30 p. m. Monday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 14, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. G. W. Robinson, pastor of the Corinthian Baptist Church, of Des Moines.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Dean for the day on request of Senator Shinn.

## PETITIONS AND MEMORIALS

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

By Senator Stoddard, from members of Liberty Council No. 4 Jr. O. U. A. M., favoring support of bill relating to membership of pupils of the public schools in sororities and fraternities. Public schools.

By Senator Carden, from farmers and milk producers of Henry County, favoring passage of bill relating to pasteurization of milk. Agriculture.

By Senator Stoddard, from voters of Woodbury County, favoring bill relating to membership of pupils of the public schools in societies and fraternities. Public schools.

By Senator Skromme, from Faculty Women's Club of Iowa State College at Ames, Iowa, endorsing beauty parlor bill. Public health.

Senator Shane moved that Hon. Dennis Murphree, Lieutenant Governor of Mississippi be invited to address the Senate, which motion prevailed.

Hon. Murphree spoke in part as follows:

MR. PRESIDENT, LADIES AND GENTLEMEN: I have served twelve years in the House of Representatives in the Mississippi legislature and for three years I have been presiding officer of the Mississippi Senate. I think I can sympathize and have a feeling of understanding with you gentlemen who compose this Senate and who have sat now for, I guess, about sixty days under the barrage of oratory that usually rolls about chambers like this. Which reminds me of a speech made by a statesman of Mississippi upon an occasion when he spoke before the members of the Mississippi legislature. He said, "For sixteen years I have been a member of Congress of the United States and during that whole time and period, I have made speech after speech and oratories galore, and that I have about decided that I am tired of listening to the sound of my own voice, and I am tired of listening to the voices of others. Speech is a vice and only silence is a virtue."

I was asked to make a speech the other day in a town where there was an insane asylum. My audience was composed of some friends and members of the asylum who were convalescing. I had talked for awhile, when about half way back in the crowd a lady got up and cried out, "Let me out, let me out of here, I want out of here. I can't stand it any longer." They let her out and I proceeded rather hurriedly to the end of my discourse. The man in charge came up to me and said, "Brother, I want to apologize. She is one of the patients. I have never heard her make an outbreak like that before. I am sorry she interrupted you like that, but you know that's the strangest thing. She has been here for three years, and those are the first sensible words I have heard her utter."

I feel signally honored to have this opportunity to speak on this occasion, in this splendid capitol, in this great state, and wish to bring a message of friendship from the great state of Mississippi. I shall never forget a speech made by Sargent S. Prentiss who spoke to us at one time. He said, "In this mansion of ours there are many rooms, but we may feel at home in any room." And we should feel at home in any room as we should in any state in the United States. We are all under the same great flag and in the same great country, I am glad to come and visit with you. I have heard a great deal about you before, and have wanted such an opportunity. I understand there is only one democrat in this group of men, and I assure you that if you come to Mississippi you will find the same thing, only reversed. The Republican party holds its conventions in the telephone booth at a hotel in Jackson.

It is fine to be here and visit with you, and I feel at home when in a legislative body of any kind. It is a great work and I enjoy it. After these years I have not the feeling of self-importance that I had when I first went down to the capitol in Mississippi. I had a great sense of importance. But it doesn't rest on my shoulders now as great as it did then.

It is a great thing to have these legislatures to reflect the will of the people. It is a fine thing to have a republican form of government, and a fine thing for us people who can govern ourselves.

I came to Iowa two years ago with a delegation from Mississippi and made a tour of this great state. I found in the state of Iowa the same kind of people we have in Mississippi. I enjoyed that visit and had a great desire to come again.

I am thankful to have this opportunity of being here while you have snow. I haven't seen any snow for ten years, and when I woke up this morning and saw this beautiful snow, I called my companion and told him to look out of the window and see this beautiful sight.

I thank you again for the opportunity of speaking before you in this great state of Iowa and wish to extend to each and every one of you an invitation to come down and visit us and get acquainted. I suppose you are governed by the same rules we are down there, and that you cannot be arrested while in session, and if you will come down, I here and now tell you that if you should happen to be put in jail, I will pardon you.

#### INTRODUCTION OF BILLS

Senate File No. 194, by Senator Shane, a bill for an act to amend Section Seventy-one Hundred Seventy-nine (7179) of the Code relating to the licensing of traveling shows or circuses for exhibition outside the limits of cities or towns.

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

Senate Joint Resolution No. 3, by Senator Gilchrist, joint resolution agreeing to a proposed 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.

Read first and second times and referred to committee on constitutional amendments.

Senate File No. 195, by Senator Brookins, a bill for an act to repeal Paragraph A, section nine (9), chapter four (4), Acts of the 41st General Assembly, relating to the Motor Carrier Tax.

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

Senate File No. 196, by Senator Ellis, a bill for an act to legalize the permanent transfer of fifteen thousand (\$15,000) dollars from the bridge fund to the general fund of Appanoose County, made by resolution of the Board of Supervisors at a meeting held on February 8, 1927.

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House :

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

House File No. 73, a bill for an act relative to closed season for pinnated grouse or prairie chicken.

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

House File No. 39, a bill for an act to limit the civil liability of owners and operators of automobiles.

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

House File No. 35, a bill for an act relating to the compensation of township trustees.

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

House File No. 56, a bill for an act relating to gifts to municipal corporations.

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

House File No. 59, a bill for an act to require every person engaged in the market poultry or domestic fowl business to obtain a license from the state department of agriculture, and to prescribe the fee therefor, to authorize the department of agriculture to prescribe records of purchases to be kept, to make said records open to inspection by peace officers, to authorize said department to enforce the said act, and to provide penalties for violation thereof.

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

House File No. 44, a bill for an act to legalize the proceedings for the acquisition of a waterworks system by the City of Cedar Rapids, Iowa, and to validate and declare certain indebtedness assumed by said City in such acquisition as constituting an indebtedness of said City.

Also: That the House has passed the following bill in which the concurrence of the House was asked :

Senate File No. 107, a bill for an act relating to salary of assistant county attorney.

Also: That the House has passed the following bill in which the concurrence of the House was asked :



Senate File No. 49, a bill for an act to require propositions for the appropriations of money for bridges to be submitted to the voters in certain cases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 48, a bill for an act to provide for the commencement, making up of the issues and trial, in vacation, of an action of mandamus.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 41, a bill for an act relating to the filing of reports by municipal officers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 38, a bill for an act relating to the reduction of sentence of convicts in the penitentiary, and in the men's and women's reformatories.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 93, a bill for an act to authorize the construction, reconstruction, and repair of sidewalks outside the limits of cities but within the limits of certain school districts, and to provide for the assessment of the cost of such improvement on abutting property.

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

Senate Concurrent Resolution No. 16, extending to the members of the General Assembly an invitation to attend an advance showing of a picture relating to fire prevention, taken by the International Association of Fire Chiefs.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO S. F. 93

Amend Senate File No. 93 by striking from Section One (1) all of line eight (8) and inserting in lieu thereof the following: "the owners of at least seventy-five per cent (75%) of the".

#### HOUSE MESSAGES CONSIDERED

House File No. 73, a bill for an act to amend section seventeen hundred sixty-seven (1767) of the code, 1924, relative to closed season for pinnated grouse or prairie chicken.

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

House File No. 39, a bill for an act to amend the law as it appears in section five thousand twenty-six (5026) of the Code, 1924, so as to limit the civil liability of owners and operators of automobiles.

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

House File No. 35, a bill for an act to amend the law as it appears in section fifty-five hundred seventy-one (5571) of the Code, 1924, relating to the compensation of township trustees.

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

House File No. 56, a bill for an act to amend section ten thousand one hundred eighty-eight (10188) of the Code, 1924, relating to gifts to municipal corporations.

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

House File No. 59, a bill for an act to require every person engaged in the market poultry or domestic fowl business to obtain a license from the state department of agriculture, and to prescribe the fee therefor, to authorize the department of agriculture to prescribe records of purchases to be kept, to make said records open to inspection by peace officers, to authorize said department to enforce the said act, and to provide penalties for violation thereof.

Read first and second times and referred to committee on dairy and food.

House File No. 44, a bill for an act to legalize the proceedings for the acquisition of a waterworks system by the City of Cedar Rapids, Iowa, and to validate and declare certain indebtedness assumed by said City in such acquisition as constituting an indebtedness of said City.

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

#### SENATE CONCURRENT RESOLUTION NO. 14 CONSIDERED

Senator Stoddard called up for consideration Senate Concurrent Resolution No. 14, found on page 281 of the Senate Journal.

Senator Fulton called up for consideration his proposed substitute resolution, found on page 294 of the Senate Journal, and moved its adoption.

Senator Shaff moved that the Senate recess until the call of the gavel, in order to attend the unveiling of the Lincoln Gettysburg tablet in the corridor of the State House.

The motion carried.

The Senate reconvened.

The Senate resumed consideration of Senate Concurrent Resolution No. 14.

The resolution by Senator Fulton was substituted.

Senator Shaff offered the following amendment and moved its adoption:

Amend by adding the following after the third paragraph:

*"Whereas, There appears to be considerable activity on the part of certain persons or interests connected with various paving materials and patented processes with reference to pending legislation, and"*

The amendment was adopted.

The resolution was adopted.

Senator Stoddard 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.

#### HOUSE AMENDMENTS CONSIDERED

Senator Shinn called up for consideration Senate File No. 94, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding thereto 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 Greeley Home Press and Dayton Review, newspapers published at Greeley, Iowa, and Dayton, Iowa, respectively.

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

Ayes, 44.

Baird	Cavanaugh	Haskell	Rigby
Beatty	Clark	Johnston	Shaff
Benson	Clearman	Kern	Shane
Bergman	Dotts	Klemme	Shinn
Booth	Ellis	Lange	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Brookins	Frailey	McFarlane	Stoddard
Browne	Fulton	McLeland	Topping
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Carden	Hartman	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Darting	Kimberly	Stanley	Wilson of Louisa
Dean	Roberts		

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

#### SENATE CONCURRENT RESOLUTION NO. 18

Senator Skromme offered the following resolution:

Senate Concurrent Resolution authorizing the appointment of a legislative committee to investigate the State Board of Education, its Finance Committee and the institutions under its control, and to report its findings to the Forty-third General Assembly.

*Whereas*, The records of the State Executive Council and of the Budget Director show that large sums of money have been paid by the State Board of Education from public funds for sundry tracts of real estate in Iowa City and which tracts are rented to private parties for residential or business purposes, and

*Whereas*, The records of the State Executive Council show that large sums of money from public funds were paid for Block 99 of Iowa City, which Block 99 is the site of the building of the Iowa Memorial Union which is a private corporation, and

*Whereas*, The heat, light, power and water used by the Memorial Union for said building is paid for by money from public funds, and,

*Whereas*, Salaries and wages of officers and employees of said Memorial Union are being paid from public funds, and

*Whereas*, The records of Johnson county show that a large number of tracts of real estate located in Iowa City have been purchased by the State Board of Education and that the said Board of Education has paid for each of said tracts a price of \$1.00, and

*Whereas*, The records of Story county show that the State Board of Education in the years 1924 and 1925 purchased in several separate tracts over eighty (80) acres of farm land located near Ames and paid for same in money from public funds, sums ranging from \$737.60 per acre to \$1,428.57 per acre, and

*Whereas*, It is a conceded fact that certain professors and employees of the State University at Iowa City and of the State College at Ames are engaged in activities not connected with said institutions, and

*Whereas*, It is a conceded fact that certain professors and employees of said institutions have received pay from other parties than the State of Iowa.

*Therefore, Be It Resolved by the Senate of the State of Iowa, the House concurring*, That a committee consisting of two members of the Senate, each of said members to be elected by the affirmative vote of two-thirds of the membership of the Senate, and three members of the House each of the said members to be elected by the affirmative vote of two-thirds of the membership of the House, to investigate the State Board of Education, the Finance Committee thereof and the institutions under the control of the State Board of Education as to all moneys appropriated, received, collected or expended; as to the work performed and studies pursued; as to the grounds, buildings, and equipment; and as to everything involved in the management of said institutions including experimental, extension and hospitalization work whether specified in the preamble hereto or not; and shall make a written and detailed report to the Forty-third General Assembly upon its convening, said report to be accompanied by recommendations in writing as to how the said institutions might better meet the needs of the State of Iowa and as to any other matter the said committee shall deem proper to the end that the legislature may act intelligently and make proper provision for said institutions. Said committee shall have power to administer oaths, subpoena witnesses, and compel their attendance and production of papers, books, records, and files in their possession in the same manner as courts of record. Said committee shall have authority to engage any help deemed by it necessary to carry out the provisions of this resolution, and each member thereof shall be paid his necessary expense.

#### RESOLUTION MADE SPECIAL ORDER

Senator Skromme moved that Senate Concurrent Resolution No. 18 be made a special order for 10 a. m. Thursday, February 17th, which motion prevailed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 107.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

#### ADDRESS OF HON. WALTER M. PIERCE

Speech delivered by former governor, Walter M. Pierce, of Oregon, before the Joint Legislative Assembly of the State of Iowa, February 9, 1927.

Iowa and Oregon have many problems in common, both states being largely agricultural with large productive areas beyond trucking distance from the populous centers. Both states have the same road problem, the ever-present perplexing tax question, I dare say, as prominent here as it is in Oregon.

Permanent highways we must have, as well as good roads for our farmers. Formerly, no one ever thought about roads when he purchased a farm, but now we cannot keep our boys and girls on the farms unless they have a reasonably good road so that they can get out at all seasons of the year. I have always opposed the issuing of bonds for the building of roads. Bonds mean bondage, a sort of slavery for future years. Sufficient revenue can easily be obtained for construction of roads if you but have the courage necessary to get it from the sources where it can be easily obtained. We have a three-cent gas tax in Oregon. I would advise even a four-cent tax on gas before I would resort to bonds. Such a tax is a most equitable method of raising money for the construction and maintenance of roads. Those who use the roads most pay most under a gas tax. Add to this a rather heavy automobile license fee, and there will be created sufficient funds to enable Iowa to complete its main highway system in reasonable time.

Oregon has the finest oiled macadam roads in the world. I am sure that Iowa would find it greatly to its advantage to study Oregon's method of applying the oil to the macadam. You will find the cost less than \$1,000 per mile while the concrete or asphalt road will cost an average of more than \$30,000 per mile. By oiling macadam properly, you can save largely in maintenance and render the roads dustless. For heavy traffic, nothing is superior to concrete, properly constructed.

We little realized a few years ago when we passed legislation to regulate railroads and other utilities that there would be read into that legislation responsibility upon the state to collect sufficient revenue to pay all costs of expensive overhead and dividends upon actual investment as well as watered stock. As the transportation lines have lost money on the

short haul by reason of the auto truck and bus lines, they have increased rates on territory like Iowa and Oregon that are beyond trucking distance for the reason that our courts have held that the utility must have dividends whether the patrons of the utility make a profit or a loss. During the great World's War, I paid a differential of 11c a bushel on wheat from my ranch to tidewater. That differential is now 18c. I then paid \$65 a car for cattle from the ranch to tidewater. We now pay \$100 per car. When we had a fair margin of profit on wheat and cattle, we did not feel the increased rates, but when we are forced to sell wheat and cattle at less than the cost of production, the increased freight rates bear heavily upon the producer. I cannot see the solution, but if eight per cent is to be considered a reasonable dividend for utilities to earn above all cost of operation as the Supreme Court of the United States has recently held, it will surely in time confiscate the value of much productive real estate that is situated beyond trucking distance from the large centers of population.

It is a crime unpardonable to lock up in idleness in the penitentiary those found guilty of committing crimes. While I was governor, I established a flax industry at the Oregon penitentiary. I purchased the flax straw of the farmers and used the inmates in the penitentiary to manufacture that flax straw into spinner's tow and long-line fibre. I found the Oregon penitentiary an idle group. I left the penitentiary a busy workshop. One advantage of the flax industry is that it does not compete with free labor. By all means give your governor sufficient funds to put your prisoners all at work at some useful occupation.

My slogan in Oregon was, "No tax on property for state purposes." Expenses of state government in all of its activities should be raised from indirect sources, not by a direct property levy. Several states are using that method now. North Carolina secures all her state revenue from indirect sources, largely from a tobacco tax and an income tax. California and Pennsylvania levy no tax upon property for the maintenance of their state governments. Very little tax is levied in Ohio for state purposes. I am very much in favor of an income tax. My observation is that the ordinary man's idea of a fair and just tax is the one that the other fellow pays.

The correct solution of our tax problem is vital to our further advance. While general property has almost reached the point of confiscation, securities that would ransom a king are tucked away in vaults and strong boxes. The greatest portion of visible property is owned by people of moderate means and comparatively small incomes. Among these taxpayers the per capita wealth is very low, and yet they bear a relatively heavy share of the tax burden. The smallest amount of tax is paid by those among whom the per capita wealth is high. The man who buys a bungalow instead of a bond, or a farm instead of a tax-exempt security, is penalized for his choice of investment. The assessor will find the bungalow; he may not find the bond. This despite the fact that one is joining his interest more inseparably with the interests of the state and increasing its values, while the other may be sending elsewhere the wealth

produced in his state. Good year or poor year, the farmer faces the same amount on his tax-list. Prosperity or panic, the storekeeper has to find sufficient money to pay a fixed tax on his buildings and stock. Employed or out of work, the home owner watches the tax rate pile up on his bungalow.

The income tax is the greatest leveler in taxation methods. It is the true index of the taxpayer's ability to pay. It exacts from everyone an equal degree of sacrifice. It brings a greater number of citizens to a realization of their responsibilities and duties toward their state and country.

I plead with you to give serious thought to the solution of this problem, to the end that the tax collector shall not take, as he often does today, the larger part of the net income from visible property.

I have always believed that income is the best index of one's ability to pay taxes, because the burden of a tax depends not on what is taken, but what is left over after the tax is paid. I can conceive of no fairer, more just or more equitable method than for one to contribute a small part of his net income after the year's business is closed. It is in no sense a tax upon capital; it is solely, purely, absolutely upon net income. The tax is assessed after exemptions have been allowed for losses in business, depreciation, and a specific amount set aside for the care of dependents. The income tax takes but a very small percentage until the income has reached such proportions that it can provide all the luxuries afforded by this wonderful civilization.

We are now feeling the effect of the propaganda being staged, by the use of immense sums of money, to force the repeal of inheritance taxes, both state and federal. I hope you will not yield to the campaign now being staged by the excessively wealthy, but will continue to stand for a reasonable inheritance tax, both by the state and federal government. The plan is to repeal the federal inheritance tax under the plea that this source of revenue should be left to the states and then attack the inheritance tax, state by state. For instance, they will say in California to the voters there, "If you do not repeal your state inheritance tax, we, the rich, will establish our residence in Florida or Nevada where the state laws for inheritance tax are already repealed." California will probably yield to this very convincing argument. Then other states will be attacked until the whole method of raising money by inheritance tax will fail in this country. Don't memorialize Congress to repeal the federal inheritance tax. I have always felt that the wealthy, who have seldom paid their proper portion, after evading their just share during their lifetime, should have no objection to paying a little after death has taken them into the unknown land.

We who live on the west coast believe that President Roosevelt opened the Pacific era when he commenced the construction of the Panama Canal. Around the rim of the Pacific Ocean live more than sixty per cent of all the inhabitants of earth. The Yangste River in China drains territory in which live one-eighth of all the people of the world. West of the



Cheyenne meridian are to be found two-thirds of all the hydroelectric power in the United States. We feel that the Pacific Coast has a leading part to play in this Pacific era. This coming era must be true to its name, not stormy and war-like, as was the Atlantic era, but peaceful, settling international disputes by arbitration and in courts and not by resorting to wager of battle. In this coming Pacific era, there must be a more equitable distribution of the rewards of human toil, and a more even distribution of the burdens of our highly intricate civilization.

#### AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 66 as follows:

Amend by adding thereto as section 1 thereof the following: "Section 1. Section eleven thousand nine hundred one (11901) of the code is hereby amended by striking the period in line thirteen (13) and inserting a comma in lieu thereof and by adding after the word 'file' in line thirteen (13) of said section the following: 'and the probable aggregate value of such estate in Iowa.'"

Further amend by renumbering section one (1) as section two (2) thereof and by renumbering section two (2) as section three (3) thereof.

Further amend by inserting after the word "valued" in line four (4) of section one (1) thereof the words "in the petition for administration".

Further amend by striking from line thirteen (13) and fourteen (14) of section one (1) thereof the words "where the aggregate value of the property is" and by inserting in lieu thereof the words "valued in the petition for administration at".

Further amend by adding at the close of line twenty (20) of section one (1) of the bill the following: "in the absence of such an order notice must be given as provided for an estate of more than one thousand (\$1,000.00) dollars in value."

Amend the title of the bill by inserting in the first line of the title after the word "sections" the following: "eleven thousand nine hundred one (11901) and".

C. A. BENSON.

The Journal of February 12th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 10:30 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 15, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. Theodore Morning, Des Moines, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Shinn, from voters of Harrison County, favoring a bank guarantee law on the Nebraska plan. Banks and banking.

By Senator Shane, from voters of Ottumwa, Iowa, favoring passage of cosmetologist bill. Public health.

By Senator Merritt, from residents of Carroll County, favoring income tax law and opposing state bond issue. Highways.

## INTRODUCTION OF BILLS

Senate File No. 197, by Senator Cavanaugh, a bill for an act to repeal section fifty-six hundred eighty-three (5683) and to enact a substitute therefor, relating to authority of cities and towns to appropriate funds to pay dues in municipal leagues, and to pay expenses of delegates attending the meetings of the league.

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

Senate File No. 198, by Senator Cavanaugh, a bill for an act to amend Section one (1) of Chapter one hundred nineteen (119), Acts of the Forty-first (41st) General Assembly, relating to authorized establishment of Municipal Art Galleries, in cities and towns, and cities under special charter, having a population of twenty thousand (20,000) or more.

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

Senate File No. 199, by Senator Fulton, a bill for an act to amend section seventy-four hundred fifty-three (7453) of the code relating to remonstrances against the establishment of levee, drainage, or improvement districts.

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

Senate File No. 200, by Senator Gilchrist, a bill for an act to confirm in R. E. Rouse the title to a portion of land in Section Sixteen, Township Ninety-three North of the Base Line, Range Thirty-four West of the Fifth Principal Meridian, described as the South three-eighths of said Section Sixteen, and that parcel of land lying North of the North line of the South three-eighths of said Section Sixteen, and South of the Center line of the Drainage Ditch in Drainage District No. 41, in Pocahontas County, Iowa, and East of the Public Highway which crosses Government Lot Four in the South Half of said Section Sixteen; and authorizing and directing the Executive Council of the State of Iowa to quit claim said land to him.

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

Senate File No. 201, by Senator Brookins, a bill for an act to repeal section nine (9), chapter four (4), Acts of the 41st General Assembly, relating to Motor Carrier tax, and to enact a substitute therefor.

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

#### REPORTS OF COMMITTEES

Senator Cavanaugh submitted the following report:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 43, a bill for an act to repeal sections 8042 (eight thousand forty-two) and 8043 (eight thousand forty-three) of the code and to enact a substitute therefor, relating to limitations on common carriers, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 6, a bill for an act to appropriate sufficient funds for expenses of the United States champion junior dairy cattle judging team in attending the nineteen hundred twenty-seven (1927) international live stock show, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 135, a bill for an act to amend section two (2) of chapter one hundred thirty-seven (137), Acts of the Forty-first General Assembly, relating to the powers of the board of waterworks trustees, beg leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the word "and", it being the first word in line 5 of section 1 of said bill.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Darting submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 72, a bill for an act to amend chapter one hundred sixty-three (163), acts of the Forty-first General Assembly, with reference to the deposit by life insurance companies to cover the valuation of policies, begs leave to report it has had the same under consideration and recommends the same do pass.

H. A. DARTING, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 112, a bill for an act to amend the law as it appears in Section 1395 relating to workmen's compensation for injuries sustained arising out of and in the course of his employment, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. A. DARTING, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 179, a bill for an act to amend section eighty-nine hundred thirty-six (8936) of the code, relating to insurance, begs leave to

report it has had the same under consideration and recommends the same do pass.

H. A. DARTING, *Chairman.*

Ordered passed on file.

The Senate recessed until the call of the chair.

The Senate reconvened, President Kimball presiding.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 3.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 3, House File No. 107.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 15th day of February, sent to the governor for his approval, Senate File No. 3.

D. L. WILSON, *Chairman.*

The report was adopted.

#### SENATE FILE 196 REREFERRED

Senate File No. 196 was withdrawn from the committee on highways and referred to the committee on judiciary No. 2.

#### SENATE CONCURRENT RESOLUTION NO. 19

Senator Campbell offered the following resolution:

*Resolved by the Senate, the House concurring, That Howard P. Savage,*

National Commander of the American Legion, who comes to Des Moines as a guest of the American Legion of this state be invited to address the members of the Forty-second General Assembly in joint convention in the House Chamber at eleven o'clock a. m., February 22, 1927.

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

The resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Clearman Senate File No. 62, a bill for an act providing for registration of all dealers in agricultural lime; to provide for securing samples of agricultural lime and analysis thereof; to furnish analysis to dealers, and for the posting of such analysis, and providing penalty for the violation of the provisions hereof, 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 243 of the Senate Journal were considered.

Senator Benson moved that the following amendments be substituted for the committee amendments:

First. Strike out the title and in lieu insert the following:

"A Bill for an act to require sales or shipments of lime for agricultural purposes to be accompanied by an analysis which shall show in separate percentages the quantity of calcium carbonates and magnesium carbonates therein, to provide for the making and certification of analyses of such lime, to declare the probative force of such certificates, and to prescribe the penalty for violations."

Second. Strike out all after the enacting clause and in lieu insert the following:

"Section 1. Agricultural lime. The vendor of each sale or shipment of lime for agricultural purposes in this state shall deliver to the vendee at the time of sale or delivery, a written, signed statement which shall show in separate percentages the quantity of calcium carbonates and magnesium carbonates contained in said sale or shipment.

"Sec. 2. Delivery defined. Delivery shall be deemed effected by delivering the statement personally to the vendee, or by attaching said statement with bill of lading.

"Sec. 3. Unallowable variation. The vendor shall be deemed guilty of a misdemeanor if the actual percentage of calcium carbonates or magnesium carbonates in said sale or shipment is ten (10) or more per cent less than as shown by the statement delivered as aforesaid.

"Sec. 4. Miscellaneous analyses. Any person may cause samples of

agricultural lime to be submitted to the secretary of agriculture of this state and said secretary, upon the payment of one dollar (\$1.00) for each sample, shall cause an analysis to be made of each such sample and shall certify to the correctness thereof.

"Sec. 5. Special analyses. Upon request of a purchaser of agricultural lime sold in this state, and upon payment of a fee of three dollars (\$3.00) the secretary of agriculture or his authorized agent shall procure from such shipment a composite sample or samples and cause an analysis thereof to be made; and shall certify to the correctness thereof, but such analysis shall be made and certified only of samples procured by said secretary or his authorized agent from a shipment which has not been removed from the car or conveyance in which it was loaded by the seller.

"Sec. 6. Presumption. The certificate provided for in the preceding section shall be prima facie evidence in all proceedings as to the percentage of calcium carbonates and magnesium carbonates in said shipment.

"Sec. 7. Penalty. A vendor who fails to make delivery of the said statement or who delivers a statement which is false within the meaning of section three (3) hereof shall be fined in a sum not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00)."

The substitution was made.

The amendment was adopted.

The bill was read for information.

Senator Clearman moved 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.

Baird	Clark	Kern	Shaff
Beatty	Clearman	Klemme	Shane
Benson	Darting	Lange	Shinn
Bergman	Dean	Langfitt	Skromme
Booth	Dotts	McFarlane	Slemmons
Breakenridge	Ellis	McLeland	Stanley
Brookins	Fackler	Merritt	Stoddard
Browne	Gilchrist	Mills	Topping
Brush	Gunderson	Ramsey	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Carden	Haskell	Roberts	Wilson of Polk
Cavanaugh	Johnston		

Nays, none.

Absent or not voting, 4.

Fraily	Fulton	Kimberly	Wilson of Louisa
--------	--------	----------	------------------

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

Senator Clearman 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 Wilson of Page Senate File No. 103, a bill for an act to amend Section ten thousand thirty-one (10031) of the Code, relating to fees to be collected by county recorders, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Page 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, 4.

Darting	Gilchrist	Ramsey	Wilson of Page
---------	-----------	--------	----------------

Nays, 38.

Baird	Cavanaugh	Johnston	Roberts
Beatty	Clark	Kern	Shane
Benson	Clearman	Klemme	Shinn
Bergman	Dean	Lange	Skromme
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Fackler	McLeland	Stanley
Brookins	Fulton	Merritt	Topping
Brush	Gunderson	Mills	Ulstad
Campbell	Hartman	Rigby	Wilson of Polk
Carden	Haskell		

Absent or not voting, 8.

Browne	Fraily	McFarlane	Stoddard
Ellis	Kimberly	Shaff	Wilson of Louisa

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Kern Senate File No. 167, a bill for an act to repeal section five hundred twenty (520) of the code and to enact a substitute therefor relating to the election and term of office of county officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cavanaugh offered the following amendment and moved its adoption:

Amend by inserting after line 15 the following: "a person having been elected, and who qualifies and serves, in any one of the several offices named herein, is ineligible to successive election to any one of them."

The amendment was lost.



Senator McFarlane was called to the chair at 11:50 a. m.

The President resumed the chair at 12 o'clock.

The bill was read for information.

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

Senator Campbell invoked rule 8.

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

Ayes, 20.

Breakenridge	Dean	Kern	Ramsey
Brookins	Fackler	Klemme	Slemmons
Browne	Gunderson	Lange	Stoddard
Campbell	Haskell	McLeland	Ulstad
Clearman	Johnston	Mills	Wilson of Page

Nays, 22.

Baird	Carden	Hartman	Roberts
Beatty	Cavanaugh	Langfitt	Shane
Benson	Clark	McFarlane	Shinn
Bergman	Ellis	Merritt	Topping
Booth	Fulton	Rigby	Wilson of Polk
Brush	Gilchrist		

Absent or not voting, 8.

Darting	Frailey	Shaff	Stanley
Dotts	Kimberly	Skromme	Wilson of Louisa

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

#### S. F. 195 WITHDRAWN

By unanimous consent on request of Senator Brookins Senate File No. 195 was withdrawn from further consideration.

The Journal of February 14th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 1:25 p. m.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### COMMITTEE FROM THE HOUSE

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

## JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant Governor Kimball, President of the Senate, presiding.

President Kimball announced a quorum present and the joint convention duly organized.

Senator Wilson of Polk moved that a committee of three be appointed, one from the Senate and two from the House, to notify Hon. James B. Weaver, and Hon. Henry Nollen, that the joint convention was ready to receive them.

Motion prevailed, and the President appointed as such committee: Senator Wilson of Polk, and Representatives Elliott and Charlton of Polk.

Senator Wilson, from the committee appointed to notify Hon. James B. Weaver and Hon. Henry Nollen that the joint convention was ready to receive them, appeared with the visiting guests accompanied by Governor Hammill.

Lieutenant Governor Kimball then presented Hon. James B. Weaver and Hon. Henry Nollen, who addressed the joint convention.

The following address was delivered by Hon. James B. Weaver :

ALBERT BAIRD CUMMINS  
IN MEMORIAM

We are gathered today to voice our deep sorrow at the sudden passing on July 30th, 1926, of Senator Albert Baird Cummins, whose brilliant talents, splendid presence and courageous constructive statesmanship for more than a quarter of a century brought high honor and distinction to his party and his state.

A TRUE AMERICAN

First of all Senator Cummins was a great American. He believed in the democratic principle. His talents could have flowered only in the genial atmosphere of a free people. The ends he sought were always consonant with the guaranties of the Constitution. His career is shining proof of the magnificent opportunity for service that reposes beneath the folds of the American flag. Farm hand, teacher of a country school, carpenter, express messenger, surveyor, engineer, his years preceding majority were filled with the self-respecting toil common to American youth poor in purse but high in purpose and fired by worthy ambition.

## EMINENCE AS A LAWYER

Admitted to the bar in 1875 the young lawyer was soon to enter a contest that was to test his resources and his fighting power to the utmost. Amidst the swaying blue-stem of the prairies of Iowa, the state of his adoption, was to occur the first prophetic incident in that clash of agriculture and organized industrialism which fifty years later upon a wider theatre was to engage all the energies of his last days. A great barbed wire monopoly, backed by powerful legal talent, sought by unjust exactions to fetter with its bands of steel the development of the 56,000 square miles of a rapidly growing commonwealth. Cummins, the youth, became the champion of the people, worked in the factory, delved, studied, fought, day by day, month by month, finally emerging victorious in a superb service to the farmers of the Mississippi valley not only of his day but of all the days to follow. And as today the winds play upon the hundreds of thousands of miles of wires that enclose and protect the farm homes of the richest state in the world's most fertile valley, let them sing to us forever of him whom we mourn and of this his first service of distinction.

From this time forward his career while at the Des Moines bar was one of admitted leadership. The splendid legal talent first shown by the youth won for him in later years a place of honor among the leading lawyers of the nation and made him at the end the outstanding constitutional lawyer in the Senate of the United States.

## LEGISLATOR AND GOVERNOR

Courage, zeal and high purpose marked his service as state legislator and governor. To him came the distinction of being thrice elected as the state's chief executive, serving in all seven years. The record of his administration is one of militant championship of popular rights. He came to office when society was confronted with the adjustment of government to the growing complexities of a great commercial and scientific age, the era of intensive corporate organization. With his keen brain, thorough legal training, incorruptible heart and patriotic fervor, Albert Baird Cummins in the seven years of his career as governor placed upon the statute books of Iowa a record of progressive legislation unexcelled in the nation. This record deals with railway rates, earnings, taxation, capitalization, the two-cent fare, anti-pass law, joint freight rates, hours of employment, the statute governing campaign expenses and forbidding corporation contributions, prohibition of watered stocks, the primary law, the pure food and pure seed laws, provision for interest on the deposit of state funds, insurance reform, highway legislation, an advanced educational program, and much more. To the lasting credit of Senator Cummins, and in proof of his prophetic genius, be it said that he lived to see the principles and policies for which as governor he fought much alone in the formative days of 1902 to 1908, stand the test of their constitutionality and to see them now crystalized into law in almost every state in the Union and become the settled policy of the nation in these the opening years of the 20th century.

## THE SENATE—RAILROAD LEGISLATION

His promotion to fields of service of even higher distinction was inevitable. And so at the bidding of the people of Iowa, whom he had so splendidly served, he entered in 1908 the Senate of the United States. Backed by his experience as governor, lawyer, legislator, he promptly took his place among the most powerful and distinguished members of that great body. Membership was immediately accorded him upon the Committee on Interstate Commerce, of which he served as chairman for six years, and of which he was the ranking member at the time of his death. His prior training and the personal equipment of Senator Cummins especially fitted him to render notable service in the field of legislation dealing with the relation of America's three hundred thousand miles of railway to the intricate fabric of the nation's life. He made himself, and admittedly remained to the hour of his death, the most highly trained, the best informed intellect, the most experienced member of the Senate of the United States in all matters of legislation dealing with the subject of transportation. To this subject, so fraught with complexity and so enmeshed in controversy, a field involving material interests that stagger the imagination and social consequences of immeasurable import, Senator Cummins brought all the cumulated forces of his being and most of all a fearless purpose to be fair. And whatever differences may exist in the minds of men over specific measures, none can question the patriotic purpose of Senator Cummins, his constructive power, his sacrificial labors in this great field throughout his senatorial career. And as I think of him fighting for the act which bears his name, incorruptible, facing misunderstanding, poor in this world's goods, a lover of the common man, a loyal adherent of the constitution, I salute the memory of a brave, strong, servant of the nation.

## STANDING IN THE SENATE

He was also, from the first, and remained for eighteen years, a member of the Judiciary Committee. Of this great committee, whose function it is to test by the standards of the law and the constitution all proposed legislation in this highly complex age, he became and was at the time of his death chairman.

Named by his associates as President Pro Tem of the Senate, for the period of five years he served with unquestioned ability and fairness in that high position, during two of said years as presiding officer. During eighteen years of distinguished service he had a vital share in every measure of moment under consideration in the senate, including the Anti-Trust Law, the Federal Reserve Act and the great measures arising out of the momentous issues of the World War. Twice he was presented with pride by his home state for nomination for the presidency, for which supreme honor he was eminently fitted. In the national convention in 1896 he was an outstanding champion of the Gold Standard and in the subsequent memorable campaign was a power in party councils and on the stump.

## THE TARIFF

In the field of tariff legislation and discussion Senator Cummins, though a firm believer in the policy of protection, was an adherent and militant champion of what became widely known as "The Iowa Idea." He stood for a flexible tariff, the controlling principle of which should be the difference between the cost of production at home and abroad. He was one of that small but brilliant insurgent group that included Dolliver, Cummins, Beveridge and their associates, in their determined stand for justice in tariff schedules. He lived to see the principle for which they contended in that memorable fight recognized as the controlling factor in our national policy in tariff legislation.

## FIGHTS FOR THE FARM

In the closing years of his magnificent career, out of the complexity and intensity of the social, political and commercial forces that held the world stage following the immeasurable catastrophe of the World War, Senator Cummins saw emerge for solution the compelling problem of an equal place for agriculture in an age of super-organization. His whole mature life had been spent close to the soil and in closest sympathy and affiliation with the great company of fellow Iowans who man the farms of the state. He knew their very lives, their homes, their hopes, their struggles, their sacrifices, their rights, their supreme significance in the life of the nation. In failing health, but with all the old fire, summoning all the forces of his superb equipment, he threw all the prestige of his strong position, all the cumulated fighting power of a man who had never wavered in his devotion to Iowa and her preeminent agricultural interests, into an effort to establish justice for the farm in its relation to other industry. To him the fight was no contest of the day, but bound up in it were issues of vital moment to the whole future of our national life.

## THE PROBLEM ENDURES

At the call of the "evening bell" he passed off the stage fighting, fighting to the last and beyond his strength for the cause and the people he loved most. And whatever the future may hold in the way of solution of the great problem that last engaged his energies, I would here pay unstinted tribute to his unwavering devotion to the cause of agriculture and to his splendid fighting service in its behalf. In an industrialized world the problem will forever demand for its solution the highest statesmanship. The issue carries all the insistence that inheres in an effort to achieve justice for agriculture in the complex structure of a nation's economic and social life in an age of super-organization. And as we think of Albert Baird Cummins sleeping today in the heart of Iowa, there come to mind the lines hallowed by tender memories of the World War:

"To you from falling hands we throw the torch,  
Be yours to hold it high,  
If ye break faith with us who die  
We shall not sleep—"

## HIS CLEAN LIFE

To this time I have spoken of the incidents, the achievements, the glorious purpose of his long public career. On such an occasion it is not permissible to deal more fully with its public phases. But all that we have said, all that he achieved, gathers lustre when we turn our eyes upon his unfailing integrity, his clean life, his family relations, the simplicity and depth of his democratic nature. Out from the stress of the arduous contests in the closing days of a session just ended, he came home to his daughter, to his beloved great-grandson who bears his name, to the soil and the people of Iowa whom he had so splendidly served. We grieve that he was not spared to drink to the full of the sweets of life among his loved ones, so long denied him by the exigencies of a distinguished public service. Giving up a highly lucrative practice and the certain promotion of a great legal career, he chose to dedicate his life to public service in its highest meaning. In the forty years that took him from the state legislature to a position of power and prominence second to none in the Senate of the United States, to his family, to his state, and to his party remain the supreme satisfaction and pride that never was there cast the faintest shadow upon his honesty or the cleanliness of his life. In an age marked by shattered reputations and tragic ending of notable careers we commend with pride the beauty, the purity, the integrity, the militant sense of public responsibility, the sacrificial spirit of Albert Baird Cummins. His life too is standing refutation of the claim that old-time opportunity for American youth died with the 19th century.

The following address was delivered by Hon. Henry Nollen :

## LAFAYETTE YOUNG MEMORIAL, FEBRUARY 15, 1927

YOUR EXCELLENCY, MR. PRESIDENT, HONORABLE MEMBERS OF THIS JOINT ASSEMBLY, AND GUESTS:

When death suddenly called the spirit of the Hon. Lafayette Young on the 15th of last November, there was removed from amongst us a personality that had made a lasting impress upon a very large portion of the people of our Nation, and there was broken one of the few remaining links between our present generation and the pioneer builders of our State.

His life, extending over a period of seventy-eight years, reached back to the early settlements of Iowa. Mr. Young was born in May, 1848, upon a farm in Monroe County, which was then close to the farthest boundary of the so-called "New Strip" which had, in the preceding year, been opened up by the United States Government for entry, and a large part of the State still remained in possession of aboriginal Indian tribes; so that Mr. Young began his life under the exacting conditions of the frontier, when children shared with adults in the struggle of conquest to subdue soil and forest, when all available hands were thrown upon their own resources to provide food and shelter, and when their own fabrication from raw materials supplied the necessary clothing. In these days, persistent toil was the price of existence and not a matter of choice.

Books were scarce and precious. The family Bible was a vital factor as containing the ideal rules for conduct. Church life provided the social contacts as well as a means of expression of religious life. Primary schools, practically the sole educational institutions, were not neglected. Summer vacations were for work on the farms, and winter for study. In spite of the severity of winter weather, children plodded through heavy snow drifts, over rough country roads, to attend school. But hardship is humanity's most effective tutor in life's real values, and makes education in them highly prized.

It was in such an atmosphere that Lafayette Young was nurtured during childhood. It laid the foundation for that strength of body, firmness of character and determination of spirit which prepared him in later life to overcome many obstacles and to meet emergencies courageously. He might have thought of these pioneer days when, in an address before the United States Senate, he said, "Nature baptises the soul of a man who works out under the sky".

When the Civil War caused his father and elder brother to enlist and young Lafe, on account of non age was refused enlistment, the lad was left to care for his mother and found employment in a woolen mill at Eddyville, where he became a proficient workman. Later he engaged as a typesetter in the printing office of the Albia Union, and here began his first instruction and experience in the great career of journalism which was his principal activity. His training for this life work was practically all in what is so often termed "the school of hard knocks."

At about age twenty-two he came to Des Moines to work as a reporter on the Iowa Register, then published by Mills & Company, and afterwards spent two years in St. Louis serving in the printer's trade, meanwhile availing himself of the opportunity for study in night school five nights each week. Again he returned to the Iowa Register in Des Moines, and finally, in 1873, had, through the practice of thrift, accumulated sufficient funds with which to establish a plant of his own.

He went to Atlantic, Iowa, purchased and began the publication of The Telegraph. By this time he had mastered every department of the printer's trade and newspapering so that, carting his shop equipment from the depot to his shop to save expense, he set up his own press, collected the news, wrote editorials and could set his own type. He was, in short, a master of every department—mechanical, news collecting and editorial—and now added to it experience in circulation and the financing of an establishment. In time he began the publication of daily editions, thus issuing one of the first daily newspapers in the State of Iowa; and in addition, he also established a bindery to enlarge the sphere of his business.

As an efficient journalist, it was natural that Mr. Young should early become interested in the political affairs of his own community, state and nation. His entry as a participant in the arena of political activity was encouraged when, on the occasion of a Republican convention at Atlantic, he was called upon to make an address before the convention. He was then twenty-five years old. This led to his nomination on the Republi-

can ticket as candidate for the State Senate, and he was elected and served as a Senator for the eighteenth district, composed of Cass and Shelby Counties, for a period of twelve years, beginning in 1875 and, with a lapse of one session, continued until 1889, when he had again been the Republican candidate but was defeated by his Democratic opponent, and for this candidacy he had declined to accept nomination on the State ticket as Lieutenant Governor.

Mr. Young was the first member of the State Senate born on Iowa soil. In due time he became Chairman of the Committee on Railroads. He was a staunch advocate of various reform laws, of regulation of railroads, and of equalizing taxation, and made the first plea for a two cent fare.

In March, 1890, he came to Des Moines, purchased the Des Moines Capital, then a minor publication, and soon brought it to the front with a rapidly increasing circulation and as a growing factor in journalism. Under his leadership, until his death, this paper to which he devoted chiefly the remainder of his life steadily increased in importance and prosperity, and he became so prominently recognized throughout the Nation in his profession that he was termed by leaders in it as the "Grand Old Man of Journalism in the Middle West."

Five years after having removed to Des Moines, he was elected State Binder, and served in that capacity from 1895 to 1901. He was twice Chairman of the State Republican Convention, and was a delegate-at-large to two National Republican Conventions.

At the National Convention of 1900 he took a prominent part in the selection of the national party candidates, and was selected to present the name of Theodore Roosevelt as the nominee for Vice President. Senator Young, in his memorial address upon his predecessor Jonathan P. Dolliver before the United States Senate in 1911, gave an account of the incidents which led to the nomination of Roosevelt on the National ticket.

Senator Dolliver had been urged from many quarters to accept the nomination as Vice President, and had the ardent support, notably, of

Mark Hanna, the National Chairman. Mr. Young was one of Senator Dolliver's most enthusiastic supporters, and with the assured backing of Dolliver's admirers in other states, had prepared himself for the nomination of Dolliver on behalf of the Iowa delegation; but Dolliver preferred to retain his seat in Congress and, together with Senator Young upon the request of Chairman Hanna, went into a conference to urge the acceptance of the nomination for Vice President upon Roosevelt, then Governor of New York. The political complications in his home state had caused Roosevelt steadily to decline to consider being shelved in the Vice Presidency, and he had remarked at one time in correspondence that he would not accept the nomination from his home state and would only consider it favorably if it came from another state, preferably in the West. The pressure upon Roosevelt by his friends finally prevailed, and then it was determined that his name should be placed in nomination by Mr. Young, who accepted this call to duty with a true conception of party loyalty.



Upon the death of Senator Dolliver, Mr. Young was appointed by Governor Carroll to serve in the United States Senate for the unexpired term. As in the State Senate, so he was the first native Iowan to represent his state in the Upper House of Congress. Here again Senator Young broke all precedents by making a speech before that body soon after taking his seat. It had theretofore not been the custom for a Senator to take the floor until after he had served a considerable time. The bill for Canadian Reciprocity inspired Senator Young to speak in defense of Western Agriculture, the interests of which he felt were being neglected or sacrificed for trade with other industrial sections. During the five months of his service in the United States Senate, Mr. Young made three striking speeches, their importance being evidenced by the general comment they created throughout the nation.

Politically, Mr. Young was a regular, and adhered to the principles of the Republican party. He believed in strict party loyalty, because he was convinced that the most effective way of presenting debatable political issues before the electorate was through party organization and partisan debate. He was consistent through his whole life to this principle, and favored those measures which the majority of his party had determined as the policy that should be adopted. Furthermore, he opposed all measures which tended to destroy party lines. There was, in his estimation, a vital difference between the choice of policy in conduct of the government and proposals to remodel the machinery of government. To him the preservation of the machinery was a patriotic duty, so that he could only foresee distress as a result of radical change in the methods by which the selection of public officials is made, unless it was to simplify the mechanism and improve the chances of effective administration.

Senator Young was one of those who believed in the conduct of the business of government through representatives who were directly responsible to some definite group, and that, from his standpoint, could be accomplished only through political parties well organized and made up of a voluntary membership, which could co-ordinate its political faith in a fixed declaration of principles.

While he was branded as a "Stand-patter" because of his persistence in struggling for maintenance of the established order of rule by parties, he was oftentimes in sympathy with the policies identified as "Progressive." His intimate friendship with and fondness for President Roosevelt made painful a break in the issues of partisan rule; but with Senator Young loyalty to the organization was a duty that set aside personal preference. If he was in the minority, that fact did not swerve him from his adherence to what he thought was sound in principle. Lafayette Young was a courageous fighter and a good loser. With all his intenseness of activity in defense of his positions, his opponents respected his sincerity of purpose, and difference of opinion did not destroy his friendships.

Mr. Young was a pioneer in urging good roads in Iowa with tongue and pen. Every traveler should feel grateful for his efforts in establishing continuously passable highways through the State, and for placing markers so essential to the visitor in a strange section. What could be

more significant as a monument to the two distinguished citizens of our State whom we are memorializing today, than to dedicate the two principal highways through the capital of this State by naming them after Senator Cummins and Senator Young.

As a speaker he had an unusual gift for colorful illustration. He had the mentality to analyze any political problem and to discern its purpose and consequences so clearly for himself that, with his descriptive powers, he made the matter plain to every man. He despised the shams and the arts of the demagogue. He was a master in the use of common words, and of lucid exposition, with a simplicity and directness of speech which was not only impressive but compelling of attention. He had abiding faith in the common sense and good judgment of the public when they were made to understand the issues before them. He was, in that sense, a true Democrat, but realized that what is everybody's business in nobody's business, and that the need for leadership must be met with organized backing and responsibility to the source of its strength. He was an effective campaigner, a willing servant of his party, and was always entertaining as a platform orator.

He was much desired as an after-dinner speaker, and in this field he was preeminent. With epigrammatic wit, he could expose the folly of persons and policies without the sting of ridicule. His mentality was mellowed by a sympathetic heart and voiced in charity, but with conviction. He always had a message of cheer in his writing and his speech, and was a constant advocate of measures for the general welfare.

His interest in humanity extended beyond the borders of his own land. As a reward for raising considerable funds in Iowa for the relief of the children in Belgium, he was decorated Knight Order of Leopold, II, of Belgium.

His instinct for human fellowship was exemplified through membership in various social clubs, civic organizations and fraternal orders. Among these he was a prominent member of the various Masonic bodies, both in the York and Scottish Rite, and had served as Deputy Grand Master, and later occupied the exalted position of Senior Grand Warden of the Grand Lodge of Iowa.

His visit to the Philippines with the Taft party, his experience as war correspondent with the Shafter Campaign in Cuba, and again for a period of four months during the World War in 1915, were opportunities for enlarging his knowledge of human affairs and increasing his capacity in his journalistic career. His thirst for knowledge, which he satisfied to the fullest extent within his reach, made him conversant, not only with the political affairs of his locality, state and nation and of foreign affairs, but versed in history and literature to an unusual degree. This probably accounted for his extensive personal contacts with people and intimate acquaintance with prominent characters in every walk of life. There was probably no Iowan who had a wider personal acquaintance and a larger number of real friends throughout the entire nation.

What he spoke in memory of Senator Dolliver might be with equal

propriety said of Senator Young: "If I had been selecting a comrade for a journey across the Continent, either in a prairie-schooner or a palace-car, I would have selected Dolliver. Each day would have been a new day. Each thought would have been fresh and refreshing. When he looked out of a window he saw more than mountains and streams, he saw more than prairies and crops. Nature delighted him, and he loved books." Mr. Young was indeed a delightful traveling companion. Day after day he would, without repetition, recount incidents and recall personal experiences or conversations brought to mind by a chance remark or the locality through which the party was passing. In visiting the battlefield of Gettysburg, no guide was needed. Mr. Young's historical knowledge was voluminous and his memory clear. It was inspiring to hear his account of the course of events and shifting of lines. He recalled how every spot was hallowed by sacrifice in the great struggle, and, in vivid portrayal of the incidents transformed the field into a scene of action, and then, as the vision of battle-scarred arenas melted away in the panorama of regenerated nature, there came the heartfelt thanksgiving that the Blue and the Grey are now united in one indissoluble union. That was a baptism in the spirit of patriotism.

And likewise, on visits to the city of Washington, to Arlington and Mt. Vernon, there were called forth the course of events that made each place a hallowed shrine. Before the tomb of Washington, in meditation upon the significance of that life, one recently bereaved member of the party read above the door, "I am the resurrection and the life, saith the Lord. He that believeth in me, though he were dead, yet shall he live, and whosoever liveth and believeth in me shall never die,"—and turning to Senator Young said, "Is that true?" Instantly came the reply of abiding faith in immortality, testifying to the influence of religion upon his life. Its expression he found in communion with the Presbyterian Church, but he was not obtrusive in sectarianism, nor bound by its limits, but had that charity for other faiths which marked him as a Christian gentleman.

During the World War, when the name "Lafayette" aroused suspicion among the Austrians and caused Senator Young's arrest as a spy, Mark Sullivan was inspired to pay a tribute to his life and character in an editorial in *Collier's Weekly* concluding thus: "If we should ever happen to become president of a university, we would introduce two or three novel features. One of them would be to hire Lafe Young to sit around the campus in the sun, letting the young men soak in common sense, benevolence, and good morals from him."

His philosophy of life was simple and voiced in simple, homely phrases. At one time he said, "We Americans are much disposed to think that everybody should be like ourselves, and their ways should be our ways. We all have our own standards. The man who dips his toast in his coffee will make fun of you if you pick up the wrong fork for fish! This contrast illustrates human weakness, and ought to teach charity." And expressive of his love for his Homeland, he said, "I like nothing better than to see a young man located in the Mississippi Valley where he enjoys the respect of the community, where he has his "Flivver" and more

books than anybody else in town, where they send him to State and National Conventions, and make him a trustee of a church." As for himself, he said, "I have taken my medicine, loved life and loved my education."

To him patriotism was a passion. "I owe something to the flag that let me accomplish what I have." And later, in defending the administration's policy as to war in harmony with his chairmanship of the Iowa State Council of Defense during the World War, he said at one time, "If Congress handicaps President Wilson in any way or manner, it will be a crime against patriotism," and he urged every man to take his part in the duties of citizenship. He loved his country and respected the symbols which represent its majesty and authority. His heart was touched in contemplation of the heritage of blessings insured to us by the government founded by our fathers in this nation, and pangs of disappointment came to him whenever there was a careless disregard or neglect of the acts which reverence of the heart for country and the flag should prompt.

Again there may be applied to him words which he spoke of Dolliver: "He will be remembered for his humanitarian side. The humblest loved him, others respected and admired, none hated him," and it is in his wide circle of friendships that Senator Lafayette Young shows his largeness of heart and the secret of his power among his fellowmen. As a witness to this human side of Mr. Young's life, there is a voluminous file of telegrams and letters of condolence and editorials in the press from every corner of this country. Among these is the message of Ex-President, now Chief Justice Taft, to the bereaved sons: "Your Father and I were friends for years, and thought alike on many lines. He was a strong man of sterling worth, of broad and catholic view, sturdy, rock-bound in love of country, and awake to the welfare of his community and fellow citizens. He had the saving grace of humor and was a companion of enviable and most attractive qualities. Rich in friends, full of years, he leaves a record of honorable achievement of which his family and his State may well be proud."

And so, as the life-giving rays of the setting sun gild the skies, is the love of fellowmen in its supreme beauty reflected by the host of friends in sorrow over the close of a life that has radiated with human sympathy. It is good that men, such as we are, with human imperfections, may excel in some good qualities, and employ them for the welfare of society, and that death should be regarded as the crucible in which all the dross of life is consumed forever, leaving only the good qualities and worthy deeds to be preserved in memory as an example to future generations. To this end we pay tribute to our departed and much beloved fellow citizen, Lafayette Young.

The following resolution by the Iowa Society, Sons of the American Revolution were read, and on motion of Senator Wilson of Polk ordered printed in the journal:

The Iowa Society Sons of the American Revolution hereby adopts and publishes this brief testimonial to our distinguished compatriot, the late Senator Albert Baird Cummins. He departed this life at his home in Des Moines on July 30, 1926 at the age of 76 years. He was an active member of our Society and deeply interested in all those things we hold most dear.

We tender our sincere condolence to his immediate family, his brothers and sisters, his children and grandchildren. We can do little more than assure them that the grief they feel is shared by a very large family of friends. He was himself a faithful friend. He was a good neighbor. He was considerate and thoughtful of the welfare of all others. He was ever helpful and inspiring. The varied activities of his strenuous life were made radiant by a fine sense of human values. His enduring legacy was that of a good name acquired in the practice of homely virtues.

Te termination of his labors is an irreparable loss to the State of Iowa, to the Nation he loved, and in a larger way to all those forces which make for the advancement of civilization. This is most keenly felt by the near neighbors who know the intense earnestness with which he approached every problem of life, the home folks who appreciated how well he had caused his every act and word to square with the sound teachings of the Nation's founders. Yet it must remain for later generations, with the better perspective which time alone can give, and freed from the trifles that becloud our vision, to do justice by a full appraisal of his service to humanity.

The quality of Senator Cummins' wholesome and verile Americanism was of a high order. His great-grandfather was that John Flenniken who as a member of the convention which adopted the noted Mecklenburg Declaration of Independence also signed that epoch making document, who was, also, according to family tradition, a member of Francis Marion's minute men and a commander of the Charlotte militia. There is no more inspiring page in American history than the story of the happenings of this colonial settlement when these sturdy pioneers demanded rights that are at the foundation of all free government. Evidence of this rich inheritance will be found strewn along the pathway of his active life.

Senator Cummins commenced life in the modest home of a hard working and right thinking carpenter in the town of Charmichaels, Pennsylvania, February 15, 1850. He made the most of his meager opportunities, and equipped chiefly with industry and a high resolve he set his face toward the west. His was the career of the typical ambitious boy rising by his own efforts to great achievement. With honest toil he blazed the path to his chosen profession. With fine qualities of heart and mind not less than the thorough mastery of the law he attained a position where he was entitled to the richest rewards of professional skill.

His response to the call of duty was a real sacrifice. No one knew better than he did what it meant giving up a position enviable and secure; but he chose the harder road and the thankless service. The people of his home city sought him out and sent him first to the legislature where

he devoted himself modestly, but with marked wisdom, to the solution of the immediate problems of the State. His unusual capacity for leadership attracted to him a group of strong men whose admiration remained steadfast to the end.

As the circle of his influence widened he was drafted for the more serious responsibility of chief executive of his adopted state. It was a service that called for courage and the exercise of high qualities of statesmanship. The seven years of his administration have an enduring place in Iowa history. Largely through his initiative and because of his far seeing and forward stepping leadership, there was enacted an unusually large volume of constructive legislation and most valuable precedents were set in administrative procedure.

A larger field awaited the exercise of his ability, and the governor became the spokesman for Iowa in the United States Senate, where for nearly eighteen years he gave himself wholly to the service of the American people. He rose rapidly to a position of great importance in the Nation. He was not only a great lawyer, a prodigious worker, a far-seeing statesman, but he was great in all those qualities of heart that make for nobler manhood and happy homes. Through his hands on the powerful judiciary committee of the Senate there passed much of the legislation of importance of his time. To him was entrusted the tremendous problem of the reorganization of the American transportation system in accordance with American ideals, and his achievement saved his country from the danger of old world chaos. He presided with dignity and fairness over the Senate as president pro tem and as president when the vice president was translated to the higher office.

To all the problems of the war and after the war, to bills affecting domestic problems and issues touching our world relations, he courageously applied the principles that would have met the approval of his colonial ancestors. Senator Cummins' activities covered a wide range of subjects. All through hundreds of statutes affecting almost every phase of government and touching all the points of contact in society are to be found the evidences of his thoughtful sympathy and his masterly skill. He tested every proposal as to justice, its usefulness, its fairness. He believed in the work of the founders of the republic. He upheld the Constitution. He gave his life, his all, to the end that the vision of his ancestors and their associates of a Nation dedicated to freedom and founded upon justice and liberty might be realized. He so commended himself to his home people that they on two occasions tendered his services to the Nation for the office of chief executive. His memory will long be cherished by all those who appreciate the qualities that are of real worth in the service of American patriotism.

We again express our sincere regret at the termination of the earthly career of Compatriot Albert B. Cummins and the loss to State and Nation

\* a statesman splendidly equipped for service of the highest quality.

ORA WILLIAMS,  
DAVID C. MOTT,  
E. M. WENTWORTH,  
PARLEY SHELDON,  
HENRY W. GROUT. *Committee.*

Senator Wilson of Polk offered the following resolutions:

*Be It Resolved by the General Assembly of the State of Iowa Convened in Joint Session:*

That we here record our profound sorrow in the death of Senator Albert Baird Cummins. We reaffirm our unreserved pride in his splendid character, his clean purposes, his superb equipment, and his patriotic public service. We point to his career as an inspiration to American youth everywhere. To his immediate family, with a sense of irreparable loss, we tender our deepest sympathy and that of the people of Iowa whom we represent and at whose behest he was called to a long and brilliant career in the service of the State and the Nation.

That this resolution and the accompanying review of the career of the deceased be printed in the Journal of the Senate and the House, and that copies thereof be forwarded to the daughter, and brothers and sisters of the deceased.

*Be It Further Resolved by the Forty-second General Assembly, convening in joint session, that the death of Senator Lafayette Young be here recorded as the loss of a widely known and beloved son of Iowa, a pioneer who rendered distinguished public service, reflecting credit upon his State and Nation; a staunch patriot, a loyal friend, eminent in journalism and persevering as an advocate of the public welfare; sometimes a factor in the making of history, and again a recorder of it. This tribute is given to his record which testifies to the noble qualities in his life and character.*

*Be It Further Resolved, That a copy of this resolution be prepared and transmitted to the family of Senator Young.*

Resolution was unanimously adopted.

Hansen of Scott moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

### THIRD READING OF BILLS

On motion of Senator Fulton Senate File No. 83, a bill for an act to amend, revise, and codify section fifty-two hundred sixty-

eight (5268) of the Code, relating to the issuance of bonds by counties, and to the form, maturity, and payment of such bonds, 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 from section 2 all following the word "in" in line 3 and substituting the following: "the Keosauqua Republican, a newspaper published in Keosauqua, Iowa, and The Daily Ledger, a newspaper published in Fairfield, Iowa."

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, 44.

Benson	Darting	Johnston	Shaff
Bergman	Dean	Kern	Shane
Breakenridge	Dotts	Klemme	Shinn
Brookins	Ellis	Lange	Skromme
Browne	Fackler	Langfitt	Slemmons
Brush	Frailey	McFarlane	Stanley
Campbell	Fulton	McLeland	Stoddard
Carden	Gilchrist	Merritt	Topping
Cavanaugh	Gunderson	Mills	Ulstad
Clark	Hartman	Ramsey	Wilson of Page
Clearman	Haskell	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Baird	Booth	Rigby	Wilson of Louisa
Beatty	Kimberly		

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.

Senator Cavanaugh moved that the Senate adjourn until 9 a. m. Wednesday, which motion was lost.



## SENATE RESOLUTION

Senator Haskell offered the following resolution :

*Whereas*, The friendly relations long existing between Ames and Iowa City do not permit them to meet on the football field; and

*Whereas*, Life is a warfare, and the rewards are only won by those who accept the challenge it offers; and

*Whereas*, To develop strength, self-reliance, courage and ability to stand hard knocks, both Ames and Iowa City should cease to proffer the welcoming hand, but should extend the threatening fist instead; and

*Whereas*, To induce them to pursue this course, it seems they need the encouragement of the public, and particularly the encouragement of the wise men of the state now assembled in its legislative halls, *therefore*,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That Ames and Iowa City meet annually in three football games; one to be played at Ames, with Iowa City as a guest, who out of respect to its culture, shall win; one at Iowa City, with Ames as a guest, who out of deference to the brawn of the rugged sons of the soil, shall win; and one at Cedar Rapids as a neutral ground, which shall result in a tie, so that honor may remain even, and no recrimination follow to annoy indifferent fans weary of such puerile clamor.

Senator Benson moved that the resolution be referred to the committee on fish and game, which motion prevailed.

## INTRODUCTION OF BILLS

Senate File No. 202, by Senator Gilchrist, a bill for an act to amend section twelve thousand eight hundred thirty-three and section ten thousand six hundred eighty-three of the Code relating to appeals to the Supreme Court.

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

## AMENDMENT FILED

**MR. PRESIDENT:** I move to amend Senator Haskell's Football Resolution as found in Senate Journal of February 15th, 1927, by adding as follows:

"1. Owing to the uncertainty in the minds of many people who saw Iowa and Ames play last year it is hereby officially declared that a football team does actually exist at each of said institutions.

2. Be it resolved that football teams representing both Iowa and Ames shall be chosen in the following manner: At the regular June primary one member from the Democratic and one member from the Repub-

lican party shall be chosen, the Democrats to represent the University of Iowa and the Republicans to represent Iowa State College, said teams to contest in the annual football game as heretofore provided in this resolution, said representatives to be selected as follows: Centers from the first Congressional District; right guards from the second Congressional District; left guards from the third Congressional District; right tackles from the fourth Congressional District; left tackles from the fifth Congressional District; right ends from the sixth Congressional District; left ends from the seventh Congressional District; quarterbacks from the eighth Congressional District; right halves from the ninth Congressional District; left halves from the tenth Congressional District and full backs from the eleventh Congressional District.

It is further provided that no co-eds are eligible for membership on either football team.

All of the foregoing shall be elected at a primary election to be held on the second Tuesday of June of each year, and if in any event any candidate for membership on either of the said teams expends for political purposes more than \$15.35 the matter shall be referred to the United States Senate for investigation. The Fish and Game Department shall have supervision and control of both football teams as they are fish when they lose and game when they win.

It is further provided for the lessening of overhead expense that the Fish and Game warden act as chief coach for both teams.

At all meetings of said teams Senator A. J. Shinn is hereby appointed yell leader for the Republicans and Senator Lloyd Ellis yell leader for the Democrats."

J. R. FRAILEY.

On motion of Senator Wilson of Polk, the Senate adjourned until 10 a. m. Wednesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 16, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. P. W. Pfaltzgraff, pastor of the Evangelical Church, of Waverly, Iowa.

Ex-Senator Milton B. Pitt was introduced and addressed the Senate briefly.

## PETITIONS AND MEMORIALS

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

By Senator Breakenridge, from voters of Clay County, favoring the income tax bill. Ways and means.

By Senator Wilson of Polk, from members of the Des Moines Audubon Society, favoring House File No. 23.

## INTRODUCTION OF BILLS

Senate File No. 203, by Senator Ulstad, a bill for an act to repeal section fifty-three hundred twenty-one (5321) of the Code and to enact a substitute therefor, relating to overseer of the poor.

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

Senate File No. 204, by Senator Rigby, a bill for an act to amend the law as it appears in Ch. 87, Title 5 of the Code, 1924, relating to the powers and duties of the board of conservation and public parks, and providing penalties for the violation of the provisions thereof.

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

Senate File No. 205, by Senator Fulton, a bill for an act to

provide for coordinating the work and service of the various departments of the state.

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

Senate File No. 206, by Senator Topping, a bill for an act to amend section six thousand five hundred seventy-eight (6578) of the Code 1924 relating to a tax for parks and cemeteries.

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

Senate File No. 207, by Senator Baird, a bill for an act to amend the law as it appears in Chapter three hundred ten (310), section six thousand one hundred three (6103) Code of 1924, relating to protection from floods.

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

Senate File No. 208, by Senator Frailey, a bill for an act to repeal section eighty-six hundred eight (8608) of the Code of 1924 relating to a deputy commissioner of insurance and to enact a substitute in lieu thereof.

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution No. 17, relative to adjournment for March recess.

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

Senate Concurrent Resolution No. 19, relating to joint convention of House and Senate on February 22, 1927, at eleven o'clock a. m.

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

House File No. 42, a bill for an act relating to the state sinking fund for public deposits, to provide the applicability of said statutes to special

charter cities, to provide for the issuance, sale and application by the treasurer of state of warrants of indebtedness in order temporarily to replace said fund when depleted, to provide the form and amounts of said warrants, to specify the particular and exclusive funds which shall be applied in the payment of said warrants.

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

House File No. 115, a bill for an act relating to elections in school townships and to the directors to be elected at such elections.

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

House Concurrent Resolution No. 8 referring to a proposed annual football game between the State University of Iowa and Iowa State College.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION NO. 8

*Whereas*, Resumption of athletic activities between the State University of Iowa and Iowa State College would increase the interest of prospective students and others; and

*Whereas*, The receipts of such contests would be of considerable aid financially to both of these institutions and to the state because of the large number of interested persons throughout the state and in neighboring states who would attend; therefore,

*Be It Resolved by the House, the Senate concurring:* That the Board of Education and the Athletic Departments of these two institutions be urgently requested to seriously consider the possibility and the necessity of renewing athletic connections between the two schools, especially as referring to a proposed annual football game.

#### SENATE CONCURRENT RESOLUTION NO. 20

Senator Browne offered the following resolution:

Concurrent resolution for the purpose of demanding that recent changes of the rules of the Chicago Board of Trade, which have eliminated deliveries of No. 4 corn upon future contracts during months of November, December, January and February, and proposed changes of said rules which contemplate the elimination of No. 3 white oats for delivery upon future contracts be the subject of rigid investigation by the Grain Futures Administration.

*Whereas*, The rules of the Board of Trade of the city of Chicago until January 24, 1927, provided for the delivery of corn grading No. 4 during the months of November, December, January and February upon future contracts, and the rules have been changed so that corn grading No. 4 is no longer deliverable; and,

*Whereas*, The producers of Iowa are vitally interested in the market for off-grade corn, particularly when, as in the year 1926, the large volume available for merchandising graded No. 4 and under, and such changes will occasion incalculable loss to the producers; and,

*Whereas*, It is now proposed to change the rules of the Chicago Board of Trade so that No. 3 white oats shall be no longer deliverable upon future contracts; and,

*Whereas*, The Chicago Board of Trade is a contract market under the provisions of the Grain Futures Act, and under the supervision of the Grain Futures Administration of the U. S. Department of Agriculture; now, therefore,

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

Section 1. That such changes and modifications of the rules of the Board of Trade of the City of Chicago as have been made, and appear to be contemplated, be, and they are, vigorously protested, unless it can first be unequivocally shown by those instigating such a change that their operation will be in the interests of the producers of grain, and that they are not for the purpose of stimulating speculation and increasing speculative gains at the expense of the producer;

Sec. 2. Be it further resolved, that such changes and modifications as have been made and are contemplated, and the probable effects thereof, should be thoroughly and exhaustively investigated by the Grain Futures Administration of the U. S. Department of Agriculture, and that the investigation should be conducted in such manner as shall enable the producers and general public to be thoroughly informed;

Sec. 3. Be it further resolved that copies of this resolution be transmitted to the members of the commission created under the Grain Futures Act and having jurisdiction over contract markets, namely, the Secretary of Agriculture, the Secretary of Commerce and the Attorney General of the United States, and to the president and secretary of the Board of Trade of the City of Chicago.

The resolution was laid over under the rules.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 15, 1927, he had approved the following bill:

Senate File No. 3, an act relating to the method of the removal of commissioners of public docks in cities and towns where such department has been established.

#### REPORTS OF COMMITTEES

Senator Cavanaugh submitted the following report:

MR. PRESIDENT: Your committee on code revision to which was re-

ferred House File No. 92, a bill for an act to amend section 9 (nine) of chapter 27 (twenty-seven), Acts 41 (forty-first) General Assembly, relating to withdrawals by candidates of nominations, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 90, a bill for an act to repeal section 4532 (forty-five hundred thirty-two) of the code relating to the approval of bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 89, a bill for an act to amend section 1215 (twelve hundred fifteen) of the code relative to the administration of oaths, and to legalize the acts of the clerk and deputy clerk of the supreme court in administering oaths, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 91, a bill for an act to repeal sections 180 (one hundred eighty) and 214 (two hundred fourteen) of the code and to enact a substitute therefor, relating to the state printing board and to the superintendent of printing, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 88, a bill for an act to amend Section 16 (sixteen) of chapter 27 (twenty-seven) of the Acts 41 (forty-first) General Assembly relating to certificates of nomination, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 78, a bill for an act to amend section 4559 (forty-five hundred fifty-nine) of the code relative to the audit of claims, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 84, a bill for an act to amend Section 3 (three), chapter 120 (one hundred twenty), acts 41 (forty-first) general assembly, relating to the assessment of cost in sewer proceedings, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 86, a bill for an act to amend section twelve thousand seven hundred twenty-six (12726) of the code, relating to the amount of bond in assignments for the benefit of creditors, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 80, a bill for an act to amend Section 1117 (eleven hundred seventeen) of the code relating to removal of city and town officers, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 79, a bill for an act to amend chapter 20 (twenty), acts 41 (forty-first) general assembly relating to the distribution of public documents, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.



Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 37, a bill for an act to amend chapters 96 (ninety-six), 475 (four hundred seventy-five), and 617 (six hundred seventeen) of the code relating to search warrants, 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 2 after the period in line 9.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 44, a bill for an act to provide for the swearing or affirmation of jurors in civil cases, to amend section 10845 (ten thousand eight hundred forty-five), and to repeal sections 11467 (eleven thousand four hundred sixty-seven) and 13831 (thirteen thousand eight hundred thirty-one), of the code, and to enact substitutes for the two latter sections, all relating to the selection, swearing or affirmation, and examination of jurors, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 24, a bill for an act to repeal section 13967 (thirteen thousand nine hundred sixty-seven) of the code relating to fees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 47, a bill for an act to provide for the preparation, approval, printing, and distribution of elementary instructions to persons summoned as trial jurors, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 52, a bill for an act to repeal chapter 42 (forty-

two), acts 41 (forty-first) General Assembly, and to enact a substitute therefor, relating to proof in prosecutions for the violation of the intoxicating liquor statutes, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 77, a bill for an act to amend chapter 160 (one hundred sixty), acts 41 (forty-first) General Assembly, relating to corporations which are delinquent in the making of reports, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 32, a bill for an act to amend section 2051 (two thousand fifty-one) of the code relating to the imposition of a mulct tax upon the issuance of an injunction against the unlawful sale or keeping for sale of intoxicating liquors, and to provide for the imposition of such tax when such injunction is violated, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 28, a bill for an act to amend section 247 (two hundred forty-seven) of the code relating to the annual report of the state fair board, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 39, a bill for an act to repeal section 11341 (eleven thousand three hundred forty-one) of the code and to amend section 11366 (eleven thousand three hundred sixty-six) of the code relating to the taking of depositions, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 19, a bill for an act to repeal section 12890 (twelve thousand eight hundred ninety) of the code and to enact a substitute therefor, relating to the definition of a felony, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Senator Campbell submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File No. 158, a bill for an act to regulate the practice of cosmetology, and to provide for examinations and licensing of practitioners thereof; to provide rules and regulations concerning health and sanitation; and to amend Secs. 2438, 2439, 2440, 2450, 2452, 2455 and 2516 relating to practice of certain professions affecting the public health, begs leave to report it has had the same under consideration and recommends the same do pass.

ED H. CAMPBELL, *Chairman.*

Ordered passed on file.

Senator Johnston submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 147, a bill for an act to amend Chapter 7 of the Acts of the 41st G. A., relating to authority of agents or inspectors of the motor vehicle department, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 188, a bill for an act to repeal Section 5030 of the Code, 1924, relative to the speed of motor vehicles in cities and towns and to enact a substitute therefor. Also to amend Chapter 15 of the Acts of the 41st G. A. relative to the speed of motor vehicles outside of cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 58, a bill for an act to amend Section 4905 of the

Code, 1924, relative to the amount of license fees to be paid on motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 146, a bill for an act to amend Section 4968 of the Code, 1924, relating to the method of computing license fees, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 87, a bill for an act to repeal the law as it appears in Section 4969 of the Code, 1924, relating to additional schedules of classifications of motor vehicles in connection with the licensing thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred House File No. 39, a bill for an act to amend the law as it appears in Section 5026 of the Code, 1924, so as to limit the civil liability of owners and operators of automobiles, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

#### HOUSE MESSAGES CONSIDERED

House File No. 115, a bill for an act to amend, revise, and codify sections forty-two hundred eleven (4211) and forty-two hundred twelve (4212) of the code relating to elections in school townships and to the directors to be elected at such elections.

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

House File No. 42, a bill for an act to amend sections forty-three hundred nineteen (4319) and seventy-four hundred four (7404) of the code, and chapter one hundred seventy-three (173),

acts forty-first (41) general assembly as amended by chapter one hundred seventy-four (174), acts forty-first (41) general assembly, relating to the state sinking fund for public deposits, to provide the applicability of said statutes to special charter cities, to provide for the issuance, sale, and application by the treasurer of state of warrants of indebtedness in order temporarily to replace said fund when depleted, to provide the form and amounts of said warrants, to specify the particular and exclusive funds which shall be applied in the payment of said warrants.

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

### THIRD READING OF BILLS

On motion of Senator Cavanaugh Senate File No. 34, a bill for an act to authorize two or more indictable offenses to be charged in separate counts in the same indictment or trial information, and to regulate the number of peremptory challenges in such cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cavanaugh withdrew the following amendment, previously filed:

Amend section 1 by adding the following thereto: "6. The acceptance and receipt of two or more deposits in a prosecution under section 9279."

Senate Cavanaugh offered the following amendment and moved its adoption:

Amend section 3 by striking out in line 1 the words: "one or more" and inserting in lieu thereof the word "separate".

The amendment was adopted.

The bill was read for information.

Senator Cavanaugh 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, 30.

Booth	Clearman	Haskell	Roberts
Breakenridge	Darting	Johnston	Shaff
Brookins	Dotts	Kern	Skromme
Browne	Ellis	Klemme	Slemmons
Brush	Fackler	Lange	Stanley
Campbell	Fulton	Langfitt	Stoddard
Clark	Gilchrist	Mills	Ulstad
	Gunderson		Wilson of Page

## Nays, 17.

Baird	Cavanaugh	McFarlane	Rigby
Beatty	Dean	McLeland	Shane
Benson	Frailey	Merritt	Shinn
Carden	Hartman	Ramsey	Topping
			Wilson of Polk

## Absent or not voting, 3.

Bergman	Kimberly	Wilson of Louisa
---------	----------	------------------

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.

## AMENDMENTS FILED

Amend Senate File No. 180 by striking lines 3 and 4 from section 6 and inserting therefor the following: "Redfield Review, a newspaper published in Redfield, Iowa, and in The Daily Ledger, a newspaper published in Fairfield, Iowa."

C. J. FULTON.

Amend Senate File No. 181 by striking lines 3 and 4 from section 2 and inserting therefor the following: "in the Redfield Review, a newspaper published in Redfield, Iowa, and in the Daily Ledger, a newspaper published in Fairfield, Iowa."

C. J. FULTON.

The Journal of February 15th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 17, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. R. S. Mills, pastor of the Congregational Church, of Newton, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Hartman, from voters of Fayette County, favoring the bill relative to membership of pupils of public schools in societies and fraternities. Public schools.

By Senator Wilson of Polk, from employees of the Chicago, Milwaukee and St. Paul Ry., of Des Moines, favoring bank guarantee law. Banks and banking.

By Senator McLeland, from voters of Marshall County, favoring bank guarantee act, and opposing bond issue. Banks and banking.

By Senator Ramsey, from citizens of Butler County, favoring income tax law. Ways and means.

By Senator Stoddard, from voters of Woodbury County, favoring bill relating to membership of pupils of public schools in societies and fraternities. Public schools.

By Senator Wilson of Page, from council and mayor of town of Sidney, Fremont County, Iowa, favoring highway bill. Highways.

## SENATOR KLEMME'S 78th BIRTHDAY

It being Senator Klemme's 78th birthday, he bought a box of cigars for the members.

On motion of Senator Wilson of Page the Senate gave Senator Klemme a rising vote of thanks.

He was also presented with a bouquet by the members of the Senate, and also received a bouquet from his own family.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 11, 1927, he had approved the following bill:

Senate File No. 31, an act to amend the law as it appears in Section 8248 of the Code, 1924.

#### INTRODUCTION OF BILLS

Senate File No. 209, by Senator Bergman, a bill for an act to make the primary roads arterial highways and to regulate traffic as it enters upon such highways.

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

Senate File No. 210, by Senator Frailey, a bill for an act to amend Sections Three Thousand Seven Hundred Forty-one (3741) and Three Thousand Seven Hundred Forty two (3742) of the Code of 1924, relative to the salaries of officials and their maintenance and the salaries of guards at the penitentiary and men's reformatory.

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

Senate File No. 211, by Senator Lange, a bill for an act to amend the law as it appears in section six thousand six hundred fifty-one (6651) of the Code, 1924, relative to appointments by members of the council in cities operating under the city manager plan.

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

Senate File No. 212, by Senator Stoddard, a bill for an act to amend section six thousand eleven (6011) of the code, relating to street improvements.

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



Senate File No. 213, by Senator Baird, a bill for an act to amend section six thousand one hundred thirteen (6113) of the 1924 Code, relating to bonds and certificates for street improvements and sewers.

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

Senate File No. 214, by Senator Fulton, a bill for an act to amend section five thousand nine hundred and ninety-three (5993) of the Code, 1924, relating to street improvements, sewers and special assessments.

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 5, a bill for an act relating to the number of election ballots to be furnished to the various voting precincts of the state by the officers charged with the printing thereof.

Also, 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 providing for the examination and registration of architects, the issuing or revoking of certificates of registration, and prescribing penalties for violation of this act.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORTS OF COMMITTEES

Senator Merritt submitted the following report:

**MR. PRESIDENT:** Your committee on drainage to which was referred House File No. 8, a bill for an act to provide for the return of excess assessments of cost of construction of main ditches in drainage districts, begs leave to report it has had the same under consideration and recommends the same do pass.

J. G. MERRITT, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on drainage to which was referred Senate File No. 114, a bill for an act to amend chapter three hundred

fifty-eight (358) of the Code, 1924, relating to the management of drainage or levee districts, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. G. MERRITT, *Chairman.*

Ordered passed on file.

Senator Gilchrist submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 50, a bill for an act to amend chapter five hundred four (504) of the Code, 1924, relating to the duties of the clerk of the probate court and providing for notice, in certain cases, to consular representatives, 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 immediately after the word "subjects" in line six (6) in section one (1) the words "citizens and/or nationals".

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 165, a bill for an act to amend section ten thousand eight hundred forty-six (10846) of the Code of 1924, relating to the fees of grand jurors in counties having a population of 140,000 inhabitants and over, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 74, a bill for an act to repeal sections twelve thousand nine hundred eighty-four (12984) to twelve thousand nine hundred eighty-nine (12989) inclusive, and section twelve thousand nine hundred ninety-one (12991) of the Code, 1924, relating to arson, 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:

Amend section two (2) of the bill by striking the word "or" from line one (1) and by inserting in lieu thereof the word "and".

Also amend section three (3) by striking from the first line the word "or" and by inserting in lieu there the word "and".

Also amend section four (4) by striking the word "or" in the first line and by inserting the word "and" in lieu thereof.

Also amend section five (5) by striking the word "or" in the first line and by inserting the word "and" in lieu thereof.

Also amend section six (6) by striking the word "or" in the first line and by inserting in lieu thereof the word "and".

Further amend by striking from line seven (7) in section two (2) the words "less than two (2) nor".

Amend line nine of section three (3) by striking therefrom the words "less than one (1) nor".

Amend line eleven (11) in section four (4) of the bill by striking therefrom the words "less than one (1) nor".

Amend line eight (8) of section five (5) by striking therefrom the words "less than one (1) nor".

Amend line five (5) in section six (6) by striking therefrom the words "less than one (1) nor".

Also amend said bill by striking the period at the end of section four (4) and by inserting a comma in lieu thereof and by adding thereto the words "or be fined not to exceed one thousand (\$1000.00) dollars."

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Benson submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 191, a bill for an act to repeal paragraph two (2) of section thirty-six hundred twelve (3612) of the code and to enact a substitute therefor, relating to the appointment of probation officers, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman.*

Ordered passed on file.

Senator Johnston submitted the following report:

MR. PRESIDENT: Your committee on railroads to which was referred Senate File No. 157, a bill for an act to amend the law as it appears in section 7878 of the Code, 1924, relating to the powers and duties of the 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 by removing the period in section 2, in line 7 thereof and inserting in lieu thereof a comma (,) and the following: "but any finding or order as a result of such hearing must be agreed to by a majority of the board."

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on railroads to which was referred Senate File No. 152, a bill for an act to amend the law as it appears in section 8128 of the Code, relating to the issuance of free passes by common carriers, 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 section 1, the last five lines, and inserting in lieu thereof: "agents, employees, attorneys, physicians, and surgeons of such common carriers, whose chief and principal occupation is to render service to common carriers of passengers, to the families of such persons, to physicians and surgeons actually employed by such common carriers to render medical service in behalf of said common carriers and to attorneys actually employed by such common carriers to render legal services in behalf of said common carriers."

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 38, 49, 48, 41, 107, and 94.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 38, 49, 48, 41, 107, and 94.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 17th day of February, sent to the governor for his approval Senate Files Nos. 38, 49, 48, 41, 107, and 94.

D. L. WILSON, *Chairman.*

The report was adopted.

## SENATE FILE NO. 143 WITHDRAWN

By unanimous consent on request of Senator Johnston, Senate File No. 143 was withdrawn from further consideration.

## BILLS INDEFINITELY POSTPONED

On motion of Senator Cavanaugh, the reports of the committee on code revision, reporting the following bills for indefinite postponement, were taken up and adopted: Senate Files Nos. 20, 45, 43, 44, 24, 52, 32, 28, 39, and 19, and House File No. 77.

On motion of Senator Fackler the report of the committee on public schools, reporting Senate File No. 84 for indefinite postponement, was taken up and adopted.

## SENATE CONCURRENT RESOLUTION NO. 18 CONSIDERED

Senator Skromme called up for consideration Senate Concurrent Resolution No. 18, found on page 382 of the Senate Journal, and moved its adoption.

Action was deferred temporarily.

The President appointed Senator Carden as a committee of one to escort Ex-Senator Lindley, of Henry County, to the desk. Senator Lindley addressed the Senate briefly.

The Senate resumed consideration of Senate Concurrent Resolution No. 18.

Senator Shinn moved that Senator Skromme's remarks be printed in the Journal, which motion was lost.

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

Ayes, 15.

Booth	Fackler	McLeland	Skromme
Brookins	Fulton	Mills	Slemmons
Browne	Hartman	Roberts	Ulstad
Dotts	Kern	Shinn	

Nays, 30.

Baird	Clearman	Klemme	Shaff
Benson	Darting	Lange	Shane
Bergman	Ellis	Langfitt	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Brush	Gilchrist	Merritt	Topping
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kimberly		

Absent or not voting, 5.

Beatty  
Campbell

Dean

Gunderson

Wilson of Louisa

The resolution was lost.

Senator Clearman moved that the vote by which the resolution failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE MESSAGES CONSIDERED

House File No. 5, a bill for an act to amend the law as it appears in section seven hundred eighty-two (782) of the Code, 1924, relating to the number of election ballots to be furnished to the various voting precincts of the state by the officers charged with the printing thereof.

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

House File No. 74, a bill for an act to create a board of architectural examiners, prescribing its duties, providing for the examination and registration of architects, the issuing or revoking of certificates of registration, and prescribing penalties for violation of this act.

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

The Journal of February 16th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 18, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. U. S. Smith, president of the Iowa Wesleyan College, Mt. Pleasant, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day, on request of Senator Browne.

## PETITIONS AND MEMORIALS

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

By Senator Roberts, from farmers of Kellerton, Iowa, favoring income tax bill. Ways and means.

By Senator Haskell, from merchants and citizens of Marion, Iowa, endorsing the "bad check" bill, Senate File No. 164, and also favoring the income tax bill. Judiciary No. 2.

## INTRODUCTION OF BILLS

Senate File No. 215, by committee on ways and means, a bill for an act to repeal sections 1563 (fifteen hundred sixty-three), 1572 (fifteen hundred seventy-two), and 1573 (fifteen hundred seventy-three), and to enact substitutes therefor; and to amend sections 1570 (fifteen hundred seventy), 1571 (fifteen hundred seventy-one), and 1578 (fifteen hundred seventy-eight) of the code and chapter 146 (one hundred forty-six), acts 41 (forty-first) general assembly, relating to cigarettes, cigarette papers, wrappers and tubes, to the mullet tax thereon, and to the administration of the law relating to such tax.

Read first and second times and placed on the calendar.

Senate File No. 216, by Senator Mills, a bill for an act to amend section fifty seven hundred forty-seven (5747), of the code, relating to pasteurization of milk, skimmed milk, and cream.

Read first and second times and referred to committee on dairy and food.

Senate File No. 217, by committee on conservation, a bill for an act to amend the law as it appears in chapter 87, Title V of the Code, 1924, relating to the powers and duties of the board of conservation and public parks, and providing penalties for the violation of the provisions thereof.

Read first and second times and placed on the calendar.

Senate File No. 218, by committee on appropriations, a bill for an act providing for the creation and appointment of a commission for the purpose of promoting the agricultural, industrial and commercial development and welfare of the State of Iowa and making an appropriation therefor.

Read first and second times and placed on the calendar.

Senate File No. 219, by committee on judiciary No. 2, a bill for an act to repeal the law as it appears in Chapter ninety-three (93), Title V of the Code, 1924, and to enact a substitute therefor, relating to organizations soliciting public donations.

Read first and second times and placed on the calendar.

Senate File No. 220, by Senator Frailey, a bill for an act to amend the law as it appears in section six thousand thirty-two (6032) of the Code, 1924, relating to the payment of special assessments.

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

Senate File No. 221, by Senator Clearman, a bill for an act to amend section five thousand seven hundred twenty-eight (5728) of the code, relating to police courts.

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

Senate File No. 222, by Senator Topping, a bill for an act to amend section ninety-six hundred ninety-three (9693) of the Code,



1924, relating to sales to satisfy warehousemen's lien by permitting sales to be made by sheriff or constable and by giving warehousemen the right to purchase property at such sales.

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

#### S. F. 204 WITHDRAWN

By unanimous consent on request of Senator Rigby, Senate File No. 204 was withdrawn from further consideration.

#### D. A. LYONS MEMORIAL RESOLUTION

Senator Klemme offered the following resolution and moved its adoption:

*Whereas*, The Honorable D. A. Lyons, former Senator from Howard County, in the Twenty-eighth and Thirtieth General Assemblies, died at Cresco, Iowa, on March 24th, 1924; therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That the president appoint a committee of three to draft suitable resolutions in commemoration of his life and services.

The resolution was adopted and the President appointed as such committee Senators Klemme, Ramsey and Johnston.

#### MESSAGES FROM THE HOUSE

The 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. 76, a bill for an act relating to the record and filing of city or town plats, and to adjust said records in accordance with the substitute herein enacted.

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

House File No. 135, a bill for an act relating to destruction of trees along public highways by county supervisors.

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

House File No. 183, a bill for an act authorizing the investment in certain securities of the additional bonus and disability fund created by section eight (8), chapter three hundred thirty-two (332), acts of the Thirty-ninth General Assembly.

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

House File No. 199, a bill for an act requiring certain information to be furnished by soldiers' relief commissions to the state bonus board.

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

House File No. 11, a bill for an act providing that no bond issue shall be declared carried unless at least sixty-five per cent of the votes cast thereon are favorable thereto.

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

House File No. 53, a bill for an act relating to nominations by primary elections and the number of votes necessary to a nomination.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORTS OF COMMITTEES

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 54, a bill for an act to amend the law as it appears in section forty-seven hundred eighty-nine (4789) of the Code, 1924, relating to poll tax lists, begs leave to report it has had the same under consideration and recommends the same do pass.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Senator Mills submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 120, a bill for an act to authorize the adjutant general to make free distribution of the roster of Iowa soldiers, sailors and marines in so far as said roster has been published, begs leave to report it has had the same under consideration and recommends the same do pass.

R. C. MILLS, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 27, a bill for an act repealing section four thousand ninety-five (4095) of the Code, 1924, and enacting a substitute therefor relative to abolishing county high schools, disposing of their property and buildings and the holding of an election therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Senator Dean submitted the following report :

MR. PRESIDENT: Your committee on fish and game to which was referred Senate File No. 131, a bill for an act to prohibit the use of ferrets in the capture of rabbits, begs leave to report it has had the same under consideration and recommends the same do pass.

H. E. DEAN, *Chairman.*

Ordered passed on file.

Senator Frailey submitted the following report :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 87, a bill for an act to repeal section 8609 of the code relating to the payment of salaries for certain state officers and employees, begs leave to report it has had the same under consideration and recommends the same do pass.

JOE R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 100, a bill for an act to amend the law as it appears in section thirteen thousand twenty nine (13029) of the Code, 1924, relating to embezzlements of funds received by a public officer by virtue of his office, begs leave to report it has had the same under consideration and recommends the same do pass.

JOE R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 166, a bill for an act to repeal paragraph four of section 6946 of the code and to enact a substitute therefor, relating to exemptions from taxation, begs leave to report it has had the same under consideration and recommends the same do pass.

JOE R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 130, a bill for an act to amend section eighteen hundred eighty-three (1883) of chapter ninety (90) of the Code of Iowa 1924, relating to certified shorthand reporters, begs leave to report it has had the same under consideration and recommends the same do pass.

JOE R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 117, a bill for an act to amend the law as it appears in section ten thousand four hundred ten (10410) of the Code of Iowa 1924, relating to renewals of charters for private corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

JOE R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 105, a bill for an act to amend section 11799 of the Code, 1924, relating to the protection of junior 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 by striking out therefrom the words "but he shall not enter them as personal judgments against anybody".

JOE R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 73, a bill for an act to repeal section eleven thousand four hundred thirty-eight (11438) of the Code of 1924, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

JOE R. FRAILEY, *Chairman.*

Ordered passed on file.

Senator Breakenridge submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 118, a bill for an act to prevent the introduction into and dissemination within this state of insect pests and diseases injurious to plants and plant products of this state, to create the office of state entomologist within the state department of agriculture, and to prescribe its powers and duties, and to provide penalties for a violation thereof and to repeal chapter 201 of the Code relating to the state entomologist, 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 immediately after the word "operation" and before the word "is" in line five (5) of section seventeen (17) the following: "such as is normal and usual in farm operations".

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on agriculture to which was referred House File No. 22, a bill for an act to amend the law as it appears in section 2926 of chapter 138 of the Code, 1924, relating to the time for holding the annual meeting and election of officers of Farm Aid 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 all of section 1 and inserting in lieu thereof the following:

“Section 1. Article three (3) of section twenty-nine hundred twenty-six (2926) of the Code, 1924, is hereby amended by inserting following the word “of” in line five (5) the words “not less than”.

Also amend said article three (3) by striking out all after the period (.) in line five (5) thereof down to and including the period (.) in line ten (10) and inserting in lieu thereof the following:

“Such officers and directors shall be elected by the members of the corporations at an annual meeting held on the third Monday in December of each year; their term of office shall begin on the first Monday in the next January after their election and they shall serve for a term of one year and until their successors are elected.”

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on agriculture to which was referred Senate File No. 161, a bill for an act to appropriate the sum of seventeen thousand four hundred dollars, twenty-seven cents (\$17,400.27), to pay the deficit in the amount appropriated for state aid to county and district fairs, begs leave to report it has had the same under consideration and recommends the same do pass after the same has been referred to the Appropriation Committee.

W. J. BREAKENRIDGE, *Chairman.*

The report was adopted and the bill referred to committee on appropriations.

On motion of Senator Browne the Senate went into executive session.

#### EXECUTIVE SESSION

On motion and roll call the Senate approved the appointment of Hon. Dwight Lewis of Des Moines, Polk County, as commerce counsel for the term of four years, beginning July 1, 1927.

The Senate arose from executive session and resumed regular session.

### MOTION TO RECONSIDER CONSIDERED

Senator Lange called up for consideration his motion to reconsider the vote by which Senate File No. 2 failed to pass the Senate, as found on page 364 of the Senate Journal, and moved its adoption:

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

Ayes, 37.

Baird	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Dean	Lange	Skromme
Booth	Ellis	Langfitt	Stanley
Brookins	Fackler	McFarlane	Stoddard
Brush	Frailey	McLeland	Topping
Campbell	Gunderson	Merritt	Wilson of Page
Carden	Hartman	Mills	Wilson of Polk
Cavanaugh	Haskell	Rigby	
Clark	Johnston		

Nays, 3.

Browne	Dotts	Kern
--------	-------	------

Absent or not voting, 10.

Beatty	Gilchrist	Shinn	Wilson of
Breakenridge	Ramsey	Slemmons	Louisa
Fulton	Roberts	Ulstad	

The motion prevailed and the vote by which the bill failed to pass the Senate was reconsidered.

Senator McFarlane moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

Senator McLeland moved that the vote by which the committee amendment was adopted be reconsidered, which motion prevailed.

The amendment was adopted.

Senator McLeland again moved that the vote by which the committee amendment was adopted be reconsidered, which motion prevailed.

The amendment was lost.

The bill was read for information.

Senator Ellis moved 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.

Baird	Clearman	Kimberly	Shane
Benson	Darting	Lange	Shinn
Bergman	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Stanley
Brookins	Frailey	McLeland	Stoddard
Brush	Gunderson	Merritt	Topping
Campbell	Hartman	Rigby	Wilson of Page
Carden	Haskell	Roberts	Wilson of Polk
Clark	Johnston	Shaff	

Nays, 7.

Beatty	Cavanaugh	Mills	Ulstad
Browne	Dean	Slemmons	

Absent or not voting, 8.

Breakenridge	Fulton	Kern	Ramsey
Dotts	Gilchrist	Klemme	Wilson of Louisa

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

Senator Ellis 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 MESSAGES CONSIDERED

House File No. 183, a bill for an act authorizing the investment in certain securities of the additional bonus and disability fund created by section eight (8), chapter three hundred thirty-two (332) acts of the thirty-ninth general assembly.

Read first and second time and passed on file.

House File No. 199, a bill for an act to amend chapter two hundred seventy-three (273) of the code, 1924, requiring certain information to be furnished by soldiers' relief commissions to the state bonus board.

Read first and second time and passed on file.

House File No. 135, a bill for an act providing for an amendment to section four thousand eight hundred thirty-one (4831), relating to destruction of trees along public highways by county supervisors.

Read first and second time and referred to committee on horticulture and forestry.

House File No. 76, a bill for an act to repeal section sixty-two hundred seventy-seven (6277) of the code, 1924, and to enact a substitute therefor, relating to the record and filing of city or town plats, and to adjust said records in accordance with the substitute herein enacted.

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

House File No. 53, a bill for an act to amend section five hundred eighty (580) and five hundred ninety-three (593) of the code, 1924, relating to nominations by primary elections and the number of votes necessary to nominate.

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

House File No. 11, a bill for an act providing that no bond issue shall be declared carried unless at least sixty-five per cent of the votes cast thereon are favorable thereto.

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

### THIRD READING OF BILLS

On motion of Senator Cavanaugh, Senate File No. 50, a bill for an act to amend, revise, and codify sections 13744 (thirteen thousand seven hundred forty-four) and 13747 (thirteen thousand seven hundred forty-seven) of the code relating to the power of the court to order amendments to indictments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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	Clark	Haskell	Mills
Benson	Clearman	Johnston	Shane
Bergman	Dean	Kern	Shinn
Booth	Dotts	Kimberly	Skromme
Browne	Ellis	Klemme	Slemmons
Brush	Fackler	Langfitt	Stanley
Campbell	Fulton	McLeland	Ulstad
Carden	Gunderson	Merritt	Wilson of Page
Cavanaugh	Hartman		

**Nays, 4.**

Beatty	Frailey	Lange	Wilson of Polk
--------	---------	-------	----------------

**Absent or not voting, 12.**

Breakenridge	Gilchrist	Rigby	Stoddard
Brookins	McFarlane	Roberts	Topping
Darting	Ramsey	Shaff	Wilson of Louisa

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

On motion of Senator Benson, Senate File No. 66, a bill for an act to amend, revise, and codify sections eleven thousand nine hundred three (11903), and eleven thousand nine hundred four (11904) of the code, relating to the service of notice in proceedings for the administration of the estates of absentees, was taken up and considered, the report of the committee having been previously adopted.

Senator Benson offered the following amendments and moved their adoption:

Amend by adding thereto as section 1 thereof the following: "Section 1. Section eleven thousand nine hundred one (11901) of the code is hereby amended by striking the period in line thirteen (13) and inserting a comma in lieu thereof and by adding after the word 'file' in line thirteen (13) of said section the following: 'and the probable aggregate value of such estate in Iowa.'"

Further amend by renumbering section one (1) as section two (2) thereof and by renumbering section two (2) as section three (3) thereof.

Further amend by inserting after the word "valued" in line four (4) of section one (1) thereof the words "in the petition for administration".

Further amend by striking from lines thirteen (13) and fourteen (14) of section one (1) thereof the words "where the aggregate value of the property is" and by inserting in lieu thereof the words "valued in the petition for administration at".

Further amend by adding at the close of line twenty (20) of section one (1) of the bill the following: "in the absence of such an order notice must be given as provided for an estate of more than one thousand (\$1,000.00) dollars in value."

Amend the title of the bill by inserting in the first line of the title after the word "sections" the following: "eleven thousand nine hundred one (11901) and".

The amendments were adopted.

The bill was read for information.

Senator Benson moved 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	Cavanaugh	Hartman	Mills
Beatty	Clark	Haskell	Shane
Benson	Clearman	Johnston	Skromme
Bergman	Dean	Kern	Slemmons
Booth	Dotts	Kimberly	Stanley
Breakenridge	Ellis	Klemme	Topping
Browne	Fackler	Lange	Ulstad
Brush	Frailey	Langfitt	Wilson of Page
Campbell	Fulton	McLeland	Wilson of Polk
Carden	Gunderson	Merritt	

Nays, none.

Absent or not voting, 11.

Brookins	McFarlane	Roberts	Stoddard
Darting	Ramsey	Shaff	Wilson of Louisa
Gilchrist	Rigby	Shinn	

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

Senator Benson 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 Wilson of Polk Senate File No. 57, a bill for an act to amend section four (4) of chapter seventeen (17) of the Laws of the Forty-first (41st) General Assembly, relating to electric storage batteries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Wilson of Polk

the word "That" was stricken from line 1 of section 2 and the word "This" inserted in lieu thereof.

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Clark	Johnston	Shane
Beatty	Clearman	Kern	Shinn
Benson	Dotts	Kimberly	Skromme
Bergman	Fackler	Klemme	Slemmons
Booth	Frailey	Lange	Stanley
Browne	Fulton	Langfitt	Topping
Campbell	Gunderson	McLeland	Ulstad
Carden	Hartman	Merritt	Wilson of Page
Cavanaugh	Haskell	Mills	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Breakenridge	Dean	Ramsey	Shaff
Brookins	Ellis	Rigby	Stoddard
Brush	Gilchrist	Roberts	Wilson of Louisa
Darting	McFarlane		

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

Senator Wilson of Polk 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 Cavanaugh Senate File No. 53, a bill for an act to repeal section 11484 (eleven thousand four hundred eighty-four) and to make section 13858 (thirteen thousand eight hundred fifty-eight of the code applicable to civil trials, all relating to the subject of civil procedure, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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	Clearman	Johnston	Roberts
Benson	Dean	Kern	Shane
Bergman	Dotts	Kimberly	Slemmons
Booth	Ellis	Klemme	Topping
Breakenridge	Fackler	Langc	Ulstad
Browne	Frailey	Langfitt	Wilson of Page
Campbell	Fulton	McLeland	Wilson of Polk
Cavanaugh	Hartman	Mills	
Clark	Haskell	Rigby	

Nays, none.

Absent or not voting, 16.

Beatty	Darting	Merritt	Skromme
Brookins	Gilchrist	Ramsey	Stanley
Brush	Gunderson	Shaff	Stoddard
Carden	McFarlane	Shinn	Wilson of Louisa

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

#### SENATE CONCURRENT RESOLUTION NO. 21

Senators Breakenridge and Campbell offered the following resolution:

*Be It Resolved by the Senate of the State of Iowa and the House of Representatives concurring: That*

*Whereas*, The Senate and House of Representatives of the United States have passed with a splendid majority, the McNary-Haugen bill for the equalization of agriculture, and

*Whereas*, This measure was adopted after four years careful consideration by the people, and on the part of congress, and

*Whereas*, It meets with practically the unanimous approval of the Farm Organizations and of the citizens of the agricultural sections of the United States,

*Now Therefore, Be It Resolved: That we, representatives of the people of Iowa, hereby convey to the President of the United States an expression of our hearty approval of this measure and of our trust that the bill will become effective by his signature, and that a copy of this resolution be transmitted by wire to the President of the United States.*

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution No. 9 urging the President to sign the McNary-Haugen bill.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION NO. 9

*Whereas*, The Senate and House of Representatives of the United States have passed, with a splendid majority, the bill known as the McNary-Haugen bill for the equalization of agriculture; and

*Whereas*, This measure was adopted after four years of careful consideration by the people, and on the part of congress, and

*Whereas*, It meets with practically the unanimous approval of the farm organizations and of the citizens of the agricultural sections of the whole United States,

*Therefore, Be It Resolved by the House, the Senate concurring*, That we, the representatives of the people of Iowa, hereby convey to the President of the United States an expression of our hearty approval of this measure and of our trust that the bill will become effective by his signature, and,

That a copy of this resolution be transmitted by wire to the President of the United States.

Senator Breakenridge moved that House Concurrent Resolution No. 9 be substituted for Senate Concurrent Resolution No. 21, which motion prevailed.

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

Ayes, 42.

Beatty	Darting	Klemme	Shane
Benson	Dean	Lange	Shinn
Bergman	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Breakenridge	Fackler	McLeland	Stanley
Browne	Frailey	Merritt	Stoddard
Campbell	Fulton	Mills	Topping
Carden	Gunderson	Rigby	Ulstad
Cavanaugh	Hartman	Roberts	Wilson of Page
Clark	Johnston	Shaff	Wilson of Polk
Clearman	Kern		

Nays, none.

Absent or not voting, 8.

Baird	Brush	Haskell	Ramsey
Brookins	Gilchrist	Kimberly	Wilson of Louisa

The resolution was adopted.

Senator Breakenridge 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.

### THIRD READING OF BILLS

On motion of Senator Mills House File No. 183, a bill for an act authorizing the investment in certain securities of the additional bonus and disability fund created by section eight (8), chapter three hundred thirty-two (332), acts of the thirty-ninth general assembly, was substituted for Senate File No. 180, taken up and considered.

Senator Mills moved that the rules be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 41.

Baird	Darting	Klemme	Shinn
Beatty	Dean	Lange	Skromme
Benson	Dotts	Langfitt	Slemmons
Bergman	Ellis	McFarlane	Stoddard
Booth	Fackler	McLeland	Topping
Breakenridge	Frailey	Merritt	Ulstad
Campbell	Fulton	Mills	Wilson of Page
Carden	Gunderson	Rigby	Wilson of Polk
Cavanaugh	Hartman	Roberts	
Clark	Johnston	Shaff	
Clearman	Kern	Shane	

Nays, 1.

Browne

Absent or not voting, 8.

Brookins	Gilchrist	Kimberly	Stanley
Brush	Haskell	Ramsey	Wilson of Louisa

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

Senator Mills 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 Mills House File No. 199, a bill for an act to amend chapter two hundred seventy-three (273) of the code, 1924, requiring certain information to be furnished by soldiers' relief commissions to the state bonus board, was substituted for Senate File No. 181, taken up and considered.

The bill was read for information.

Senator Mills moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Baird	Clearman	Kern	Shaff
Beatty	Darting	Klemme	Shane
Benson	Dean	Lange	Shinn
Bergman	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Breakenridge	Fackler	McLeland	Stoddard
Browne	Frailay	Merritt	Topping
Campbell	Fulton	Mills	Ulstad
Carden	Gunderson	Rigby	Wilson of Page
Cavanaugh	Hartman	Roberts	Wilson of Polk
Clark	Johnston		

Nays, none.

Absent or not voting, 8.

Brookins	Gilchrist	Kimberly	Stanley
Brush	Haskell	Ramsey	Wilson of Louisa

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

Senator Mills 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 Lange House File No. 20, a bill for an act for the relief of the grantees of C. B. Churchill and John Sullivan and for the purpose of having a patent issued in the name of Luther Taylor and Nellie Sims Taylor for a certain tract of land, 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 the period and inserting a comma in lieu thereof at the end of section three (3) of the bill, and by adding the words: "without expense to the state."

Senator Lange 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.

Baird	Booth	Cavanaugh	Dotts
Beatty	Breakenridge	Clark	Ellis
Benson	Campbell	Clearman	Fackler
Bergman	Carden	Darting	Frailay

Fulton	Langfitt	Roberts	Stoddard
Gunderson	McFarlane	Shaff	Topping
Hartman	McLeland	Shane	Wilson of Page
Johnston	Merritt	Shinn	Wilson of Polk
Klemme	Mills	Skromme	
Lange	Rigby	Slemmons	

Nays, none.

Absent or not voting, 12.

Brookins	Dean	Kern	Stanley
Browne	Gilchrist	Kimberly	Ulstad
Brush	Haskell	Ramsey	Wilson of Louisa

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

Senator Lange 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.

#### S. F. 180 AND 181 WITHDRAWN

By unanimous consent on request of Senator Mills Senate Files Nos. 180 and 181 were withdrawn from further consideration.

#### S. F. 64 REREFERRED

On motion of Senator Campbell Senate File No. 64 was referred to the committee on banks and banking.

The journal of February 17th was corrected and approved.

On motion of Senator Shane the Senate adjourned until 3:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### INTRODUCTION OF BILLS

Senate File No. 223, by Senator Brookins, a bill for an act to amend chapter one hundred thirty-two (132) of Title IX of the code, 1924, to provide for the reinstatement of licensee whose license has expired by reason of failure to pay the renewal license fee as required by section twenty-seven hundred sixty-nine (2769).

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

Senate File No. 224, by Senator Gilchrist, by request, a bill for



an act to require that all windows above the second floor of hospitals and asylums for the care and treatment of sick or insane patients must be provided with grates, bars and screens and providing a penalty for a violation.

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

Senate File No. 225, by committee on educational institutions, a bill for an act to amend chapter three hundred ninety-four (394) of Title XIX and section eighty-five hundred eighty-eight (8588) of the code, 1924, providing restrictions upon the conference of degrees, by corporations of an academic character and individuals conducting academic courses, also penalty for violation thereof.

Read first and second times and placed on the calendar.

#### REPORT OF COMMITTEE

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 186, a bill for an act to repeal sections thirty-nine (39) to forty-six (46), inclusive, Code, 1924, relative to the standing committee on Retrenchment and Reform, begs leave to report it has had the same under consideration and returns the bill without recommendation.

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

#### S. F. 192 MADE SPECIAL ORDER

On motion of Senator Rigby Senate File No. 192 was made a special order for 10:30 a. m. Thursday, February 24th.

#### THIRD READING OF BILLS

On motion of Senator Gunderson Senate File No. 115, a bill for an act to amend chapter seventy-eight (78), Acts of the Forty-first (41st) General Assembly, relating to children's boarding homes, 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 the last line of section 1 the words "fourteen years", and inserting in lieu thereof the words "ten years".

Senator Johnston offered the following amendment and moved its adoption:

Amend by inserting after the word "years" in line 3 the following: "in line 6 of section 1,".

The amendment was adopted.

The bill was read for information.

Senator Gunderson moved 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	Clearman	Johnston	Shane
Beatty	Darting	Kern	Shinn
Benson	Dean	Kimberly	Skromme
Bergman	Dotts	Klemme	Slemmons
Booth	Ellis	Lange	Stanley
Breakenridge	Fackler	Langfitt	Stoddard
Brookins	Frailey	McFarlane	Topping
Carden	Fulton	Merritt	Ulstad
Cavanaugh	Gunderson	Mills	Wilson of Page
Clark		Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 11.

Browne	Gilchrist	McLeland	Shaff
Brush	Hartman	Ramsey	Wilson of Louisa
Campbell	Haskell	Roberts	

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

On motion of Senator Benson Senate File No. 6, a bill for an act to appropriate sufficient funds for expenses of the United States champion junior dairy cattle judging team in attending the nineteen hundred twenty-seven (1927) International Live Stock show, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Benson moved 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	Campbell	Dotts	Johnston
Beatty	Carden	Ellis	Kern
Benson	Cavanaugh	Fackler	Kimberly
Bergman	Clark	Frailey	Klemme
Booth	Clearman	Fulton	Lange
Breakenridge	Darting	Gunderson	Langfitt
Brookins	Dean	Hartman	McFarlane

Merritt	Shaff	Stanley	Ulstad
Mills	Shane	Stoddard	Wilson of Page
Rigby	Skronmme	Topping	Wilson of Polk
Roberts	Slemmons		

Nays, 1.

Shinn

Absent or not voting, 6.

Browne	Gilchrist	Ramsey	Wilson of Louisa
Brush			

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

Senator Benson 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 Senate File No. 72, a bill for an act to amend chapter one hundred sixty-three (163), acts of the Forty-first General Assembly, with reference to the deposit by life insurance companies to cover the valuation of policies, 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, 43.

Baird	Darting	Kimberly	Shane
Bergman	Dean	Klemme	Shinn
Booth	Dotts	Lange	Skromme
Breakenridge	Ellis	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stanley
Browne	Frailey	McLeland	Stoddard
Campbell	Fulton	Merritt	Topping
Carden	Gunderson	Mills	Ulstad
Cavanaugh	Hartman	Rigby	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk
Clearman	Kern	Shaff	

Nays, none.

Absent or not voting, 7.

Beatty	Brush	Haskell	Wilson of Louisa
Benson	Gilchrist	Ramsey	

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 Stanley Senate File No. 135, a bill for an act to amend section two (2) of chapter one hundred thirty-seven (137), acts of the 41st General Assembly, relating to the powers of the board of waterworks trustees, 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 "and", it being the first word in line 5 of section 1.

The bill was read for information.

Senator Stanley moved 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	Clearman	Kimberly	Shane
Benson	Darting	Klemme	Shinn
Bergman	Dean	Lange	Skromme
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Frailey	McLeland	Stoddard
Browne	Fulton	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern	Shaff	

Nays, none.

Absent or not voting, 7.

Beatty	Ellis	Haskell	Wilson of Louisa
Brush	Gilchrist	Ramsey	

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

Senator Stanley 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 Johnston the Senate adjourned until 10 a. m. Saturday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 19, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Dr. Karl W. G. Hiller, pastor of Trinity Methodist Episcopal church, Lake City, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day, on request of Senator Cavanaugh; Senator Baird for the day, on request of Senator Cavanaugh; Senator Bergman for the day, on request of Senator Ellis; Senator Shaff for the day on request of Senator Ellis; Senator Haskell for the day, on request of Senator Johnston; Senator Dotts for the day, on request of Senator Ulstad.

## PETITIONS AND MEMORIALS

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

By Senator Wilson of Page, from business men of Fremont county, favoring reduction in amount of bad check which shall constitute a felony from \$50.00 to \$25.00. Judiciary No. 2.

By Senator Klemme, from council of town of Calmar, Iowa, favoring passage of bridge bill. Boundary bridges.

By Senator Wilson of Polk, from Local Lodge No. 249, Brotherhood of Locomotive Firemen and Enginemen, opposing bond issue, and favoring the bank guarantee act. Highways.

By Senator Wilson of Page, from Sidney Community Club, Fremont county, favoring passage of bill giving Highway Commission powers over primary roads. Highways.

## INTRODUCTION OF BILLS

Senate File No. 226, by Senator Wilson of Page, a bill for an act to amend section one hundred fifty-seven (157) of the code, relating to bills prepared by the editor of the code.

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

Senate File No. 227, by Senator Wilson of Page, a bill for an act to repeal sections thirteen thousand forty-seven (13047), thirteen thousand forty-eight (13048), and thirteen thousand forty-nine (13049) of the code relating to the false drawing and uttering of checks.

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

Senate File No. 228, by Senator Skromme, a bill for an act to provide for first aid treatment for injured workmen in coal mines.

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

## REPORTS OF COMMITTEES

Senator Topping submitted the following report:

MR. PRESIDENT: Your committee on manufactures to which was referred Senate File No. 177, a bill for an act to promote the use of materials manufactured in Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

CLYDE H. TOPPING, *Chairman.*

Ordered passed on file.

Senator McLeland submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 156, a bill for an act to repeal section 5244 of the code and to enact a substitute therefor, relating to temporary assistants for the county auditor and recorder, 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 word "assistants" in line 3 and inserting in lieu thereof the following: "In case no deputy shall be appointed in the office of the county auditor or recorder, or in case the pressure of business demands it, the auditor or recorder is authorized to employ assistance by and with the consent and approval of the board of supervisors, and bills for such service shall be filed with the board of super-

visors, and bills for such service shall be filed with the board of supervisors at their next regular meeting, and said board shall make a reasonable allowance for said services."

W. E. MCLELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 91, a bill for an act to amend sections 7115, 7123, and 7124 of the code relating to assessment rolls and books and the recapitulation sheets pertaining thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 194, a bill for an act to amend section seventy-one hundred seventy-nine (7179) of the code relating to the licensing of traveling shows or circuses for exhibition outside the limits of cities or towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman*.

Ordered passed on file.

Senator Shinn submitted the following report:

MR. PRESIDENT: Your committee on dairy and food to which was referred Senate File No. 67, a bill for an act to regulate the sale of oleo-margarine by requiring an inspection fee, the manner in which said fee shall be paid, and resting the execution and enforcement of this act in the agricultural department, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHINN, *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. 193, a bill for an act to fix and determine the number of members of the house of representatives of this state to which each county is entitled under the census of 1925 (nineteen hundred twenty-five) and to repeal chapter 331 (three hundred thirty-one), acts 39th (thirty-ninth) general assembly.

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 special elections in special charter cities to fill vacancies.

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

House File No. 191, a bill for an act relating to fees and charges collected by the commissioner of insurance, and to enact a substitute therefor.

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

House File No. 184, a bill for an act to authorize the governor to receive from the secretary of war of the United States, and to disburse, certain moneys now in the possession of said secretary as trustee.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 30, a bill for an act declaring the specific duties of peace officers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 76, a bill for an act in relation to the use and disposal of dead animals.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File No. 193, a bill for an act to fix and determine the number of members of the house of representatives of this state to which each county is entitled under the census of 1925 (nineteen hundred twenty-five) and to repeal chapter 331 (three hundred thirty-one), acts 39th (thirty-ninth) general assembly.

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

House File No. 192, a bill for an act to repeal section 6697 (sixty-six hundred ninety-seven) of the code and to enact a substitute therefor, relating to special elections in special charter cities to fill vacancies.

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



House File No. 184, a bill for an act to authorize the governor to receive from the secretary of war of the United States, and to disburse, certain moneys now in the possession of said secretary as trustee.

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

House File No. 191, a bill for an act to repeal section 8612 (eighty-six hundred twelve) of the code, relating to fees and charges collected by the commissioner of insurance, and to enact a substitute therefor.

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

### THIRD READING OF BILLS

On motion of Senator Cavanaugh Senate File No. 37, a bill for an act to amend chapters 96 (ninety-six), 475 (four hundred seventy-five), and 617 (six hundred seventeen) of the Code relating to search warrants, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out all of section 2 after the period in line 9.

The bill was read for information.

Senator Beatty moved 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.

Beatty	Ellis	Langfitt	Shinn
Benson	Fackler	McFarlane	Skromme
Booth	Frailey	McLeland	Slemmons
Breakenridge	Fulton	Merritt	Stanley
Browne	Gunderson	Mills	Stoddard
Carden	Hartman	Rigby	Topping
Cavanaugh	Johnston	Roberts	Ulstad
Clark	Kern	Shaff	Wilson of Page
Clearman	Klemme	Shane	Wilson of Polk
Dean	Lange		

Nays, none.

Absent or not voting, 12.

Baird	Brush	Dotts	Kimberly
Bergman	Campbell	Gilchrist	Ramsey
Brookins	Darting	Haskell	Wilson of Louisa

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

On motion of Senator Cavanaugh House File No. 89, a bill for an act to amend section 1215 (twelve hundred fifteen) of the code relative to the administration of oaths, and to legalize the acts of the clerk and deputy clerk of the supreme court in administering oaths, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Darting	Klemme	Shane
Benson	Dean	Lange	Shinn
Booth	Ellis	Langfitt	Skromme
Breakenridge	Fackler	McFarlane	Stanley
Browne	Frailey	McLeland	Stoddard
Campbell	Fulton	Merritt	Topping
Carden	Gunderson	Mills	Ulstad
Cavanaugh	Hartman	Rigby	Wilson of Page
Clark	Johnston	Shaff	Wilson of Polk
Clearman	Kern		

Nays, none.

Absent or not voting, 12.

Baird	Brush	Haskell	Roberts
Bergman	Dotts	Kimberly	Slemmons
Brookins	Gilchrist	Ramsey	Wilson of Louisa

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

Senator Cavanaugh 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 Cavanaugh House File No. 79, a bill for an act to amend chapter 20 (twenty), acts 41 (forty-first) general

assembly relating to the distribution of public documents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.**

Beatty	Darting	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Breakenridge	Frailey	McLeland	Stanley
Browne	Fulton	Merritt	Stoddard
Campbell	Gunderson	Mills	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Johnston	Shaff	Wilson of Page
Clark	Kern	Shane	Wilson of Polk
Clearman	Klemme		

**Nays, none.**

**Absent or not voting, 12.**

Baird	Brush	Gilchrist	Ramsey
Bergman	Dean	Haskell	Roberts
Brookins	Dotts	Kimberly	Wilson of Louisa

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

On motion of Senator Cavanaugh House File No. 80, a bill for an act to amend section 1117 (eleven hundred seventeen) of the code relating to removal of city and town 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 Cavanaugh moved 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.**

Beatty	Cavanaugh	Ellis	Johnston
Benson	Clark	Fackler	Kern
Booth	Clearman	Frailey	Klemme
Campbell	Darting	Gunderson	Lange
Carden	Dean	Hartman	Langfitt

McFarlane	Rigby	Skromme	Topping
McLeland	Shaff	Slemmons	Ulstad
Merritt	Shane	Stanley	Wilson of Page
Mills	Shinn	Stoddard	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Baird	Browne	Gilchrist	Ramsey
Bergman	Brush	Haskell	Roberts
Breakenridge	Dotts	Kimberly	Wilson of Louisa
Brookins	Fulton		

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

On motion of Senator Cavanaugh House File No. 92, a bill for an act to amend section 9 (nine) of chapter 27 (twenty-seven), Acts 41 (forty-first) General Assembly relating to withdrawals by candidates of nominations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Dean	Klemme	Shinn
Benson	Ellis	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Campbell	Frailey	McFarlane	Stanley
Carden	Fulton	McLeland	Stoddard
Cavanaugh	Gunderson	Mills	Topping
Clark	Hartman	Rigby	Ulstad
Clearman	Johnston	Shaff	Wilson of Page
Darting	Kern	Shane	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Baird	Browne	Haskell	Ramsey
Bergman	Brush	Kimberly	Roberts
Breakenridge	Dotts	Merritt	Wilson of Louisa
Brookins	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 Cavanaugh House File No. 90, a bill for an act to repeal section 4532 (forty-five hundred thirty-two) of the code relating to the approval of bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Darting	Kern	Shane
Benson	Dean	Klemme	Skromme
Booth	Fackler	Lange	Slemmons
Campbell	Frailey	McFarlane	Stanley
Carden	Fulton	McLeland	Stoddard
Cavanaugh	Gunderson	Merritt	Topping
Clark	Hartman	Mills	Ulstad
Clearman	Johnston	Shaff	Wilson of Page
			Wilson of Polk

Nays, none.

Absent or not voting, 17.

Baird	Browne	Gilchrist	Ramsey
Bergman	Brush	Haskell	Rigby
Breakenridge	Dotts	Kimberly	Roberts
Brookins	Ellis	Langfitt	Shinn
			Wilson of Louisa

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

On motion of Senator Cavanaugh House File No. 91, a bill for an act to repeal sections 180 (one hundred eighty) and 214 (two hundred fourteen) of the code and to enact a substitute therefor, relating to the state printing board and to the superintendent of printing, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Darting	Klemme	Shane
Benson	Dean	Lange	Shinn
Booth	Fackler	Langfitt	Skromme
Browne	Frailey	McFarlane	Slemmons
Campbell	Fulton	McLeland	Stanley
Carden	Gunderson	Merritt	Stoddard
Cavanaugh	Hartman	Mills	Topping
Clark	Johnston	Roberts	Ulstad
Clearman	Kern	Shaff	Wilson of Page
			Wilson of Polk

Nays, none.

Absent or not voting, 13.

Baird	Brookins	Ellis	Kimberly
Bergman	Brush	Gilchrist	Ramsey
Breakenridge	Dotts	Haskell	Rigby
			Wilson of Louisa

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

On motion of Senator Cavanaugh House File No. 88, a bill for an act to amend section 16 (sixteen) of chapter 27 (twenty-seven) of the Acts 41 (forty-first) general assembly relating to certificates of nomination, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Benson	Ellis	Langfitt	Shinn
Booth	Fackler	McFarlane	Skromme
Campbell	Frailey	McLeland	Slemmons
Carden	Fulton	Merritt	Stanley
Cavanaugh	Gunderson	Mills	Stoddard
Clark	Johnston	Rigby	Topping
Clearman	Kern	Roberts	Ulstad
Darting	Klemme	Shaff	Wilson of Page
Dean	Lange	Shane	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Baird	Brookins	Gilchrist	Kimberly
Beatty	Browne	Hartman	Ramsey
Bergman	Brush	Haskell	Wilson of Louisa
Breakenridge	Dotts		

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

On motion of Senator Cavanaugh House File No. 78, a bill for an act to amend section 4559 (forty-five hundred fifty-nine) of the code relative to the audit of claims, 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, 37.

Beatty	Dean	Klemme	Shane
Benson	Ellis	Lange	Shinn
Booth	Fackler	Langfitt	Skromme
Browne	Frailey	McFarlane	Slemmons
Campbell	Fulton	McLeland	Stanley
Carden	Gunderson	Merritt	Stoddard
Cavanaugh	Hartman	Mills	Topping
Clark	Johnston	Rigby	Ulstad
Darting	Kern	Roberts	Wilson of Page
			Wilson of Polk

Nays, none.

Absent or not voting, 13.

Baird	Brookins	Dotts	Kimberly
Bergman	Brush	Gilchrist	Ramsey
Breakenridge	Clearman	Haskell	Shaff
			Wilson of Louisa

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

On motion of Senator Cavanaugh House File No. 84, a bill for an act to amend section 3 (three), chapter 120 (one hundred twenty), acts 41 (forty-one) general assembly, relating to the

assessment of cost in sewer 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 Wilson of Page moved 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.

Beatty	Dean	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Browne	Frailey	McLeland	Stanley
Campbell	Fulton	Merritt	Stoddard
Carden	Gunderson	Mills	Topping
Cavanaugh	Hartman	Rigby	Ulstad
Clark	Johnston	Roberts	Wilson of Page
Clearman	Klemme	Shane	Wilson of Polk
Darting			

Nays, none.

Absent or not voting, 13.

Baird	Brush	Haskell	Ramsey
Bergman	Dotts	Kern	Shaff
Breakenridge	Gilchrist	Kimberly	Wilson of Louisa
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 Cavanaugh House File No. 86, a bill for an act to amend section twelve thousand seven hundred twenty-six (12726) of the code, relating to the amount of bond in assignments for the benefit of creditors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Page moved 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.

Benson	Dean	Klemme	Slemmons
Booth	Fackler	Langfitt	Stanley
Campbell	Frailey	McFarlane	Stoddard
Carden	Fulton	Merritt	Topping
Cavanaugh	Gunderson	Roberts	Wilson of Page
Clearman	Hartman	Shane	Wilson of Polk
Darting	Johnston		

Nays, 6.

Clark	McLeland	Shinn	Skromme
Lange	Mills		

Absent or not voting, 18.

Baird	Browne	Haskell	Rigby
Beatty	Brush	Kern	Shaff
Bergman	Dotts	Kimberly	Ulstad
Breakenridge	Ellis	Ramsey	Wilson of Louisa
Brookins	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 Booth House File No. 39, a bill for an act to amend the law as it appears in section five thousand twenty-six (5026) of the code, 1924, so as to limit the civil liability of owners and operators of automobiles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking out the period after the word "liquor" in line 12 and inserting thereafter "or because of the willful or gross negligent operation by him of such motor vehicle."

The amendment was adopted.

The bill was read for information.

Senator Booth moved 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.

Beatty	Ellis	Lange	Shinn
Benson	Fackler	Langfitt	Skromme
Booth	Frailey	McFarlane	Slemmons
Brookins	Fulton	McLeland	Stanley
Campbell	Gunderson	Merritt	Stoddard
Carden	Hartman	Mills	Topping
Cavanaugh	Johnston	Rigby	Ulstad
Clark	Kern	Roberts	Wilson of Page
Darting	Klemme	Shane	Wilson of Polk
Dean			

Nays, none.

Absent or not voting, 13.

Baird	Brush	Gilchrist	Ramsey
Bergman	Clearman	Haskell	Shaff
Breakenridge	Dotts	Kimberly	Wilson of Louisa
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 Beatty Senate File No. 157, a bill for an act to amend the law as it appears in Section seventy-eight hundred seventy-eight (7878) of the code relating to the powers and duties of the Board of Railroad Commissioners, 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 removing the period in section 2, in line 7 thereof and inserting in lieu thereof a comma (,) and the following: "but any finding or order as a result of such hearing must be agreed to by a majority of the board."

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend by renumbering section 3 as section 4 and inserting as section 3 the following: "Sec. 3. This act shall not affect pending litigation."

The amendment was adopted.

The bill was read for information.

Senator Beatty moved 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.

Beatty	Fackler	Langfitt	Skromme
Benson	Frailey	McFarlane	Slemmons
Booth	Fulton	McLeland	Stanley
Brookins	Gunderson	Merritt	Stoddard
Campbell	Hartman	Mills	Topping
Carden	Johnston	Rigby	Ulstad
Cavanaugh	Kern	Roberts	Wilson of Page
Dean	Klemme	Shane	Wilson of Polk
Ellis	Lange	Shinn	

Nays, none.

Absent or not voting, 15.

Baird	Brush	Dotts	Ramsey
Bergman	Clark	Gilchrist	Shaff
Breakenridge	Clearman	Haskell	Wilson of Louisa
Browne	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 Slemmons Senate File No. 87, a bill for an act to repeal the law as it appears in section forty-nine hundred sixty-nine of the code, 1924, relating to additional schedules of classifications of motor vehicles in connection with the licensing 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 Slemmons moved 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.

Beatty	Darting	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Breakenridge	Frailey	McLeland	Stanley
Brookins	Fulton	Merritt	Stoddard
Campbell	Gunderson	Mills	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Johnston	Roberts	Wilson of Page
Clark	Kern	Shane	Wilson of Polk
Clearman	Klemme		

Nays, none.

Absent or not voting, 12.

Baird	Brush	Gilchrist	Ramsey
Bergman	Dean	Haskell	Shaff
Browne	Dotts	Kimberly	Wilson of Louisa

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

Senator Slemmons moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 50, a bill for an act to amend chapter five hundred four (504) of the code, 1924, relating to the duties of the clerk of the probate court and providing for notice, in certain cases, to consular representatives, 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 immediately after the word "subjects" in line six (6) in section one (1) the words "citizens and/ or nationals".

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.

Beatty	Ellis	Lange	Shinn
Benson	Fackler	Langfitt	Skromme
Booth	Frailey	McFarlane	Slemmons
Breakenridge	Fulton	McLeland	Stanley
Campbell	Gunderson	Merritt	Stoddard
Cavanaugh	Hartman	Mills	Topping
Clark	Johnston	Rigby	Ulstad
Clearman	Kern	Roberts	Wilson of Page
Dean	Klemme	Shane	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Baird	Brush	Gilchrist	Ramsey
Bergman	Carden	Haskell	Shaff
Brookins	Darting	Kimberly	Wilson of Louisa
Browne	Dotts		

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

On motion of Senator Roberts House File No. 3, a bill for an act to amend the law as it appears in section fifty-five hundred seventy-three (5573) of the code, 1924, relating to compensation of assessors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Merritt offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section fifty-five hundred seventy-three (5573) of the Code is hereby amended by striking out the first ten (10) lines thereof and inserting in lieu thereof the following:

“Each township assessor shall receive in full for all services required of him by law, a sum to be paid out of the county treasury and fixed annually by the board of supervisors at its January session, for the current year, but said compensation shall not exceed the sum of one dollar (\$1.00) per assessment roll.”

The amendment was lost.

The bill was read for information.

Senator Roberts moved 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.

Beatty	Dean	Klemme	Shane
Benson	Ellis	Lange	Shinn
Booth	Fackler	Langfitt	Skromme
Breakenridge	Fraily	McFarlane	Slemmons
Campbell	Fulton	McLeland	Stoddard
Carden	Gunderson	Merritt	Topping
Cavanaugh	Hartman	Mills	Ulstad
Clark	Johnston	Rigby	Wilson of Page
Clearman	Kern	Roberts	Wilson of Polk
Darting			

Nays, none.

Absent or not voting, 13.

Baird	Browne	Gilchrist	Ramsey
Bergman	Brush	Haskell	Shaff
Brookins	Dotts	Kimberly	Stanley
			Wilson of Louisa

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

#### S. F. 8 WITHDRAWN

By unanimous consent on request of Senator Booth Senate File No. 8 was withdrawn from further consideration.

#### AMENDMENTS FILED

Amend Senate File 179 as follows:

Amend the title by striking out the present title and inserting in lieu thereof the following:

“An act to repeal section eighty-nine hundred thirty-six (8936) of the code and to enact a substitute therefor, relating to insurance.”

Amend section one (1) by striking out all of lines two (2) and three (3) after the word “is” in line two (2) and inserting in lieu thereof the following: “repealed and the following enacted in lieu thereof:”

Amend by adding the following section:

Sec. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Bellevue Herald, a newspaper published at Bellevue, Iowa, and The Maquoketa Sentinel, a newspaper published at Maquoketa, Iowa.

CHAS. S. BROWNE.

The journal of February 18th was corrected and approved.

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

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 21, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. J. W. Johnson, pastor of Christian church, of Redfield, Iowa.

## TELEGRAM ANNOUNCING THE DEATH OF SENATOR WILSON OF LOUISA

The following telegram was received from Mrs. S. F. Wilson:

Morning Sun, Iowa, February 21, 1927.

PRESIDENT OF SENATE, State House.

Senator Wilson, Louisa, died 3 a. m., funeral Wednesday two-thirty p. m. Telephone Morning Sun 1789. Mrs. S. F. WILSON.

Senator Carden moved that the President appoint a committee of three to attend the funeral of Senator Samuel F. Wilson, of Louisa county, at Morning Sun, Iowa, Wednesday at 2:30 p. m.

Senator Stoddard moved that the committee appointed also draft suitable resolutions.

The amendment was accepted.

The motion prevailed and the President appointed as such committee Senators Carden, Topping and Clearman.

The following telegram was sent to Mrs. Wilson by Lieutenant Governor Kimball:

Mrs. S. F. WILSON, Morning Sun, Iowa.

Sorry indeed to hear sad passing of Senator Wilson. Please accept our deep sympathy in this sad hour. Senators have placed flowers upon his vacant desk. Senate adjourned out of respect to him after appointing proper committee on resolutions and to attend funeral. We knew Sena-

tor Wilson only a short time but he became to all of us greatly loved for his many manly qualities. May our sympathy be something of a solace to you is the desire of the Senate of Iowa.

CLEM F. KIMBALL, *Lieutenant Governor and President of Senate.*

Senator Topping moved that the Senate adjourn, out of respect for Senator Wilson, until 9:30 a. m. Tuesday, which motion prevailed.



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 22, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. W. Crossley, pastor of the Methodist Episcopal church of Ackley, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kern for the day, on request of Senator Fackler.

## PETITIONS AND MEMORIALS

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

By Senator Lange, from Iowa State Association of Registered Nurses, District No. 3, favoring appropriation to provide for a director of nursing. Public health.

By Senator Hartman, from Parent-Teachers Association of Waukon, petitioning legislature to draft some law prohibiting newspapers from publishing details of all crimes. Printing.

By Senator Carden, from voters of New London, favoring garnishee bill. Judiciary No. 1.

By Senator Haskell, from automobile dealers of Cedar Rapids, favoring bill asking for relief on automobile transfer fees. Motor vehicles.

By Senator Carden, from Bob Tribby Post No. 58, American Legion of Mt. Pleasant, recommending change in Iowa's soldier's exemption laws. Judiciary No. 2.

## PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the

proof of publication of Senate File No. 178, a proposed bill for the legalization of transfer of funds in the city of Eldon, Wapello County, Iowa.

WALTER H. BEAM, *Secretary.*

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of Senate File No. 196, a proposed bill for the legalization of transfer of funds from bridge fund to the general fund by resolution of the Board of Supervisors of the county of Appanoose.

WALTER H. BEAM, *Secretary.*

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 18th he had approved the following bills:

Senate File No. 38, an act to amend Section 3774 of the Code, and Chapter 67, Acts of the 41st General Assembly.

Senate File No. 49, an act to require propositions for the appropriations of money for bridges to be submitted to the voters in certain cases.

Senate File No. 48, an act to provide for the commencement, making up of the issues, and trial, in vacation of an action of mandamus.

Senate File No. 41, an act to amend Chapter 117 acts of 41st General Assembly, relating to filing of reports by municipal officers.

Senate File No. 94, an act relating to appropriation to pay expenses incurred by committee to investigate the banking conditions in this and other states.

Senate File No. 107, relating to salary of Assistant County Attorney.

#### INTRODUCTION OF BILLS

Senate File No. 229, by Senator Fulton, a bill for an act to amend chapter two hundred sixty-nine (269) of the code relating to county public hospitals, and to the duties of the superintendents and trustees thereof relative to surgical operations.

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

Senate File No. 230, by Senator Clearman, a bill for an act to

amend section thirty-nine hundred twenty-six (3926) of the Code, 1924, relating to the loaning of funds belonging to the state educational institutions that are under the control and supervision of the State Board of Education.

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

Senate File No. 231, by Senator Frailey, a bill for an act to amend Section Six Thousand Two Hundred Fifteen (6215) of the Code of 1924, relating to the transfer of funds in certain cities and towns.

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

Senate File No. 232, by Senator Ulstad, a bill for an act to amend the law as the same appears in Chapter sixty-eight (68) of the Code of 1924, relating to shot firemen who fire shots in coal mines.

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

Senate File No. 233, by Senator Roberts, a bill for an act to amend Section 8 (eight), Chapter 6 (six) of the Acts of the Forty-first (41st) General Assembly, relating to gasoline license fee.

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

Senate File No. 234, by Senator Stoddard, a bill for an act to amend chapter one hundred eighteen (118) of the acts of the forty-first general assembly, relating to the extension of water mains and the levying of special assessments therefor against privately owned property.

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

Senate File No. 235, by Senator Stoddard, a bill for an act to cancel certain special deposits heretofore made by former treasurers of state and to provide for the payment of the claims for which such deposits were made.

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File No. 40, a bill for an act relating to the expiration of resident licenses for fishing and hunting.

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

House File No. 120, a bill for an act relating to the compensation of township clerks.

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 to legalize and make permanent the transfer of money from the water fund to the fire equipment fund of the city of Missouri Valley, Iowa.

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

House File No. 157, a bill for an act to appropriate the sum of Two Hundred (\$200) Dollars to pay the expense or cost of completing the Official Register.

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

House File No. 45, a bill for an act legalizing certain franchises of Iowa Railway and Light Corporation, in the Towns of Central City, Center Point, Walker, Alburnett, Prairieburg, Quasqueton and Ryan, in the State of Iowa.

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

House File No. 7, a bill for an act relating to double counting boards in elections.

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

House File No. 61, a bill for an act relating to the selection of lists of jurors, and waiver of defects in the manner of their selection.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 136, a bill for an act relating to the requirements of each applicant for a license to practice medicine.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 96, a bill for an act to provide the procedure of the Senate in the consideration of nominations of public officers when confirmation by the Senate is required by law, to amend sections twenty-one hundred eighty-two (2182) and thirty-two hundred seventy-six (3276), and to repeal sections three hundred twelve (312), thirty-nine hundred fifteen (3915), eighty-six hundred six (8606), and ninety-one hundred thirty-two (9132) of the code, relating to the same subject matter.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 18, a bill for an act relating to objections on appeal to the jurisdiction of the court.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 42, a bill for an act relating to the payment of taxes by corporations.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 36, a bill for an act to repeal section 478 (four hundred seventy-eight) of the code.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 21, a bill for an act relative to commitments for felonies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 26, a bill for an act relative to reports by the curators of the state historical society.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 46, a bill for an act to authorize the code editor to omit certain formal matters in the compilation of the code.

Also: That the House has concurred in Senate Amendment to House File No. 20, a bill for an act for the relief of the grantees of C. G. Churchill and John Sullivan and for the purpose of having a patent issued in the name of Luther Taylor and Nellie Sims Taylor for a certain tract of land.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File No. 40, a bill for an act to amend section seventeen

hundred twenty-seven (1727) of the Code, 1924, relating to the expiration of resident licenses for fishing and hunting.

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

House File No. 120, a bill for an act to amend section fifty-five hundred seventy-two (5572) of the Code, relating to the compensation of township clerks.

Read first and second times and referred to committee on compensation of public officers.

House File No. 142, a bill for an act to legalize and make permanent the transfer of money from the water fund to the fire equipment fund of the city of Missouri Valley, Iowa.

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

House File No. 157, a bill for an act to appropriate the sum of Two Hundred (\$200) Dollars to pay the expense or cost of completing the Official Register.

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

House File No. 7, a bill for an act to amend the law as it appears in section eight hundred eighty-seven (887) of the Code, 1924, relating to double counting boards in elections.

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

House File No. 61, a bill for an act relating to the selection of lists of jurors, and waiver of defects in the manner of their selection.

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

House File No. 45, a bill for an act legalizing certain franchises of Iowa Railway and Light Corporation, in the Towns of Central City, Center Point, Walker, Alburnett, Prairieburg, Quasqueton and Ryan, in the State of Iowa.

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

## REPORTS OF COMMITTEES

Senator Gilchrist submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred Senate File No. 202, a bill for an act to amend section twelve thousand eight hundred thirty-three and section ten thousand six hundred eighty-three of the code relating to appeals to the Supreme Court, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred Senate File No. 127, a bill for an act to amend and revise section 10,933 and section 10,934 of the Code 1924 relative to procedure, pleading, trial and evidence in disbarment proceedings against attorneys and counselors at law, 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) of said bill by inserting in line twenty-three (23) before the word "Justice" the word "Chief"; and also by striking therefrom all after the word "of" in line twenty-four (24) to and including the word "but" in line twenty-seven (27); and also by striking from line twenty-seven (27) the word "other".

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred Senate File No. 182, a bill for an act relating to jurisdiction of courts in civil 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:

Amend by striking out section two (2) and substituting in lieu thereof the following:

"This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Farley Advertiser, a newspaper published in the town of Farley, Iowa, and the Council Bluffs Nonpareil, a newspaper published in the city of Council Bluffs, Iowa, without expense to the state."

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Gunderson submitted the following report:

**MR. PRESIDENT:** Your committee on child welfare to which was re-

ferred House File No. 140, a bill for an act to amend section 3666 of the code relative to the commitment of neglected, dependent, and delinquent children, begs leave to report it has had the same under consideration and recommends the same do pass.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on child welfare to which was referred House File No. 141, a bill for an act to repeal section 3720 of the code relating to the support and maintenance of children in the Iowa Soldiers' Orphans' Home, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

O. E. GUNDERSON, *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. 211, a bill for an act to amend the law as it appears in section six thousand six hundred fifty-one (6651) of the Code, 1924, relative to appointments by members of the council in cities operating under the city manager plan, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That the law as it appears in section six thousand six hundred fifty-one (6651) of the Code, 1924, be and is hereby amended by adding after the word magistrate in line five (5) the following: "who, in cities having a population of thirty-five thousand or more, shall be a practicing attorney."

Also, amend the title by inserting after the word "cities" in the last line thereof, the words "having a population of thirty-five thousand or more".

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 168, a bill for an act to amend the law as it appears in section sixty-three hundred fifteen (6315) of the code, relating to firemen's and policemen's pensions, 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 "fire" in line 4, "or police", and by inserting after the word "fire" in line 9, "or police". Also by insert-



ing before the word "in" in line 7, "the Spanish American War, or".

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 198, a bill for an act to amend section one (1) of chapter one hundred nineteen (119) Acts of the Forty-first (41st) General Assembly, relating to authorized establishment of municipal art galleries, in cities and towns, and cities under special charter, having a population of twenty thousand (20,000) or more, 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. 142, a bill for an act to amend sections fifty-six hundred thirty-two (5632) and fifty-six hundred thirty-three (5633) of the Code, 1924, relating to the election and appointment of officers in cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Ellis submitted the following report:

MR. PRESIDENT: Your committee on labor to which was referred Senate File No. 151, a bill for an act to amend the law as it appears in section one thousand four hundred three (1403) of the code of 1924, relating to compensation payments, begs leave to report it has had the same under consideration and recommends the same do pass.

LLOYD ELLIS, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 161, a bill for an act to appropriate the sum of \$17,400.27 to pay the deficit in the amount appropriated for state aid to county and district fairs, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Roberts submitted the following report:

MR. PRESIDENT: Your committee on commerce and trade to which was

referred Senate File No. 160, a bill for an act to repeal the law as it appears in chapter four hundred thirty-two (432), of Title XXIII of the code, 1924, and to enact a substitute therefor, relating to unfair discrimination in sales and purchases, and to provide for the enforcement of the provisions thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. GUY ROBERTS, *Chairman.*

Ordered passed on file.

#### SENATE CONCURRENT RESOLUTION NO. 22

Senator Frailey offered the following resolution:

*Whereas*, The Senate is advised of a meeting of the Pioneer Lawmakers to be held in the Historical Building on February 23d, and of their custom of calling formally on the Assembly; therefore,

*Be It Resolved by the Senate, the House Concurring*, That the General Assembly meet in joint session on Thursday, February 24, 1927, at 2 p. m., and that the Pioneer Lawmakers be invited to present a representative address in the House Chamber on that date.

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

The resolution was adopted.

#### SENATE RESOLUTION

Senator Fulton offered the following resolution:

*Whereas*, It has been announced from time to time through the newspapers that the state highway commission has allotted out of the primary road development fund certain sums for a period of years to a number of counties, and

*Whereas*, Dependent upon such allotments, the voters of these counties have voted bond issues for the purpose of hard surfacing portions of the primary road system, and

*Whereas*, The promises, agreements or contracts, verbal or written, to make these allotments have created obligations against the state of Iowa, and

*Whereas*, The General Assembly should have authoritative information in regard to these obligations, therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That the state highway commission be, and it hereby is, requested to report to the Senate on or before March 8, 1927:

1. To what counties these allotments have been made.

2. The dates on which and by whom they were made.
3. The specific allotments year by year and the total of the allotments made to each county.
4. The conditions, considerations and requirements, if any, upon which these allotments depend.
5. What allotments have had actual funds set aside to meet them and what allotments are to come from funds of succeeding bienniums.

The commission is further requested to attach to their report copies of all resolutions, contracts, agreements, memoranda and letters relating to and affecting all allotments now made from the primary road development fund.

The resolution was laid over under the rules.

#### SENATE CONCURRENT RESOLUTION NO. 20 CONSIDERED

Senator Browne called up for consideration Senate Concurrent Resolution No. 20, as found on page 415 of the Senate Journal, and moved its adoption.

President Pro Tem Shane took the chair at 10:25 a. m.

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

Ayes, 30.

Baird	Clearman	Klemme	Shane
Beatty	Dotts	Langfitt	Shinn
Booth	Ellis	McLeland	Skromme
Brookins	Fackler	Merritt	Stanley
Browne	Fulton	Mills	Ulstad
Campbell	Gilchrist	Ramsey	Wilson of Page
Carden	Gunderson	Roberts	Wilson of Palk
Clark	Hartman		

Nays, 13.

Benson	Cavanaugh	Kimberly	Shaff
Bergman	Haskell	Lange	Stoddard
Breakenridge	Johnston	Rigby	Topping
Brush			

Absent or not voting, 6.

Darting	Frailey	McFarlane	Slemmons
Dean	Kern		

The resolution was adopted.

Senator Browne moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 7 WITHDRAWN

By unanimous consent on request of Senator Browne Senate Concurrent Resolution No. 7 was withdrawn from further consideration.

#### WRIGHT MEMORIAL COMMITTEE

Senator Clark moved that the chair appoint a committee of three to draft suitable resolutions memorializing O. P. Wright.

The motion prevailed and President Pro Tem Shane appointed as such committee Senators Clark, Browne and Booth.

#### THIRD READING OF BILLS

On motion of Senator Campbell Senate File No. 137, a bill for an act providing for the appointment of a county health officer, public health nurses and other assistants, the manner of their selection and compensation therefor, and prescribing the duties thereof, a committee bill, was taken up and considered.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend section 5 by striking from lines 3 and 4 thereof the words "after consultation with the State Health Commissioner".

President Kimball resumed the chair at 10:40 a. m.

The amendment was adopted.

#### COMMITTEE FROM THE HOUSE

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

The Senate formed under direction of the sergeant-at-arms and proceeded to the House Chamber.

#### JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant Governor Kimball, President of the Senate, presiding.

President Kimball announced a quorum present and the joint convention duly organized.

Senator Mills of Dallas moved that a committee of three be appointed, one from the Senate and two from the House, to notify the Hon. Howard P. Savage, that the joint convention was ready to receive him.

Motion prevailed, and the President appointed as such committee: Senator Mills of Dallas, and Representatives McIlrath of Poweshiek and Prichard of Woodbury.

Senator Mills, from the committee appointed to notify Commander Howard P. Savage, that the joint convention was ready to receive him, appeared with the visiting guest accompanied by Governor Hammill, and Charles A. Mills, National Commander of the 40 and 8.

Lieutenant Governor Kimball then presented Commander Howard P. Savage and Commander Charles A. Mills, who addressed the joint convention.

Edge of Jasper asked and obtained unanimous consent to have the remarks of Commander Howard P. Savage, and Commander Charles A. Mills printed in the Journal.

ADDRESS BY HON. HOWARD P. SAVAGE, NATIONAL  
COMMANDER OF THE AMERICAN LEGION

YOUR EXCELLENCY, MR. PRESIDENT, HONORABLE MEMBERS OF THE IOWA  
LEGISLATURE:

At no time in the short span of my life has such a privilege been given to me, and certainly on behalf of the national organization of the American Legion I want to express to you the thanks for the many courtesies extended to its national officers. It gives me the feeling that all must be well in our organization in Iowa, that they have the standing to come before the legislative body of the state and be thusly received. And then, closer than that, for me the fact that I was born in this great state, and my father lived here for more than fifty years, to come into the room that I did as a child, to look down upon the assemblage and wonder whether it could ever come in my life when I might stand on the floor and have my voice sounded.

To come as a national commander of the men of '17 and '18 is the real proof, to come and tell you something about this organization made up of your sons and relatives. I am wondering if you know just how large the scope is of the organization, that if I were to come to a meeting of a post in Des Moines and then carry it out every day in the year, it would

take me thirty years to get around; eleven thousand posts in every city and town and hamlet of the United States, standing on guard for the betterment of their communities; standing on guard, if you please, in behalf of that army of thirty-five thousand men that paid the price of casualties in '17 and '18. Standing on guard, if you please, taking to us as our own the thirty-five thousand boys and girls whose daddies paid the supreme price for the flag that is ours, that is just 150 years old.

When we came back in '19, the thought was in the minds of the men that there should be some organization to fit all of these men back again into the peace-time life, realizing that their whole lives had been torn upside down. The American Legion was born a million strong, but before we had time fully to take part in that, it was necessary for concerted action to fight the fight for the men who could not fight for themselves. In 1919, 1920, 1921 and 1922 these eleven thousand organizations ferreted out the men in every city and hamlet, bringing their cases to the attention of the generous for a slow moving government.

In 1922 we went to bat and informed our people and our Congress that affairs were not as they should be. The three-headed organization that had been set up was so wrapped in red tape that no service was forthcoming, and the pressure of this organization to our people and to our Congress was the instrument that caused Congress to enact the law which created for us the veterans' bureau, as we know it today, the agency that I am convinced is acting as well as any agency can, handling a problem as great as that.

In '25 we came before the people of these great states and asked for five million dollars to help us in some way take care of the child program. People responded, and we have the five million. As an example of just how it works, during the last year 983 homes were kept together, the little mother kept her brood in her own little corner, and had the feeling that someone still remembered her and the sacrifice that she had made in the giving of her husband.

With that out of the road and working as it should, we are now on the program of making every one of the eleven thousand towns in the United States the best home town to live in. We look at our country as something more than just prairies, rivers, hills, mountains and deserts, we think of the town where we were born, of the little mother that guided us through the days when we could not watch for ourselves as being the most important part of our country. We recall the days when those little girls stood by our side for better or for worse to share out our lives as a most important part of our country, and the place where we work every day to earn the daily bread to keep those dependent upon us as a most important part of our country, and that, my friends, if just our own home towns in the eleven thousand posts of our organization, performing, during this year some one unselfish act for the betterment of our town, we will affect sixteen million of our people. We think we will have demonstrated that service in peace time is as important, if not more important, than war time, and that the preamble to our Constitution was the three cardinal

principles of God, Country and Comrades, that we will have kept faith to those precepts, and that we will take and always keep alive in the memories of the people the fact that the flag that was given to us by our fathers was bought at the terrific cost of the young sons of America, and that we are going to be on guard and see that our people do not again be lulled into that false sense of security which would allow a sane, sound business mind to be insensible to the fact that an economical system of adequate national defense be maintained for our shores and our land.

The men of the Legion know what war is. They know the sound of the machine gun bullets, passing so many per minute, they know the crack of the machine and they know the sound of the lead as it hits the tortured body, and they know well the sacrifice that has been made by the millions, and while we pray our God that we may never again send our sons, that if we do, when they go, someone will know something of what it is all about.

So, gentlemen, I am coming here to tell you that the national organization of the legion is sitting inside the walls of its organization, no partisanship, nonsectarian, no discriminations or diversions, but going along as we did in '17 and '18, that we might pass that same flag that gives to you and me, to our children, the same as our daddies gave it to us, after '61 and '64, with the feeling that we kept faith with our 120 thousand boys that sleep in France and at home for the flag that is ours.

Ladies and gentlemen, the American Legion is proud of this privilege. We thank you for the wholehearted interest that you have shown in our problems, and I am sure we stand only in the position of suggesting, or collecting information and giving to you, as the legislature of this state, the benefit of our experience so that there might always be what I know the people of Iowa and the nation want, full service to those that suffer, and a guarantee of freedom and justice through our lives. (Applause.)

ADDRESS BY HON. CHARLES A. MILLS, OF MIAMI, FLORIDA,  
NATIONAL FORTY AND EIGHT

YOUR EXCELLENCY, MR. PRESIDENT, HONORABLE MEMBERS OF THE IOWA  
LEGISLATURE:

I come from Florida, and when they first told me I was to come to Iowa, I looked forward to having plenty of snow, and I really must say I am greatly disappointed. I hope before I leave here tonight that you will present me with a snowstorm.

But, ladies and gentlemen, you have heard our National Commander talk, and I represent an organization that selects from the Legion for its membership the men who work and are committed to that wonderful Legion program. The program that you have heard outlined, you must admit, there is not a single selfish purpose in it, but it seeks only to continue in that service that we gave in '17 and '18, and to give it just as long as there is breath in us to make this nation and to make every state the greatest commonwealth and the greatest country on the face of the earth.

I bring to you the sincere greetings of an organization composed of men dedicated to their lofty ideals and principles of the American Legion, and I consider it a great privilege and want to thank you for having the privilege of being here with you today. I thank you. (Applause.)

Senator Clark of Marion moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate Chamber and resumed regular session.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 137.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by adding immediately after the word "county" in line two (2) the following words: "having a population of 40,000 or more".

Senator Topping offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the figures "40,000" and inserting in lieu thereof the figures "30,000".

The amendment to the amendment was adopted.

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

Ayes, 28.

Baird	Brush	Fulton	Mills
Beatty	Carden	Gilchrist	Shinn
Benson	Cavanaugh	Gunderson	Skromme
Bergman	Clark	Hartman	Slemmons
Booth	Dotts	Johnston	Topping
Breakenridge	Fackler	Klemme	Ulstad
Browne	Frailey	Merritt	Wilson of Page

Nays, 17.

Campbell	Haskell	McLeland	Shane
Clearman	Lange	Ramsey	Stanley
Darting	Langfitt	Rigby	Stoddard
Dean	McFarlane	Shaff	Wilson of Polk
Ellis			

Absent or not voting, 4.

Brookins	Kern	Kimberly	Roberts
----------	------	----------	---------



The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking the words "when it is deemed advisable" from line 3 of section 1.

The amendment was 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, 14.

Benson	Haskell	McFarlane	Stoddard
Campbell	Johnston	Shaff	Topping
Clearman	Lange	Shane	Wilson of Polk
Ellis	Langfitt		

Nays, 29.

Baird	Clark	Gilchrist	Ramsey
Bergman	Darting	Gunderson	Rigby
Booth	Dean	Hartman	Shinn
Breakenridge	Dotts	Klemme	Skromme
Browne	Fackler	McLeland	Slemmons
Brush	Frailey	Merritt	Stanley
Carden	Fulton	Mills	Ulstad
Cavanaugh			

Absent or not voting, 6.

Beatty	Kern	Kimberly	Roberts
Brookins			Wilson of Page

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Slemmons the Senate adjourned until 1:30 p. m., today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cavanaugh for the afternoon on request of Senator Baird.

## INTRODUCTION OF BILLS

Senate File No. 236, by Senators Stoddard and Cavanaugh, a bill for an act to appropriate a fund for the expenses of the National Champion Band of the American Legion of the United States of America, and the National Champion Drum Corps of the American Legion of the United States of America, in attending the National Convention of the American Legion of the United States of America, to be held in Paris, France, in September, 1927.

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

Senate File No. 237, by Senator Frailey, a bill for an act to repeal Sections Ten Thousand Nine Hundred Seven (10907), Ten Thousand Nine Hundred Eight (10908), Ten Thousand Nine Hundred Nine (10909), Ten Thousand Nine Hundred Fourteen (10914), Ten Thousand Nine Hundred Sixteen (10916) and Ten Thousand Nine Hundred Eighteen (10918) of the Code of Iowa of 1924, relating to admission to the practice of law and to enact a substitute therefor.

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

Senate File No. 238, by Senator Carden, a bill for an act relating to insurance upon lives of directors, officers, agents and employes of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto.

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

Senate File No. 239, by Senator Baird, a bill for an act to amend section six thousand thirty-three (6033), Code of 1924, relating to the payment of street improvements, sewers and special assessments of the same.

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

## REPORT OF COMMITTEE

Senator Darting submitted the following report:

**MR. PRESIDENT:** Your committee on insurance to which was referred Senate File No. 140, a bill for an act to repeal section eighty-seven hun-

dred forty-one (8741) of the Code and to enact a substitute therefor, relating to securities deposited by Life Insurance Companies and associations, begs leave to report it has had the same under consideration and recommends the same do pass.

H. A. DARTING, *Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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, 183, 199, and Senate Files Nos. 30 and 76.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 30 and 76.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 22nd day of February, sent to the governor for his approval, Senate Files Nos. 30 and 76.

D. L. WILSON, *Chairman.*

The report was adopted.

#### THIRD READING OF BILLS

On motion of Senator Carden Senate File No. 166, a bill for an act to repeal paragraph four (4) of section sixty-nine hundred forty-six (6946) of the code and to enact a substitute therefor, relating to exemptions from taxation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Carden moved 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	Clearman	Johnston	Shaff
Beatty	Darting	Klemme	Shane
Benson	Dean	Lange	Shinn
Bergman	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Breakenridge	Frailey	McLeland	Stanley
Browne	Fulton	Merritt	Stoddard
Brush	Gilchrist	Mills	Topping
Campbell	Gunderson	Ramsey	Ulstad
Carden	Hartman	Rigby	Wilson of Page
Clark	Haskell	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 5.

Brookins	Fackler	Kern	Kimberly
Cavanaugh			

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

Senator Carden moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Browne Senate File No. 179, a bill for an act to amend Section eighty-nine hundred thirty-six (8936) of the Code, relating to insurance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Browne offered the following amendments and moved their adoption:

Amend the title by striking out the present title and inserting in lieu thereof the following:

"An act to repeal section eighty-nine hundred thirty-six (8936) of the code and to enact a substitute therefor, relating to insurance."

Amend section one (1) by striking out all of lines two (2) and three (3) after the word "is" in line two (2) and inserting in lieu thereof the following: "repealed and the following enacted in lieu thereof:"

Amend by adding the following section:

Sec. 2. This act being deemed of immediate importance shall be in force and effect from and after the publication in the Bellevue Herald, a newspaper published at Bellevue, Iowa, and The Maquoketa Sentinel, a newspaper published at Maquoketa, Iowa.

The first amendment was adopted.

The second amendment was adopted.

The third 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, 43.

Baird	Clearman	Haskell	Shane
Beatty	Darting	Johnston	Shinn
Benson	Dean	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Topping
Brush	Fulton	Merritt	Ulstad
Campbell	Gilchrist	Ramsey	Wilson of Page
Carden	Gunderson	Rigby	Wilson of Polk
Clark	Hartman	Roberts	

Nays, none.

Absent or not voting, 6.

Brookins	Kern	Mills	Shaff
Cavanaugh	Kimberly		

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

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman Senate File No. 147, a bill for an act to amend Chapter seven (7) of the Acts of the Forty-first General Assembly, relating to authority of agents or inspectors of the motor vehicle department, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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.

Baird	Darting	Kimberly	Shane
Beatty	Dean	Klemme	Shinn
Benson	Dotts	Lange	Skromme
Bergman	Ellis	Langfitt	Slemmons
Booth	Fackler	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Browne	Fulton	Merritt	Topping
Brush	Gunderson	Ramsey	Ulstad
Carden	Hartman	Rigby	Wilson of Page
Clark	Haskell	Roberts	Wilson of Polk
Clearman	Johnston	Shaff	

Nays, none.

Absent or not voting, 6.

Brookins	Cavanaugh	Kern	Mills
Campbell	Gilchrist		

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

Senator Bergman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman Senate File No. 188, a bill for an act to repeal section five thousand thirty (5030) of the Code, 1924, relative to the speed of motor vehicles in cities and towns and to enact a substitute therefor. Also to amend Chapter Fifteen (15) of the Acts of the Forty-first (41st) General Assembly relative to the speed of motor vehicles outside of cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking out all of section two and inserting in lieu thereof the following:

Sec. 2. Section five thousand twenty-nine (5029) of the Code as amended by Chapter fifteen (15) of the Acts of the Forty-first (41) Gen-

eral Assembly, is hereby amended by striking out of line five (5) of said section of the code the words "thirty-five" and inserting in lieu thereof the word "forty".

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, 37.

Baird	Clearman	Johnston	Ramsey
Beatty	Dean	Kimberly	Rigby
Benson	Ellis	Klemme	Shaff
Bergman	Frailey	Lange	Shane
Booth	Fulton	Langfitt	Skromme
Breakenridge	Gilchrist	McFarlane	Stoddard
Brookins	Gunderson	McLeland	Topping
Brush	Hartman	Merritt	Wilson of Page
Carden	Haskell	Mills	Wilson of Polk
Clark			

Nays, 8.

Browne	Dotts	Shinn	Stanley
Darting	Roberts	Slemmons	Ulstad

Absent or not voting, 4.

Campbell	Cavanaugh	Fackler	Kern
----------	-----------	---------	------

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

Senator Bergman offered the following amendment to the title and moved its adoption.

Amend the title by inserting after the word "amend" in line 4 the following: "section five thousand twenty-nine (5029) of the code as amended by".

The amendment was adopted and the title as amended was agreed to.

Senator Bergman 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 Wilson of Polk Senate File No. 58, a bill for an act to amend section forty-nine hundred five (4905) of the Code, 1924, relative to the amount of license fees to be paid on motor vehicles, with report of committee recommending passage,

was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Clearman	Johnston	Shaff
Beatty	Darting	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Frailey	McLeland	Stoddard
Browne	Fulton	Merritt	Topping
Brush	Gilchrist	Mills	Ulstad
Campbell	Gunderson	Ramsey	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk
Clark	Haskell	Roberts	

Nays, none.

Absent or not voting, 2.

Cavanaugh            Kern

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

Senator Wilson of Polk moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman Senate File No. 146, a bill for an act to amend Section forty-nine hundred sixty-eight (4968) of the Code, 1924, relating to the method of computing motor vehicle license fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 44.

Baird	Brookins	Clearman	Gilchrist
Beatty	Browne	Darting	Gunderson
Benson	Brush	Dotts	Hartman
Bergman	Campbell	Ellis	Haskell
Booth	Carden	Fackler	Johnston
Breakenridge	Clark	Frailey	Kimberly



Klemme	Merritt	Shane	Stoddard
Lange	Mills	Shinn	Topping
Langfitt	Ramsey	Skromme	Ulstad
McFarlane	Rigby	Slemmons	Wilson of Page
McLeland	Roberts	Stanley	Wilson of Polk

Nays, none.

Absent or not voting, 5.

Cavanaugh	Fulton	Kern	Shaff
Dean			

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

Senator Bergman 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 McFarlane Senate File No. 158, a bill for an act to regulate the practice of cosmetology, and to provide for the examination and licensing of practitioners thereof; to provide rules and regulations concerning sanitation and health in such practice; and to amend sections twenty-four hundred thirty-eight (2438), twenty-four hundred thirty-nine (2439), twenty-four hundred forty (2440), twenty-four hundred fifty (2450), twenty-four hundred fifty-two (2452), twenty-four hundred fifty-five (2455), and twenty-five hundred sixteen (2516) of the code, 1924, relating to the practice of certain professions affecting the public health, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by striking out section 18.

The amendment was adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend section 2 by striking the words "without compensation," from line 15, paragraph 4.

The amendment was adopted.

Senator McFarlane moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 32.

Baird	Darting	Lange	Shane
Beatty	Dean	Langfitt	Skromme
Benson	Ellis	McFarlane	Stanley
Booth	Frailey	McLeland	Stoddard
Brookins	Hartman	Merritt	Topping
Brush	Haskell	Mills	Ulstad
Campbell	Johnston	Ramsey	Wilson of Page
Clearman	Kimberly	Shaff	Wilson of Polk

Nays, 8.

Browne	Dotts	Gunderson	Roberts
Clark	Gilchrist	Klemme	Shinn

Absent or not voting, 9.

Bergman	Cavanaugh	Fulton	Rigby
Breakenridge	Fackler	Kern	Stemmons
Carden			

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 Johnston, Senate File No. 152, a bill for an act to amend the law as it appears in Section eight thousand one hundred twenty-eight (8128) of the Code relating to the issuance of free passes by common carriers, 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 section 1, the last five lines, and inserting in lieu thereof: "agents, employees, attorneys, physicians, and surgeons of such common carriers, whose chief and principal occupation is to render service to common carriers of passengers, to the families of such persons, to physicians and surgeons actually employed by such common carriers to render medical service in behalf of said common carriers and to attorneys actually employed by such common carriers to render legal services in behalf of said common carriers."

Senator Johnston 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.

Baird	Clark	Lange	Shaff
Beatty	Clearman	McFarlane	Shane
Benson	Dean	McLeland	Stanley
Bergman	Frailley	Merritt	Stoddard
Booth	Hartman	Mills	Topping
Breakenridge	Haskell	Ramsey	Wilson of Page
Brush	Johnston	Rigby	Wilson of Polk
Campbell	Kimberly		

Nays, 11.

Brookins	Fackler	Klemme	Skromme
Browne	Fulton	Roberts	Slemmons
Dotts	Gilchrist	Shinn	

Absent or not voting, 8.

Carden	Darting	Gunderson	Langfitt
Cavanaugh	Ellis	Kern	Ulstad

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

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### MOTION TO RECONSIDER FILED

I move that the vote by which House File No. 86 passed the Senate be reconsidered.

GEO. CLEARMAN.

Feb. 21, 1927.

#### AMENDMENTS FILED

I move to amend Senate File No. 74 by striking from section 2, line 3, the words "or any", preceding the word "kitchen".

C. J. FULTON.

I move to amend Senate File No. 194 by striking out the words "one hundred" in line eight (8) of Section one (1) and substituting the words "twenty-five" in lieu thereof.

W. E. MCLELAND.

I move to amend House File No. 8 by striking therefrom all after the word "or" in line 6 of section 1.

F. C. GILCHRIST.

The journals of February 19th and 21st were corrected and approved.

Senator Shane moved that the Senate adjourn until 9:30 a. m., Wednesday.

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

The amendment was lost.

The motion prevailed and the Senate adjourned until 9:30 a. m., Wednesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 23, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. Alfred T. Bishop, pastor of the Methodist church of Clarinda, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senators Topping, Clearman and Carden for the day, on request of Senator Wilson of Polk.

## PETITIONS AND MEMORIALS

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

By Senator Dean, from voters of Mason City, Clear Lake, Glenwood, Spirit Lake, Ft. Madison, Centerville, Mystic, Strawberry Point, Des Moines, Storm Lake, Keokuk, Bancroft, Riceville, Clinton, Lime Springs, Blairsburg, Ottumwa, Cresco, Muscatine, Manchester, Manning, Carroll, Davenport, Dubuque, Council Bluffs, and Linn County, endorsing a continuation of present administration of the Fish and Game Department of the State of Iowa. Fish and game.

By Senator Lange, from sewing machine operators in a Glover factory, from Dubuque, relating to repeal of law to issue new contracts to Fort Madison and Anamosa. Board of control.

By Senator Klemme, from Winneshiek County farm bureau, favoring state income tax to replace state tax levy on property. Ways and means.

By Senator Johnston, from Board of Supervisors of Cerro Gordo County favoring present system of county homes. County and township affairs.

By Senator Stoddard, from taxpayers of Woodbury County, favoring bills relating to hospitals, medical professors and indigents. Public health.

By Senator Hartman, from voters of Fayette County, opposing bill relating to control of Highway Commission over primary roads. Highways.

By Senator Hartman, from voters of Allamakee County, favoring a bank guarantee act. Banks and banking.

#### S. F. 111 REREFERRED

On motion of Senator Klemme, Senate File No. 111 was withdrawn from the committee on corporations and referred to the committee on judiciary No. 2.

President Kimball took the chair at 10:35 a. m.

#### INTRODUCTION OF BILLS

Senate File No. 240, by Senator Skromme, a bill for an act to accept the provisions of the United States law commonly known as the Purnell Act and to assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts, and for other purposes.

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

Senate File No. 241, by Senator McLeland, a bill for an act to amend section nineteen (19) of chapter twenty-seven (27), acts forty-first (41) general assembly, relating to the signing of petitions of nominations.

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

Senate File No. 242, by Senator Stoddard, a bill for an act to amend sections ten thousand eight hundred fifty-nine (10859), ten thousand eight hundred sixty (10860), ten thousand eight hundred sixty-three (10863), ten thousand eight hundred sixty-five (10865), and ten thousand eight hundred seventy-two (10872) of the code, relating to the preparation, selection and return of jury lists.

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

Senate File No. 243, by Senator Mills, a bill for an act to repeal chapter two hundred seventy-six of the Code, relating to dogs and licensing thereof and to enact a substitute therefor.

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

Senate File No. 244, by Senator Shane, a bill for an act to amend section thirty-seven hundred eighty-two (3782) of the code relating to membership on the board of parole.

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution No. 22, inviting the Pioneer Lawmakers to a joint convention, Thursday, February 24th.

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. 12, memorializing the Congress of the United States to abolish the Federal Estate Tax.

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

House Concurrent Resolution No. 10 complimenting the Iowa Delegation on the passage of the Haugen-McNary bill.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION NO. 10

*Whereas*, The entire 13 members of the Iowa delegation in Congress have worked faithfully and consistently in behalf of the agricultural interests of the State of Iowa during their service in the Congress of the United States of America, and

*Whereas*, Their efforts, on behalf of the people of the State of Iowa, and, we believe, on behalf of all the people of the United States, have been crowned with success by the passage of the Haugen-McNary bill in both houses of Congress,

*Therefore, Be It Resolved by the House, the Senate concurring, That we express an appreciation of their arduous and able efforts; that we offer our congratulations upon the accomplishment, and that we assure them of the continued esteem of a grateful people, and*

*Be It Further Resolved, That a copy of these resolutions be sent to the members of the Iowa delegation in Congress at Washington, D. C.*

**SUBSTITUTE AMENDMENT FOR SENATE CONCURRENT  
RESOLUTION NO. 12**

No. 1. Strike all preceding the resolving clause and substitute therefor the following:

**A CONCURRENT RESOLUTION**

**Memorializing the Congress of the United States to retain the statute now in force providing for a Federal Estate Tax.**

*Whereas, practically all economists agree, that from an economic point of view, an inheritance tax has more to commend it than any other tax; and*

*Whereas, Such a tax is the most equitable, the least burdensome, and the most difficult to evade; and*

*Whereas, Such a tax takes nothing from the living which they have saved or created but simply restores to society, upon the death of the owner, a small part of that which the owner has been enabled to accumulate from all of the states of the Union under the protection of the laws of the United States and those of the individual states of this Union; and*

*Whereas, There is now a movement on foot to induce the Federal Government to abolish the Federal Estate Tax and entirely abandon this field for raising revenue; and*

*Whereas, If the government of the United States retires from this field of taxation, then the revenue thus lost to the government will of necessity be collected from the people in some other manner less equitable and fair; and*

*Whereas, The collection of such a tax has two of the most worthy of purposes—the raising of revenue and the prevention of the entailing of great and ever-increasing private fortunes; and*

*Whereas, If the government abandons this field of taxation it will then be possible for any citizen of the United States to wholly escape the payment of any state inheritance tax by the simple expedient of establishing a nominal residence in a state wherein no such tax is collected;*

No. 2. Strike out all after the resolving clause and substitute therefor the following:

That we hereby request and petition the Congress of the United States



to retain on the statute books the law providing for the collection of a Federal Estate Tax.

*Be It Further Resolved*, That certified copies of this concurrent resolution be forwarded to Iowa's Senators and Representatives in the Congress of the United States.

### REPORTS OF COMMITTEES

Senator Hartman submitted the following report:

MR. PRESIDENT: Your committee on telephones and telegraph to which was referred Senate File No. 170, a bill for an act to repeal section eighty three hundred (8300) of the Code of Iowa, 1924, relating to right-of-way for telegraph or telephone lines, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. S. HARTMAN, *Chairman*.

Ordered passed on file.

Senator Fackler submitted the following report:

MR. PRESIDENT: Your committee on constitutional amendments to which was referred Senate Joint Resolution 3, a joint resolution agreeing to a proposed 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 do pass.

S. E. FACKLER, *Chairman*.

Ordered passed on file.

### THIRD READING OF BILLS

On motion of Senator Wilson of Polk, Senate File No. 74, a bill for an act to repeal sections twelve thousand nine hundred eighty-four (12984) to twelve thousand nine hundred eighty-nine (12989), inclusive, and section twelve thousand nine hundred ninety-one (12991) of the Code, 1924, relating to arson, 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:

Amend section two (2) of the bill by striking the word "or" from line one (1) and by inserting in lieu thereof the word "and".

Also amend section three (3) by striking from the first line the word "or" and by inserting in lieu thereof the word "and".

Also amend section four (4) by striking the word "or" in the first line and by inserting the word "and" in lieu thereof.

Also amend section five (5) by striking the word "or" in the first line and by inserting the word "and" in lieu thereof.

Also amend section six (6) by striking the word "or" in the first line and by inserting in lieu thereof the word "and".

Further amend by striking from line seven (7) in section two (2) the words "less than two (2) nor".

Amend line nine of section three (3) by striking therefrom the words "less than one (1) nor".

Amend line eleven (11) in section four (4) of the bill by striking therefrom the words "less than one (1) nor".

Amend line eight (8) of section five (5) by striking therefrom the words "less than one (1) nor".

Amend line five (5) in section six (6) by striking therefrom the words "less than one (1) nor".

Also amend said bill by striking the period at the end of section four (4) and by inserting a comma in lieu thereof and by adding thereto the words "or be fined not to exceed one thousand (\$1000.00) dollars."

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 2 the words "or any" preceding the word "kitchen".

The amendment was adopted.

The bill was read for information.

Senator Wilson of Polk moved 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	Darting	Klemme	Shane
Beatty	Dotts	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Breakenridge	Gilchrist	Merritt	Stoddard
Brush	Gunderson	Mills	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Cavanaugh	Haskell	Shaff	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 16.

Bergman	Clearman	Johnston	Ramsey
Brookins	Dean	Kern	Roberts
Browne	Frailey	Kimberly	Stanley
Carden	Fulton	McLeland	Topping

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

Senator Wilson of Polk 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 Wilson of Polk, Senate File No. 165, a bill for an act to amend Section Ten Thousand Eight hundred Forty-six (10846) of the Code of 1924, relating to the fees of Grand Jurors in Counties having a populatoin of 140,000 inhabitants and over, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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	Clark	Haskell	Roberts
Beatty	Darting	Johnston	Shaff
Benson	Dean	Kimberly	Shane
Bergman	Dotts	Klemme	Shinn
Booth	Ellis	Lange	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Brookins	Fulton	McFarlane	Stoddard
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 9.

Browne	Frailey	McLeland	Stanley
Carden	Kern	Ramsey	Topping
Clearman			

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

Senator Wilson of Polk 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 Gunderson, House File No. 8, a bill for an act to amend the law as it appears in section seventy-four hundred eighty-nine (7489) of the Code, 1924, so as to provide for the return of excess assessments of cost of constructing main ditches in drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking therefrom all after the word "or" in line 6 of section 1.

The amendment was adopted.

The bill was read for information.

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

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

**Ayes, 41.**

Baird	Darting	Johnston.	Roberts
Beatty	Dean	Kimberly	Shaff
Benson	Dotts	Klemme	Shane
Bergman	Ellis	Lange	Shinn
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Fulton	McFarlane	Stanley
Brookins	Gilchrist	McLeland	Stoddard
Brush	Gunderson	Merritt	Ulstad
Campbell	Hartman	Mills	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark			

**Nays, none.**

**Absent or not voting, 8.**

Browne	Clearman	Kern	Skromme
Carden	Frailey	Ramsey	Topping

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

Senator Gunderson 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 McFarlane House File No. 54, a bill for an act to amend the law as it appears in section forty-seven hundred eighty-nine (4789) of the code, 1924, relating to poll tax lists, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by striking out all of section 1 and substituting in lieu thereof the following:

Section 1. That the law as it appears in section forty-seven hundred eighty-nine (4789) of the Code, 1924, be and same is hereby amended by striking from line four (4) the words "able-bodied male citizens" and substituting in lieu thereof the words "male residents".

Sec. 2. That the law as it appears in section forty-eight hundred thirteen (4813) of the Code, 1924, be and same is hereby amended by striking from line one (1) the words "able-bodied".

Senator Johnston offered the following amendment as a substitute amendment and moved its adoption:

Amend by inserting the words "and residents" after the word "citizens" in line 4 of section 1.

By unanimous consent the word "and" was stricken from the substitute amendment and the word "or" was inserted in lieu thereof.

Senator McFarlane withdrew his amendment.

Senator Johnston withdrew his amendment.

Senator Wilson of Page moved that further action be deferred and the bill hold its place on the calendar.

Senator Wilson withdrew his motion.

The bill was read for information.

Senator McFarlane moved 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.

Baird	Darting	Kimberly	Shane
Beatty	Dean	Klemme	Shinn
Benson	Dotts	Lange	Slemmons
Booth	Fackler	Langfitt	Stanley
Breakenridge	Fulton	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Ulstad
Campbell	Gunderson	Merritt	Wilson of Page
Cavanaugh	Hartman	Roberts	Wilson of Polk
Clark	Johnston	Shaff	

Nays, 1.

Mills

Absent or not voting, 13.

Bergman	Clearman	Haskell	Rigby
Brookins	Ellis	Kern	Skromme
Browne	Frailey	Ramsey	Topping
Carden			

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

On motion of Senator Klemme Senate File No. 120, a bill for an act to authorize the adjutant general to make free distribution of the roster of Iowa soldiers, sailors, and marines in so far as said roster has been published, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 38.

Baird	Clark	Johnston	Rigby
Beatty	Darting	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fackler	McFarlane	Stoddard
Brookins	Gilchrist	McLeland	Ulstad
Brush	Gunderson	Merritt	Wilson of Page
Campbell	Hartman	Mills	Wilson of Polk
Cavanaugh	Haskell		

Nays, none.

Absent or not voting, 11.

Browne	Frailey	Ramsey	Skromme
Carden	Fulton	Roberts	Topping
Clearman	Kern	Shaff	

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

Senator Klemme moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird Senate File No. 215, a bill for an act to repeal sections 1563 (fifteen hundred sixty-three), 1572 (fifteen hundred seventy-two), and 1573 (fifteen hundred seventy-three), and to enact substitutes therefor; and to amend sections 1570 (fifteen hundred seventy), 1571 (fifteen hundred seventy-one), and 1578 (fifteen hundred seventy-eight) of the code and chapter 146 (one hundred forty-six), acts 41 (forty-first) general assembly, relating to cigarettes, cigarette papers, wrappers and tubes, to the mullet tax thereon, and to the administration of the law relating to such tax, a committee bill, was taken up and considered.

The bill was read for information.

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

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

Ayes, 37.

Baird	Darting	Haskell	Mills
Beatty	Dean	Johnston	Rigby
Benson	Dotts	Kimberly	Share
Bergman	Ellis	Klemme	Slemmons
Booth	Fackler	Lange	Stanley
Breakenridge	Fulton	Langfitt	Stoddard
Brush	Gilchrist	McFarlane	Ulstad
Campbell	Gunderson	McLeland	Wilson of Page
Cavanaugh	Hartman	Merritt	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 12.

Brookins	Clearman	Ramsey	Shinn
Browne	Frailey	Roberts	Skromme
Carden	Kern	Shaff	Topping

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

On motion of Senator Rigby Senate File No. 217, a bill for an act to amend the law as it appears in chapter 87, Title V of the Code, 1924, relating to the powers and duties of the board of conservation and public parks, and providing penalties for the violation of the provisions thereof, a committee bill, was taken up and considered..

Senator Fulton offered the following amendment and moved its adoption:

Amend section 1 by striking from lines 36 and 37 the words "whether individually or as an officer, agent, or employee of any firm, association or corporation, or any"; and by inserting a period after the word "supervision" in line 14 of section 1 and striking the rest of the paragraph.

The amendment was adopted.

By unanimous consent on request of Senator Cavanaugh the word "and" was inserted in line 12 of section 1 after the word "jurisdiction".

The bill was read for information.

Senator Rigby moved 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	Dean	Kimberly	Shaff
Benson	Dotts	Klemme	Shane
Bergman	Fackler	Lange	Shinn
Booth	Fulton	Langfitt	Slemmons
Breakenridge	Gilchrist	McLeland	Stanley
Brush	Gunderson	Merritt	Stoddard
Campbell	Hartman	Mills	Ulstad
Cavanaugh	Haskell	Rigby	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk
Darting			

Nays, none

Absent or not voting, 12.

Beatty	Carden	Frailey	Ramsey
Brookins	Clearman	Kern	Skromme
Browne	Ellis	McFarlane	Topping

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



On motion of Senator Stoddard Senate File No. 218, a bill for an act providing for the creation and appointment of a commission for the purpose of promoting the agricultural, industrial and commercial development and welfare of the State of Iowa and making an appropriation therefor, a committee bill, was taken up and considered.

Senator Breakenridge offered the following amendment and moved its adoption:

Amend by striking from lines 5 and 6 of section 2 the words "so far as possible".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 4 the words "and in every manner possible".

The amendment was adopted.

Senator Roberts offered the following amendment and moved its adoption:

Amend by inserting after the comma in line 4 of section 4 the words "giving special attention to the matter of promoting the processing of raw materials in Iowa and to obtaining such industries for Iowa".

The amendment was adopted.

Senator Shane 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, 35.

Baird	Clark	Johnston	Rigby
Benson	Darting	Kimberly	Roberts
Bergman	Dean	Klemme	Shaff
Booth	Fackler	Lange	Shane
Breakenridge	Fulton	Langfitt	Stanley
Brookins	Gilchrist	McFarlane	Stoddard
Brush	Gunderson	McLeland	Wilson of Page
Campbell	Hartman	Merritt	Wilson of Polk
Cavanaugh	Haskell	Mills	

Nays, 4.

Dotts	Shinn	Slemmons	Ulstad
-------	-------	----------	--------

Absent or not voting, 10.

Beatty	Clearman	Kern	Skromme
Browne	Ellis	Ramsey	Topping
Carden	Frailey		

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

Senator Breakenridge 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 Wilson of Page moved that the Senate recess until 1:30 p. m., which motion prevailed.

#### AFTERNOON SESSION

The Senate reconvened, President Kimball presiding.

The President introduced Ex-Senator Shirley Gilliland, of Mills county, who addressed the Senate briefly.

#### INTRODUCTION OF BILLS

Senate File No. 245, by Senator Johnston a bill for an act to enable mechanics to acquire liens for the security of evidences of indebtedness which have been taken in return for furnishing materials or performing labor.

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

#### REPORTS OF COMMITTEES

Senator Booth submitted the following report:

MR. PRESIDENT: Your committee on printing to which was referred Senate File No. 133, a bill for an act to repeal section 237 of the code and to enact a substitute therefor, relating to free distribution of certain laws, begs leave to report it has had the same under consideration and recommends the same do pass.

CHARLES D. BOOTH, *Chairman.*

Ordered passed on file.

Senator Merritt submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File No. 199, a bill for an act to amend section 7453 of the Code relating to remonstrances against the establishment of levee, drainage, or improvement districts, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. G. MERRITT, *Chairman.*

Ordered passed on file.

Senator Gilchrist submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 226, a bill for an act to amend section 157 of the code relating to bills prepared by the editor of the code, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 90, a bill for an act to amend section 12968 of the code relating to the punishment for assault with intent to commit rape, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Johnston submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 59, a bill for an act to amend sections 4963 and 4966 of the Code, 1924, relating to motor vehicles, 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 the same and inserting in lieu thereof the following: "A bill for an act to amend section forty-nine hundred sixty-three (4963) of the Code, 1924, relating to motor vehicles."

Amend by striking all after the enacting clause and inserting in lieu thereof the following: "Section 1. That section forty-nine hundred sixty-three (4963) of the Code, 1924, be amended by striking from line three thereof the words "one dollar" and inserting in lieu thereof the words and figures "fifty cents (50c)".

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 144, a bill for an act to repeal sections 4933, 4934, 4935 and 4936 of the Code, 1924, and to enact a substitute therefor relating to the collection of delinquent motor vehicle license fees, 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 Paragraph 1.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 145, a bill for an act to amend the law as it appears in section 5025 of the Code, 1924, relating to the driving of motor vehicles by minors, begs leave to report that it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking therefrom in line 5 of section 1 the words "twenty-one" and inserting in lieu thereof the word "nineteen".

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 148, a bill for an act to amend the law as it appears in Chapter 251 of Title XIII of the Code, 1924, relative to the licensing fee of electric automobiles, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 193, a bill for an act to repeal paragraph 1 of section 4863 of the code as amended by chapter 9, acts 41st General Assembly, and to enact a substitute therefor, relating to the definition of motor vehicles, 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 from line 4, paragraph 1, after the comma following the word "ambulances" the following words, "city and government vehicles" and also the comma after the word "vehicles".

Also by striking out section 2 and substituting in lieu thereof the following:

Sec. 2. This act being of immediate importance shall be in force and effect from and after its publication in the Marshalltownian, Marshalltown, Iowa, and the Anthon Herald, Anthon, Iowa.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Senator Klemme submitted the following report :

MR. PRESIDENT: Your committee on corporations to which was referred Senate File No. 171, a bill for an act to legalize the renewal of the corporate period of Roshek Brothers Company of Dubuque, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

WM. H. KLEMME, *Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 96, 42, 46, 136, 26, 18, 21, and 36, and House Files Nos. 78, 79, 80, 84, 88, 89, 90, 91, and 92.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 96, 42, 46, 136, 26, 18, 21, and 36, and House Files Nos. 20, 183, and 199.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 23rd day of February, sent to the governor for his approval, Senate Files Nos. 96, 42, 46, 136, 26, 18, 21, and 36.

D. L. WILSON, *Chairman.*

The report was adopted.

**BILLS APPROVED BY THE GOVERNOR**

A communication was received from the Governor announcing that on February 22, 1927, he had approved the following bills:

Senate File No. 76, relating to the use and disposal of dead animals.

Senate File No. 30, declaring the specific duties of peace officers.

**THIRD READING OF BILLS**

On motion of Senator Wilson of Polk Senate File No. 219, a bill for an act to repeal the law as it appears in chapter ninety-three (93), Title V of the code, 1924, and to enact a substitute therefor, relating to organizations soliciting public donations, a committee bill, was taken up and considered.

Further action was deferred temporarily.

**IN MEMORIAM**

Senator Johnston moved that the Senate recess a few moments in honor of the late Senator Wilson, and that Senator Ellis offer prayer, which motion prevailed.

Senator Johnston moved that the prayer by Senator Ellis be printed in the journal and a copy sent to Senator Wilson's family, which motion prevailed.

**PRAYER BY SENATOR ELLIS**

Eternal Father, as flowers turn their faces to the sun, as rivers seek their freedom in the sea, so our hearts turn to Thee in the ancient adoring habit of our race. Breathe upon us Thy Spirit, that in the warmth of Thy love our minds may be open to wisdom and beauty and the clear vision of Thy Truth. Brood over our hearts, that our thoughts, our acts, our lives, may move in kindness and patient obedience to the will of Christ. Make this day holy with Thy presence, and bright in the fellowship of the truth that makes all men free.

Remember, we pray Thee, the family of our departed brother as they meet this afternoon in sorrow, to pay their last sad respects to the one that they have loved so long and "lost awhile". May the sweet benediction of his life ever be their heritage. May they find solace and consolation in the remembrance of his life as he sought to give to home, to community, to state and nation, a service purposeful and worth while.

Grant us to walk before Thee in the glory of a lighted mind, serving our fellow with hands skillful and love-anointed.

Give unto us the deep peace of a triumphant hope, that we may serve Thee in fruitfulness and joy. And when our day is done, and our work is ended, and the night falls, may the dimness of the evening's shade be but the foregleam of the dawn of Thy eternal morning. In His own name. Amen.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 219.

On motion of Senator Wilson of Polk further action was deferred.

On motion of Senator Gunderson House File No. 100, a bill for an act to amend the law as it appears in section thirteen thousand twenty-nine (13029) of the Code, 1924, relating to embezzlement of funds received by a public officer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

Senator Gunderson invoked rule 8.

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

**Ayes, 22.**

Benson	Dean	Hartman	Roberts
Booth	Ellis	Langfitt	Shane
Breakenridge	Fackler	McLeland	Shinn
Brush	Frailey	Merritt	Ulstad
Campbell	Fulton	Mills	Wilson of Page
Darting	Gilchrist		

**Nays, 16.**

Baird	Dotts	Kern	McFarlane
Beatty	Gunderson	Kimberly	Rigby
Cavanaugh	Haskell	Klemme	Stoddard
Clark	Johnston	Lange	Wilson of Polk

**Absent or not voting, 11.**

Bergman	Carden	Shaff	Stanley
Brookins	Clearman	Skromme	Topping
Browne	Ramsey	Slemmons	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Wilson of Polk Senate File No. 130, a bill for an act to amend section eighteen hundred eighty-three (1883) of chapter ninety (90) of the code of Iowa 1924, relating to Certified Shorthand Rporters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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	Dean	Johnston	Mills
Beatty	Dotts	Kern	Rigby
Benson	Fackler	Kimberly	Roberts
Booth	Frailey	Klemme	Shaff
Breakenridge	Fulton	Lange	Shane
Brush	Gilchrist	Langfitt	Stoddard
Campbell	Gunderson	McFarlane	Ulstad
Cavanaugh	Hartman	McLeland	Wilson of Page
Clark	Haskell	Merritt	Wilson of Polk
Darting			

**Nays, none.**

**Absent or not voting, 12.**

Bergman	Carden	Ramsey	Slemmons
Brookins	Clearman	Shinn	Stanley
Browne	Ellis	Skromme	Topping

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

On motion of Senator Wilson of Polk Senate File No. 117, a bill for an act to amend the law as it appears in section ten thousand four hundred ten (10410) of the code of Iowa, 1924, relating to renewals of charters for private corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Wilson of Polk the word "section" was inserted in line two of section one before the word "ten".

The bill was read for information.



Senator Wilson of Polk moved 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	Dotts	Kern	Rigby
Beatty	Fackler	Kimberly	Roberts
Benson	Fralley	Klemme	Shaff
Booth	Fulton	Lange	Shane
Breakenridge	Gilchrist	Langfitt	Shinn
Campbell	Gunderson	McFarlane	Stoddard
Cavanaugh	Hartman	McLeland	Ulstad
Clark	Haskell	Merritt	Wilson of Page
Darting	Johnston	Mills	Wilson of Polk
Dean			

Nays, none.

Absent or not voting, 12.

Bergman	Brush	Ellis	Slemmons
Brookins	Carden	Ramsey	Stanley
Browne	Clearman	Skromme	Topping

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

On motion of Senator Fackler House File No. 22, a bill for an act to amend the law as it appears in section two thousand nine hundred twenty-six (2926) of chapter one hundred thirty-eight (138) of the code, 1924, relating to the time for holding the annual meeting and election of officers of Farm Aid 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 striking out all of section 1 and inserting in lieu thereof the following:

"Section 1. Article three (3) of section twenty-nine hundred twenty-six (2926) of the Code, 1924, is hereby amended by inserting following the word "of" in line five (5) the words "not less than".

Also amend said article three (3) by striking out all after the period (.) in line five (5) thereof down to and including the period (.) in line ten (10) and inserting in lieu thereof the following:

"Such officers and directors shall be elected by the members of the corporations at an annual meeting held on the third Monday in December

of each year; their term of office shall begin on the first Monday in the next January after their election and they shall serve for a term of one year and until their successors are elected."

The bill was read for information.

Senator Fackler moved 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	Clark	Kern	Roberts
Beatty	Dean	Kimberly	Shaff
Benson	Dotts	Klemme	Shane
Bergman	Fackler	Lange	Shinn
Booth	Frailey	Langfitt	Slemmons
Breakenridge	Fulton	McFarlane	Stoddard
Brookins	Gilchrist	McLeland	Ulstad
Brush	Hartman	Merritt	Wilson of Page
Campbell	Haskell	Mills	Wilson of Polk
Cavanaugh	Johnston	Rigby	

Nays, none.

Absent or not voting, 10.

Browne	Darting	Ramsey	Stanley
Carden	Ellis	Skromme	Topping
Clearman	Gunderson		

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

On motion of Senator Klemme Senate File No. 131, a bill for an act to prohibit the use of ferrets in the capture of rabbits, 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 the previous question, which motion prevailed.

Senator Klemme moved 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.

Baird	Cavanaugh	Haskell	Mills
Beatty	Dean	Johnston	Roberts
Benson	Ellis	Kimberly	Shane
Bergman	Fackler	Klemme	Stanley
Booth	Frailey	Lange	Stoddard
Breakenridge	Fulton	Langfitt	Ulstad
Brush	Gilchrist	McFarlane	Wilson of Page
Campbell	Hartman	Merritt	Wilson of Polk

## Nays, 4.

Brookins	Dotts	McLeland	Shinn
----------	-------	----------	-------

## Absent or not voting, 13.

Browne	Darting	Ramsey	Skronme
Carden	Gunderson	Rigby	Slemmons
Clark	Kern	Shaff	Topping
Clearman			

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

Senator Klemme 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 Wilson of Page Senate File No. 156, a bill for an act to repeal section fifty-two hundred forty-four (5244) of the code and to enact a substitute therefor, relating to temporary assistants for the county auditor and recorder, 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 after the word "assistants." in line 3 and inserting in lieu thereof the following: "In case no deputy shall be appointed in the office of the county auditor or recorder, or in case the pressure of business demands it, the auditor or recorder is authorized to employ assistance by and with the consent and approval of the board of supervisors, and bills for such service shall be filed with the board of supervisors at their next regular meeting, and said board shall make a reasonable allowance for said services."

The amendment was adopted.

The bill was read for information.

Senator Wilson of Page moved that the reading just had be considered the third reading, which motion prevailed.

Senator Wilson of Page invoked rule 8.

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

Ayes, 32.

Beatty	Dotts	Kimberly	Rigby
Benson	Ellis	Klemme	Shaff
Bergman	Fackler	Lange	Shane
Booth	Frailey	Langfitt	Shinn
Breakenridge	Fulton	McFarlane	Slemmons
Brush	Gilchrist	McLeland	Stoddard
Clark	Hartman	Merritt	Ulstad
Dean	Haskell	Mills	Wilson of Page

Nays, 5.

Baird	Johnston	Roberts	Wilson of Polk
Cavanaugh			

Absent or not voting, 12.

Brookins	Carden	Gunderson	Skromme
Browne	Clearman	Kern	Stanley
Campbell	Darting	Ramsey	Topping

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

Senator Wilson of Page 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 Lange Senate File No. 211, a bill for an act to amend the law as it appears in section six thousand six hundred fifty-one (6651) of the Code, 1924, relative to appointments by members of the council in cities operating under the city manager plan, 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 in lieu thereof the following:

Section 1. That the law as it appears in section six thousand six hundred fifty-one (6651) of the Code, 1924, be and is hereby amended by adding after the word "magistrate" in line five (5) the following: " , who, in cities having a population of thirty-five thousand or more, shall be a practicing attorney".

Also, amend the title by inserting after the word "cities" in the last

line thereof, the words "having a population of thirty-five thousand or more".

The bill was read for information.

Senator Lange moved 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.

Baird	Darting	Klemme	Shane
Beatty	Dean	Lange	Shinn
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Frailey	McLeland	Stanley
Brookins	Gilchrist	Merritt	Stoddard
Browne	Hartman	Mills	Ulstad
Campbell	Haskell	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kimberly	Shaff	

Nays, none.

Absent or not voting, 14.

Benson	Clearman	Gunderson	Ramsey
Bergman	Dotts	Kern	Skromme
Brush	Ellis	McFarlane	Topping
Carden	Fulton		

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

Senator Lange 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. 73 INDEFINITELY POSTPONED

On motion of Senator Frailey, the report of the committee on judiciary No. 2, reporting Senate File No. 73 for indefinite postponement, was taken up and adopted.

#### SENATE FILE NO. 112 WITHDRAWN

By unanimous consent on request of Senator Frailey Senate File No. 112 was withdrawn from further consideration.

#### MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File No. 100 failed to pass the Senate.

O. E. GUNDERSON.

## AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File Number Two Hundred Nineteen (219) by striking from line six (6) of Section Four (4) thereof the period following the word "located" and by inserting immediately thereafter the following: "or within an adjoining county if such residence or location is within six miles of such adjoining county."

F. C. GILCHRIST.

MR. PRESIDENT: I move to amend S. F. No. 118 by adding to the end of Section 17 the following:

"The said secretary is hereby authorized to refund to the Federal Department of Agriculture all moneys so assessed and collected which represent expenditures made on such premises by the United States in accordance with the provisions of the Act of Congress enacted by the Sixty-ninth Congress, approved February 23rd, 1927, and entitled, 'An act to provide for the eradication or control of the European corn borer.'"

C. A. BENSON.

MR. PRESIDENT: I move to amend Senate File No. 193 as follows: Strike out Sec. 2 and insert in lieu thereof the following: "This act being deemed of immediate importance shall be in force and effect from and after its publication in the Correctionville News, a newspaper published at Correctionville, Iowa, and the Sloan Star, a newspaper published at Sloan, Iowa."

B. M. STODDARD.

MR. PRESIDENT: I move to amend Senate File No. 177 by striking all following the word "body" in line 5 of section 1 and substituting the following:

"shall use only those materials, products, supplies, provisions and other needed articles produced, manufactured, compounded, made or grown within the State of Iowa, when they are found in marketable quantities in the state and are of a quality reasonably suited to the purpose intended, and can be secured without loss, making a differential of one per cent in its cost in favor of such Iowa products to cover indirect advantage to the State resulting from a more general local use.

Sec. 2. All requests hereafter made for bids and proposals for materials, products, supplies, provisions and other needed articles to be purchased at public expense, shall be made in general terms and by general specifications and not by brand, trade name or other individual mark. All such requests and bids shall contain therein a paragraph in easily legible print, reading as follows:

By virtue of statutory authority, a preference of one per cent on price will be given to materials, products, supplies, provisions and all other articles produced, manufactured, made or grown within the State of Iowa.

Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sioux City Jour-

nal, a newspaper published in Sioux City, Iowa, and the Sloan Star, a newspaper published in Sloan, Iowa.”

C. J. FULTON.

The journal of February 22d was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 9 :30 a. m., Thursday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 24, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Senator Lars J. Skromme, of the Lutheran Church, of Roland, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Campbell for the day, on request of Senator McFarlane.

## PETITIONS AND MEMORIALS

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

By Senator Skromme, from the Ogden chapter of the Izaak Walton League, favoring closed season on quail. Fish and game.

By Senator Skromme, from farmers of Boone county, favoring closed season on quail. Fish and game.

By Senator Skromme, from voters of Boone county, favoring bank guarantee act. Banks and banking.

By Senator Skromme, from voters of Story county, favoring bank guarantee act. Banks and banking.

By Senator Wilson of Polk, from members of Cigarmaker's Union of Polk county, opposing change in garnishment bill, and opposing exemption bill, H. F. No. 200 and favoring H. F. No. 53. Judiciary No. 1.

By Senator Benson, from Elkader Chapter of Izaak Walton League, favoring present administration of Fish and Game Department of Iowa. Fish and game.

By Senator Roberts, from citizens of Ringgold county, en-



dorsing present administration of Fish and Game Department. Fish and game.

By Senator Klemme, from voters of Winneshiek county, favoring bank guarantee law. Banks and banking.

By Senator Klemme, from voters of Howard county, opposing control of Highway Commission over primary roads. Highways.

By Senator Gunderson, from voters of Winnebago and Hancock counties, favoring bank guarantee act. Banks and banking.

By Senator Gunderson, from voters of Worth county, favoring bank guarantee act. Banks and banking.

By Senator Gunderson, from voters of Mitchell county, opposing control of highway commission over primary roads. Highways.

By Senator Lange, from voters of Dubuque county, favoring bank guarantee act. Banks and banking.

By Senator Johnston, from voters of Cerro Gordo county, favoring bank guarantee act. Banks and banking.

By Senator Slemmons, from voters of Buchanan county, favoring bank guarantee act. Banks and banking.

By Senator Ulstad, from voters of Hardin county, favoring bank guarantee act. Banks and banking.

#### INTRODUCTION OF BILLS

Senate File No. 246, by Senator Browne, a bill for an act to amend section eighty-six hundred eighteen (8618) of the Code, relating to insurance.

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

Senate File No. 247, by Senator Stoddard, a bill for an act to amend section forty-three hundred forty-five (4345) of the code, 1924, relative to pension and annuity retirement system for public school teachers.

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

Senate File No. 248, by Senator Johnston, a bill for an act to amend Section six thousand six hundred twenty-one (6621) and Section six thousand six hundred twenty-two (6622) of the code, relating to the population of cities and the number of councilmen therefor.

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

Senate File No. 249, by Senator Shaff, a bill for an act to amend chapter one hundred fifty-one (151) of the code relating to the production and sale of eggs.

Read first and second times and referred to committee on dairy and food.

#### REPORTS OF COMMITTEES

Senator Haskell submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 207, a bill for an act to amend the law as it appears in Chapter three hundred ten (310), section six thousand one hundred three (6103), Code of 1924, relating to protection from floods, 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. 76, a bill for an act to repeal section sixty-two hundred seventy-seven (6277) of the Code, 1924, and to enact a substitute therefor, relating to the record and filing of city or town plats, and to adjust said records in accordance with the substitute herein enacted, 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. 56, a bill for an act to amend section ten thousand one hundred eighty-eight (10188) of the Code, 1924, relating to gifts to municipal corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also :

**MR. PRESIDENT:** Your committee on cities and towns to which was referred House File No. 44, a bill for an act to legalize the proceedings for the acquisition of a waterworks system by the City of Cedar Rapids, Iowa, and to validate and declare certain indebtedness assumed by said City in such acquisition as constituting an indebtedness of said city, 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. 221, a bill for an act to amend section five thousand seven hundred twenty-eight (5728) of the Code, relating to police courts, 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. 214, a bill for an act to amend section five thousand nine hundred ninety-three (5993) of the Code, 1924, relating to street improvements, sewers and special assessments, 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 Mills submitted the following report :

**MR. PRESIDENT:** Your committee on military affairs to which was referred House File No. 184, a bill for an act to authorize the governor to receive from the secretary of war of the United States and disburse certain moneys now in the possession of said secretary as trustee, begs leave to report it has had the same under consideration and recommends the same do pass.

*R. C. MILLS, Chairman.*

Ordered passed on file.

Senator Breakenridge submitted the following report :

**MR. PRESIDENT:** Your committee on agriculture to which was referred Senate File No. 223, a bill for an act to amend chapter one hundred thirty-two (132) of Title IX of the Code, 1924, to provide for the reinstatement of licensee whose license has expired by reason of failure to pay the renewal license fee as required by section twenty-seven hundred sixty-

nine (2769), begs leave to report it has had the same under consideration and recommends the same do pass.

W. J. BREAKENRIDGE, *Chairman*.

Ordered passed on file.

Senator Merritt submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File No. 97, a bill for an act to amend section 7556 of the code relating to drainage ditches, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Included as drainage district. That section seventy-five hundred fifty-six (7556) of the code be and the same is hereby amended by adding thereto after the word "basins" in the last line thereof as amended by section twelve (12) of chapter one hundred fifty-three of the Acts of the Forty-first (41st) General Assembly, the following:

"where under laws in force prior to 1904 (nineteen hundred four) drainage ditches and levees were established and constructed without fixing at the time of establishment a definite boundary line for the body of land to be assessed for the cost thereof, the body of land which was last assessed to pay for the repair thereof shall also be considered as an established drainage district for the purpose of maintaining such drainage improvements."

Sec. 2. Proceedings now pending. That said section seventy-five hundred fifty-six (7556) of the code as amended by section one (1) of this act shall be construed to apply to proceedings now pending before boards of supervisors relating to the repair of such ditches and levees as are referred to in the preceding section, and to the assessment and levy of taxes to pay the cost and expense thereof, where assessments have not yet been made and levied to pay for the same as well as to proceedings hereafter instituted.

Sec. 3. Publication clause. This act is deemed of immediate importance and shall take effect from and after the publication in the Carroll Herald, Carroll, Iowa, and the Sac Sun, Sac City, Iowa.

J. G. MERRITT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on drainage to which was referred House File No. 13, a bill for an act to amend the law as it appears in Chapter Three Hundred Fifty-three (353), section seventy-four hundred twenty-eight (7428), of the Code, 1924, relating to straightening creek or river, 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 five (5) the words and figures "forty-five (45)" and inserting in lieu thereof "thirty-five (35)".

J. G. MERRITT, *Chairman.*

Ordered passed on file.

#### HOUSE AMENDMENTS CONSIDERED

Senator Wilson of Polk 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 from section one (1) all of line eight (8) and inserting in lieu thereof the following: "the owners of at least seventy-five per cent (75%) of the".

President Kimball took the chair at 9:40 a. m.

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

Ayes, 29.

Baird	Darting	Lange	Shane
Beatty	Dotts	McLeland	Shinn
Benson	Ellis	Mills	Skromme
Booth	Fackler	Ramsey	Slemmons
Brookins	Johnston	Rigby	Ulstad
Brush	Kern	Roberts	Wilson of Page
Cavanaugh	Klemme	Shaff	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 20.

Bergman	Clearman	Gunderson	McFarlane
Breakenridge	Dean	Hartman	Merritt
Browne	Frailey	Haskell	Stanley
Campbell	Fulton	Kimberly	Stoddard
Carden	Gilchrist	Langfitt	Topping

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 Wilson of Polk Senate File No. 219, a bill for an act to repeal the law as it appears in Chapter ninety-three (93), Title V of the Code, 1924, and to enact a substitute therefor, relating to organizations soliciting public donations, a committee bill, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from line six (6) of Section Four (4) thereof the period following the word "located" and by inserting immediately thereafter the following: "or within an adjoining county if such residence or location is within six miles of such adjoining county".

The amendment was adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Darting	Klemme	Shaff
Beatty	Dotts	Lange	Shane
Benson	Ellis	Langfitt	Shinn
Bergman	Fackler	McFarlane	Skromme
Booth	Gilchrist	McLeland	Slemmons
Brookins	Haskell	Merritt	Stoddard
Brush	Johnston	Mills	Ulstad
Cavanaugh	Kern	Ramsey	Wilson of Page
Clark	Kimberly	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Breakenridge	Carden	Frailey	Hartman
Browne	Clearman	Fulton	Roberts
Campbell	Dean	Gunderson	Stanley
			Topping

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

Senator Wilson of Polk 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.

#### ACTION ON S. F. 192 DEFERRED

Senator Rigby moved that action on Senate File No. 192, a special order for 10 a. m., today, be deferred until after the recess, which motion prevailed.

#### THIRD READING OF BILLS

On motion of Senator Gilchrist Senate File No. 118, a bill for an act to prevent the introduction into and dissemination within this state of insect pests and diseases injurious to plants and plant products of this state, to create the office of state entomologist

within the state department of agriculture, and to prescribe its powers and duties, and to provide penalties for a violation thereof and to repeal chapter 201 of the Code relating to the state entomologist, 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 inserting immediately after the word "operation" and before the word "is" in line five (5) of section seventeen (17) the following: "such as is normal and usual in farm operations".

President Pro Tem Shane took the chair at 10:20 a. m.

By unanimous consent on request of Senator Gilchrist the word and figure "five (5)" were stricken from the amendment and the word and figure "six (6)" were inserted in lieu thereof.

Senator Shaff moved that the bill be rereferred to the committee on agriculture.

President Kimball resumed the chair at 10:40 a. m.

Senator Johnston moved that further action be deferred and that the bill be made a special order for Tuesday, March 8th, at 10 a. m.

Senator Gilchrist invoked rule 8.

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

Ayes, 23.

Baird	Dean	Kern	Roberts
Beatty	Ellis	Kimberly	Shaff
Bergman	Fulton	Klemme	Shane
Booth	Gunderson	McFarlane	Slemmons
Brookins	Hartman	McLeland	Stanley
Clark	Johnston	Rigby	

Nays, 20.

Benson	Fackler	Langfitt	Skromme
Breakenridge	Frailey	Merritt	Stoddard
Browne	Gilchrist	Mills	Ulstad
Brush	Haskell	Ramsey	Wilson of Page
Dotts	Lange	Shinn	Wilson of Polk

Absent or not voting, 6.

Campbell	Cavanaugh	Darting	Topping
Carden	Clearman		

The motion prevailed and Senate File No. 118 was made a special order for March 8th, at 10 a. m.

On motion of Senator Stanley House File No. 27, a bill for an act repealing section four thousand ninety-five (4095) of the Code, 1924, and enacting a substitute therefor relative to abolishing county high schools, disposing of their property and buildings and the holding of an election 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 Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Baird	Dotts	Klemme	Shaff
Beatty	Fackler	Lange	Shane
Benson	Frailey	Langfitt	Shinn
Bergman	Fulton	McFarlane	Skromme
Booth	Gilchrist	McLeland	Slemmons
Breakenridge	Gunderson	Merritt	Stanley
Browne	Haskell	Mills	Stoddard
Brush	Johnston	Ramsey	Ulstad
Cavanaugh	Kern	Rigby	Wilson of Page
Clark			Wilson of Polk

Nays, none.

Absent or not voting, 11.

Brookins	Clearman	Ellis	Roberts
Campbell	Darting	Hartman	Topping
Carden	Dean	Kimberly	

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

Senator Stanley 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 Files Nos. 78, 79, 80, 84, 88, 89, 90, 91 and 92.

On motion of Senator Klemme the Senate adjourned until 1:30 p. m., today.



## AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## INTRODUCTION OF BILLS

Senate File No. 250, by Senator Baird, a bill for an act to amend section six thousand twenty-five (6025), of the 1924 code, relating to the duties of the city engineer.

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has refused to concur in Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 39, a bill for an act to limit the civil liability of owners and operators of automobiles.

Also: That the House has concurred in Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 50, a bill for an act relating to the duties of the clerk of the probate court and providing for notice, in certain cases, to consular representatives.

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

Senate Concurrent Resolution No. 20, relating to recent changes of the rules of the Chicago Board of Trade, and proposed investigation by the Grain Futures Administration.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 25, a bill for an act relating to the state appropriation bill and the introduction thereof in the general assembly.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 104, a bill for an act relative to the primary road system and the primary road fund, to transfer the control of the primary roads to the state, to empower the state to construct and maintain the primary road system, to do away with special assessments heretofore levied, and to do away with the area basis for allotting primary road funds among the counties.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE NO. 104

Amend by striking section five (5) and substituting therefor the following:

"Sec. 5. Where additional right-of-way has been acquired, or where bridges have been built on the primary roads under the supervision of the highway commission, and paid for out of the county road or bridge funds since April 19, 1919, said county shall be reimbursed for said right-of-way and said bridges out of the primary road fund within three (3) years from the taking effect of this act; provided, however, that any county that has received, or will receive during the year of 1927, primary road money for use on secondary roads, the amount of such primary road money so received by such county and used on the secondary roads shall be deducted from the amount of refunds provided for herein. The refunds made to any county under this section shall at the option of the board of supervisors of said county be placed to the credit of the county road fund or the county bridge fund."

Amend by striking from section eleven (11) line twelve (12) the word "not".

Amend by striking from lines twelve (12), thirteen (13), and fourteen (14) the following:

"nor the bond given in support thereof, but upon discovering such violation, the state highway commission may terminate such contract."

Amend section 12 by striking from line 9 the figures "\$5,000.00" and inserting in lieu thereof the words and figures "five thousand dollars (\$5,000.00)".

Amend section thirteen (13) by inserting after the word "construction" in line three (3) the words "of primary roads". Further amend section thirteen (13) by inserting after the word "county" in line five (5) the words "on the primary system".

Amend by substituting for section 16 the following: "All claims shall be itemized upon voucher forms prepared for that purpose, sworn to by the claimants, certified to by the engineer in charge, audited by the State Highway Commission, and then forwarded to the State Board of Audit for final audit. Vouchers, after such final audit by the State Board of Audit, shall then be forwarded to the Auditor of State, who shall draw warrants therefor, and said warrants shall be paid by the Treasurer of State from the primary road fund."

Amend section 21 by striking out the entire section, and inserting the following:

"The director of the budget shall establish and maintain an auditing department in the office of the State Highway Commission. The director is authorized to employ an auditor and the help necessary to audit all claims and check the records of the State Highway Commission and their assistants. No claims shall be presented to the State Highway Commission until said auditor has approved the same. Said auditor shall give a bond to the state in the sum of \$50,000 for the faithful performance of

the duties. All expenses for the maintenance of said auditing department and the cost of the bond for the auditor shall be paid from the support funds of State Highway Commission provided for in section 34 of this act."

Amend by adding the following sections to the bill:

Sec. 38. Section forty-six hundred twenty-two (4622) of the code, 1924, is hereby repealed and the following enacted in lieu thereof:

"The state highway commission shall be composed of five appointive members, not more than three of whom shall belong to the same political party, and each commissioner shall serve for four years from July first of the year of his appointment, except as hereinafter provided. The office of said commission shall be located in the city of Ames, Iowa.

Sec. 39. Section forty-six hundred twenty-three (4623) of the code, 1924, is hereby repealed and the following enacted in lieu thereof:

"Within sixty days after the convening of the general assembly in regular session in 1929, and each two years thereafter, the governor shall appoint, with the approval of two-thirds of the Senate in executive session, a successor or successors to the member or members of said commission whose terms expire on July first following.

Sec. 40. Temporary provision. As soon as this act has been approved by the governor, the governor shall appoint, with the approval of two-thirds of the senate in executive session, three members of said commission, one of whom shall serve for a term commencing July 1, 1927, and ending July 1, 1929, and the other two members shall be appointed for a term commencing July 1, 1927, and ending July 1, 1931."

Sec. 41. The provisions of this act, in so far as they pertain to Cities and Towns, shall apply to Cities acting under special charter.

Sec. 42. All allotments made by the State Highway Commission to counties voting bond issues for the purpose of hard surfacing, or otherwise improving any portion of the primary road system, shall be paid for within the biennium so as not to create an obligation against the state.

Sec. 43. The highway commission or the highway engineers shall not enter into an agreement, oral or written, with the citizens or officers of any county, to the effect that any amount of money will be furnished from the primary fund for the purpose of supplementing funds to be raised by the sale of county road bonds.

Amend the title to Senate File No. 104 by inserting after the word "sections" in the second line thereof the following: "forty-six hundred twenty-two (4622), forty-six hundred twenty-three (4623),";

Amend by striking from line 22 the word "and";

Amend by changing the period at the end of the title to a comma and adding the following: "to provide for an increase in the membership of the state highway commission, to further prescribe their rights and duties, and limiting their powers with respect to creating an obligation against the state."

## THIRD READING OF BILLS

On motion of Senator Shane Senate File No. 194, a bill for an act to amend Section Seventy-one Hundred Seventy-nine (7179) of the Code relating to the licensing of traveling shows or circuses for exhibition outside the limits of cities or towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McLeland withdrew his amendment, found on page 501 of the Senate Journal.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section seventy-one hundred seventy-nine (7179) of the Code be and the same is hereby amended by striking therefrom the word "one" as it occurs in the eleventh line of said section and substituting in lieu thereof the word "five," and by adding to said section after the period following the last word thereof the following: "nothing in this section contained shall be construed as denying the right of the board of supervisors and county auditor to refuse to issue such license for such exhibitions as they may deem objectionable".

The amendment was adopted.

Senator Shane moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 27.

Baird	Clark	Haskell	Ramsey
Benson	Darting	Johnston	Rigby
Booth	Dean	Klemme	Shane
Breakenridge	Ellis	Lange	Stanley
Browne	Fackler	McFarlane	Wilson of Page
Brush	Frailey	McLeland	Wilson of Polk
Cavanaugh	Gilchrist	Merritt	

Nays, none.

Absent or not voting, 22.

Beatty	Dotts	Langfitt	Skromme
Bergman	Fulton	Mills	Slemmons
Brookins	Gunderson	Roberts	Stoddard
Campbell	Hartman	Shaff	Topping
Carden	Kern	Shinn	Ulstad
Clearman	Kimberly		

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 Cavanaugh House File No. 140, a bill for an act to amend section 3666 (thirty-six hundred sixty-six) of the code relative to the commitment of neglected, dependent, and delinquent children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Baird	Darting	Johnston	Ramsey
Benson	Dean	Kern	Rigby
Booth	Ellis	Klemme	Shane
Breakenridge	Fackler	Lange	Stanley
Browne	Frailey	McFarlane	Ulstad
Brush	Fulton	McLeland	Wilson of Page
Cavanaugh	Gilchrist	Merritt	Wilson of Polk
Clark	Haskell		

Nays, none.

Absent or not voting, 19.

Beatty	Clearman	Langfitt	Skromme
Bergman	Dotts	Mills	Slemmons
Brookins	Gunderson	Roberts	Stoddard
Campbell	Hartman	Shaff	Topping
Carden	Kimberly	Shinn	

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

Senator Cavanaugh moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### COMMITTEE FROM THE HOUSE

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

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

## JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor Kimball, President of the Senate, presiding.

President Kimball announced a quorum present and the joint convention duly organized.

Senator Johnston of Franklin moved that a committee of three be appointed, one from the Senate and two from the House, to notify the Iowa Pioneer Lawmakers' Association that the joint convention was ready to receive them.

Motion prevailed and the President appointed as such committee: Senator Johnston of Franklin, Representatives Hansen of Scott, and O'Donnell of Dubuque.

Senator Johnston from the committee appointed to notify the Iowa Pioneer Lawmakers' Association that the joint convention was ready to receive them, appeared with the visiting guests.

The program was then carried out as arranged by the Iowa Pioneer Lawmakers' Association, Hon. A. B. Funk, President of the Association, in charge.

The following address of welcome was given by Senator Ellis of Appanoose county:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE PIONEER LAWMAKERS ASSOCIATION, MEMBERS OF THE FORTY-SECOND GENERAL ASSEMBLY, AND FRIENDS:

I am sure that I bespeak the sentiment of every member of the present assembly when I say that it affords us the very greatest of pleasure to welcome the representatives of those who, in the days gone by, sat within these walls, have labored together, and have wrought the legislation that has made this commonwealth of ours what it is today, and what we hope it may be in the future. To you gentlemen who have labored here in the days gone by I do not need to say that you have laid foundations that are deep and wide, and that upon these foundations those of us whose task it is to take your places, whose privilege it is to take your places, are building along with those who may come after us too, a superstructure that shall keep this glorious state of ours chief among the galaxy of stars that represent the states of this Union.

I would not be surprised to find, if we were to go back into the records of those bygone days, that when you were sitting in these halls you had the same difficulties that we are encountering in these days. I would not be surprised if, were we to go back into those old records, we would

find that there was about as much foolish legislation proposed as some of us propose now, and I would not be surprised to learn that it often became necessary for you to meet around the conference table, with a give-and-take attitude, until at last you reached some firm basis upon which you could all agree, and which in the long run was for the benefit of the entire commonwealth. I recognize today, as you did then, that all legislation is a matter of compromise, wherein principles are not involved, that as legislators it becomes our duty to recognize the opinions and to respect the opinion of those who may differ with us.

We are glad today to welcome you here, and to know that you did so well the work that was yours to do in the days gone by, and we trust that those of us who now sit in your places may be worthy of the heritage that you have handed to us, and that when from our hands go the working tools of state that we too may pass on to others a heritage as rich and as noble as that which you have passed on to us. We welcome you and honor you in this assemblage this afternoon.

The response on behalf of the association was given by Hon. H. W. Byers, vice president of the Pioneer Lawmakers.

**MR. PRESIDENT, LADIES AND GENTLEMEN, AND MEMBERS OF THE JOINT ASSEMBLY OF THE FORTY-SECOND GENERAL ASSEMBLY:**

When Senator Funk asked me to make brief response to your welcome the first thought that came into my mind was that in the early days of my experience in the legislature I thought I learned one lesson, at least, and that was that legislating for the great state of Iowa was the most important item to keep in mind. I could not begin to tell you, gentlemen and friends who are here, the thrill that comes to me in having the opportunity to stand on this platform. Of course we want to thank you for this welcome, and we want you to know that we are not only interested in what the Pioneer Lawmakers Association is doing, but we are interested every minute of every day in what is going on under the golden dome of this old capitol. One of the men who spoke to us this morning, one of the splendid representatives of this great state, a man who has aided in writing upon the statute books of Iowa law after law that had to do with the development and growth of the boys and girls of this state, that had to do with the welfare of the communities of Iowa, that had everything to do with the sick and the unfortunate. He told us this morning that when he started down for his first session in the Senate, that the uppermost thought in his mind and the thing that swelled his bosom the most was the thought that the little town, little county seat town where he lived, Glenwood, was the best town in all Iowa, that Mills county was the best county in the state, and that Iowa was the greatest state in the Union. And there is the keynote to the well developed man and the efficient member of the General Assembly.

It reminded me very much of a little incident, personal in its nature, that occurred last fall. Mrs. Byers and I started from Des Moines one beautiful afternoon, an Iowa afternoon, the kind of a day that makes a man glad he lives in this state and among these people. We drove on west through Guthrie Center, on through Audubon county, circled around

the curves of those wonderful hills, and finally came into the little town named Hamlin in Audubon county. There we found that our machine would not run without gas and water, and we had to go into a station to get some gas. The man selling the gas was a man I had known for forty years or more, one of those splendid adopted citizens of this land of ours, a man who came here with little, if anything, except the clothes he had on his back and in all those years had prospered and grown until he was a genuine representative of America. We drove in there, and he is one of the men who likes a joke, and so he did not let on that he knew me. I told him that I wanted some gas. He served me with the gas, put some water in my radio—well, that will do, radio is the big thing now anyhow—and then I said to him, "Chris, how far is it to the best town in Iowa?" "Why, Webb," he says, "You are in her now." There is the thought, when we stand for our home town, when we stand for our home community, when we stand for our home state, when we believe in and have faith in the men and women that are living with us, then we are having in our lives that inspiration out of which come big, clean, strong men.

But I want to say, without taking any more of your time, that it was a wonderful privilege to come here to make these few remarks, and to thank you for your welcome. I want just to round out these few rambling statements that I have been able to make, to tell you that I believe probably more in one little expression of Abraham Lincoln's than all the others he said, in fact, it fits here better or as well as anything that I could say, and that was this: "Die when I may, I want all my friends who know me best to know that I always clipped a thistle and planted a flower where a flower would grow."

Now, I thank you for this welcome on behalf of the Pioneer Lawmakers Association, and I speak for all of them because we have just had two wonderful sessions yonder in the Historical building. We not only thank you, but I leave this presence with the hope that for myself and for them, that in your work here in this session of the General Assembly, I say, we hope that in all those things that have to do with the little folks, of those things that are necessary to make it possible for the little boys and little girls to have a fair chance in life, and in all those things that have to do with the welfare and comfort of the sick and unfortunate, and that in all those things which have to do with the training and education of our youth, that you may excel everything we ever did or boasted of doing.

Hon. Burton E. Sweet of Waverly was then introduced and addressed the Joint Convention as follows:

**MR. CHAIRMAN, MEMBERS OF THE GENERAL ASSEMBLY, AND MEMBERS OF THE PIONEER LAWMAKERS' ASSOCIATION OF IOWA:**

At the outset I wish to express to you my profound appreciation for the compliment that you have paid me in calling upon me to address you upon this occasion.

As I look about me today I realize that nothing in this world can pause or stay, that there is unceasing change everywhere, and that this fundamental principle applies to men as well as events.



Time is a great leveler, and it takes a very unusual man to be thought of or even spoken of one hundred years after his death.

Not a member that served with me in this House twenty-seven years ago is a member of the present assembly. Some of the men I associated with then in public life, have held high positions of trust and confidence in our state and nation. Some of them have been judges, governors, congressmen, senators and members of the cabinet of the President of the United States. Some of them have succumbed to the ravages of disease and have gone to the Undiscovered Country. Some of them have returned to the ordinary walks of life, and have taken an active part in the affairs of their communities and counties, and have given of their best to the worthy citizenship of the state. Some of them were lawyers, doctors, farmers, artisans and business men. All of them have played their parts well, and have contributed in no small degree to our present standing, achievements, and glory as one of the leading commonwealths of the nation.

Iowa, as a state, is unusually favored by way of location, soil, climate and resources.

The other day I read in Holy Writ of the Garden of Eden. It is described as being a place where every tree and herb grew that was pleasant to the sight of man and good for food. It is also recorded that a river flowed through the Garden, which was divided into four heads or sources. It is described as an ideal spot for the abode of man. That such a place did exist on the earth at one time, the Bible is abundant proof. Where it existed is lost in the night of antiquity. Even tradition cannot assist us in finding it. As to where it is located, scientists are silent. Theologians long ago have abandoned looking for it. They now say, "We know it did exist, but just when and where it existed we do not know and neither are we concerned, for when it existed and where it existed does not now enter into the salvation of man."

By a strange coincident, a few days ago, I picked up a book written by Agassiz, the great naturalist and thinker, and to my surprise I read the following:

"First born among the continents, though so much later in culture and civilization, than some of more recent birth, America, so far as her physical history is concerned, has been falsely denominated the new world. Hers was the first dry land lifted out of the waters; hers the first shores washed by the ocean that enveloped all the earth besides; and while Europe was represented only by islands rising here and there above the sea, America already stretched one unbroken line of land from Nova Scotia to the far west."

After I read this, I began to do a little thinking on my own hook. I reasoned that the Garden of Eden could not have been located in Asia or on the banks of the wandering Nile. Neither could it have been located in Europe or any of the small islands of the sea. Then I remembered that it was written in Holy Writ that the waters were gathered together in one place. That the dry land appeared and that the Garden of Eden was

upon that dry land. I reasoned then that if the Garden of Eden was upon the first dry land, it must have been located upon the North American continent.

Having located it upon this continent, I began to look for evidence to determine, if possible, just where it was on this continent. I glanced in the pages of Holy Writ and I found that a river ran through the Garden of Eden and thence it was parted and became divided into four heads or sources. I also read that one of these rivers compassed a land where there was gold. That one of the rivers branched to the East. I began to study the map of the United States. I saw the Mississippi River. I saw the three great tributaries, the Missouri, the Platte and the Ohio. The conclusion was irresistible that it was located in the Mississippi Valley. The Missouri which finds its source in the Rocky Mountains and which compasses great gold fields. The Ohio which branches off to the far East and finds its source in the Alleghenies. I knew then it must be in the Mississippi Valley, and I asked myself, "Where in the Mississippi Valley?"

I knew it must be a place where trees, herbs and vegetation grew in abundance. It must have a healthful and invigorating climate. It must be a place upon which nature had showered the bounties of heaven. It must be a place lit by the smile of God.

I then turned my attention to Iowa. Iowa! Magnificent Iowa! Bounded by two mighty rivers. Surely, if there ever was a spot especially prepared for the abode of man, it is right here in our own native state.

We have a soil from two to four feet in depth which is not excelled anywhere in the world. We have less waste land than any other state in the union. We have building rock strewn all over our farms in just the right amount to meet the demands of building purposes. A part of our state is underlaid with coal to supply us with fuel.

Each season our farms are covered with waving golden grain and with corn fields as far as the eye can reach. And we behold each season cattle grazing on our thousand hills.

Is it any wonder, then, that standing here in the presence of all these resources, with all these evidences of prosperity, of happiness, of thrift and enterprise about me, that I would naturally draw the conclusion that Iowa is and was the Garden of Eden?

I have indulged in this little bit of pleasantry to bring forcibly to your minds the advantages that we enjoy as a state by way of location, climate and resources, and the immeasurable blessings that should naturally flow to a people so providentially favored.

The development and settlement of Iowa, the center of a great nation; the development and settlement of the Mississippi Valley, now the granary of the world; in short, the reclaiming of the West! How boundless the theme, how inspiring the subject. The rapidity with which the change has been wrought, the stupendous character of the transition that has taken place in the last seventy years can scarcely be compassed by the imagination of man in its wildest flights. It was an extraordinary migration. You may search the pages of history in vain to find a single parallel.

In order that we may get a just conception of what it meant to settle

this great state, we must study the lives and characters of the men and women who participated in that settlement and spent their lives in assisting in the development of this territory. We must go with them to their huts and log cabins, with their dirt floors. We must go with them on to their farms, and seat ourselves at their firesides. We must live again the lives that they lived. We must endure the hardships and privations that they endured. We must sympathize with them in their sufferings and rejoice with them in their triumphs. We must be with them each morning at the rising of the sun. We must be with them at noonday as they partake of their frugal fare. We must be with them each evening as the sun sinks to rest in the western heavens. We must look in upon them during the long winter evenings and behold father, mother, sister and brother at the family fireside. We must behold them in the winters' fiercest storms when the boreal blasts sweep down from the North, and the blizzards rage. We must behold them when the summer's sunshine bathes all in a resplendent light.

As I stand here today in the Capitol building of Iowa, located in the heart of the nation, I cannot help but exclaim, what a magnificent story to tell is the settlement and development of this great commonwealth! A story of courage, of self-denial, of frugality, of enterprise, of enthusiasm, which challenges the admiration of all the sons of men. Surely here is an example for civilized man in all succeeding ages to emulate and follow. Surely here is a scene for painters and poets. And as the mind dwells upon the scene the imagination kindles at the retrospect and we are transported back to the time less than one hundred years ago, when this whole territory was a vast unexplored and uninhabited wilderness. A land, so to speak, fresh from the hand of the Infinite. A land where white man had never trod before. Here was a vast area of land that slept for centuries untouched by civilized man.

The morning sun rose for thousands of years daily, and its beams gilded naught but a boundless expanse of rolling prairies, covered in winter by snow and sleet, and in summer billowed by waving grass which resembled the waves of the mighty ocean. Here in this very state of ours, at that time, along the banks of our rivers, roamed herds of American bison. Here the deer and antelope bounded at will. Here, at the lonely midnight hour the coyotes set up their dismal yell. Here "the rank thistle nodded in the wind, and the wild fox dug his hole unscared." Here the smoke from the wigwams of the American Indians rose heavenward each morning and evening, and was lost in the blue dome of the azure sky. Here in autumn time the prairie fires raged at will, yet molested not a single white man. Here rivers rolled on in solemn silence to the sea, but they turned not a spindle. Not a city, not a village, not a church, not a single house or schoolhouse stood upon the banks of our streams. Our soil had never felt the enlivening touch of the plowshare. The sparse timber that skirted the banks of our rivers showed no signs of the woodsmen's ax, or gave any evidence of civilized man. Everywhere was unrestrained nature.

As I stand here in imagination, in this great wilderness, hundreds of miles from civilization, surrounded on every hand by a magnificent solitude, profound, unspeakable, a dead calm seems all the world con-

tained. It is the Universe. Lo! As I stand here I am aware of an inexpressible premonition that something momentous is about to happen. I harken, and I hear a distant sound of the rush and roar of mighty waters. As I listen, I can hear the tramp, tramp, tramp, of the army of civilization, as it is sweeping westward toward the setting sun. I look about me, and I behold the terror-stricken face of the Red man. He gazes for a moment toward the east, as if in defiance. Then looks hurriedly about him, and for a moment he gazes out across the land that we now inhabit, wraps his blanket about him, bids a last farewell to his happy hunting ground, the graves of his ancestors, and flees hopelessly and swiftly westward before the onward march of civilization. His disappearance reminds me of the flight of wild birds in their mad rush before the oncoming, the awe-inspiring storm. I see the American bison, deer and antelope fleeing, as it were, from the wrath of man. They and civilized man cannot long inhabit the same territory. I look again, and I see the great army of civilization in its triumphant march across the states known as Ohio, Indiana, Michigan, Kentucky, Tennessee, and Illinois. I see the covered wagons as they cross the Mississippi River and slowly make their toilsome journey into Iowa and invade our prairies. I see them felling trees on the banks of our streams. I see them in their scattered settlements along our rivers. I behold civilized man contending with crude conditions. I see them battling with their privations. I see them in all their primitiveness. I behold them laying the foundations of a mighty inland empire, and above it all, and through it all, it seems to me that I can see the hand of God directing the great course of events.

That applies to my ancestors, and your ancestors, and to you, whose locks have been silvered by time. Many of your fathers, many of you, left the land of our childhood, the homes of your fathers, and the tombs of your ancestors and settled in splendid Iowa. Many of you came from countries across the sea.

I look again, and where once was all solitude, and a vast wilderness, I behold fields of waving golden grain, cornfields extending as far as the eye can reach. I see towns and cities springing up like the flowers of the tropics. I see great lines of railroads constructed across our prairies, bringing the markets of the world to our very door. I see inventions leap like magic from the brains of men. I see the sturdy pioneers take part in a great Civil War for the preservation of the Union and the Flag. I see telephone and telegraph lines constructed, connecting us with the peoples of every civilized country. I see the state filled with horseless chariots, which run like lightning. I see flying machines like white-winged ships sailing the ocean of the sky. I hear mysterious voices emanating from the thousands of radios, throughout the land. I see the wilderness turned into a blooming, fruitful garden. I see a new country, settled with steam and electricity, and where once was desolation and dreariness, I behold schools and books, and colleges, and universities and churches. I see factories and workshops filled with contented workmen. I behold order brought out of chaos. I behold the establishment of township, municipal and state

governments, based upon the consent of the governed. I witness the convening of legislative assemblies, and constitutional conventions, and the formation of representative government. I behold the establishment of courts and tribunals of justice. I behold thousands of happy homes. I behold the faces of millions of free men and women.

I am proud of the fact that my ancestors took part in the development of this country. My mother was born in the state of Vermont, and my father in Ohio. They came to Iowa in 1867. My father's people came from the state of Massachusetts. And their tombstones are like milestones along the highway of our national development, as the mighty tide of immigration rolled westward toward the setting sun, and our nation swept on to empire and greatness. I rejoice that they lived in an extraordinary age, and were early pioneers.

The early pioneers of Iowa were not attracted hither by the lure of gold, wealth, station or power. They were not imbued with the spirit of conquest or the acquisition of dominions. They came here to establish homes for themselves and their children. They were actuated by the highest motives of conscience, of parental duty, and religious responsibility. They looked upon the home as sacred and the prime unit of representative government. There is nothing just like it, or more heroic, in all history.

They were not ignorant of political institutions, civil liberty, and the teachings of Christianity. Everything was civilized but the physical world about them. Within their hearts, brains and souls, they contained in substance all that the ages have done for human government. They possessed an indomitable courage and perseverance. They were independent and self-reliant. They were imbued with the spirit that actuated the early settlers of this country. They were filled with admiration for the deeds and characters of their forbears. They had the advantages of being familiar with the traditions, examples, and experiences of two hundred years of pioneering on this continent. Their conception of governmental institutions were in accord with the founders of the Republic. They had a keen sense of right and wrong, and believed in the equality of all men before the law, regardless of position, power or wealth. They believed in the principles of liberty, justice, and equality advocated by the fathers. They asked no special favors from the state or nation, and they expected none. All they demanded was that the government protect them in their liberties and property, and guarantee to them an equal opportunity and chance in the race of life.

The pioneer lawmakers in drafting our state constitution and in formulating our early laws, kept in mind the fundamental principles of government, set forth in the Federal Constitution. They realized that they were not establishing a business concern when they drafted our state constitution, and gave us the form of state government under which we live. They adhered at all times to the doctrine "Render unto business the things that pertain to business, and unto government the things that pertain to government."

Let us have faith in Iowa. Let us remember that we live in an agricultural state. That agriculture must have its place in the sun. That

notwithstanding that fact, all the various interests of the state are inseparably bound together. That industries cannot succeed if the laborer is poorly paid. That transportation cannot prosper if agriculture declines. All of the various interests of the state must be considered, "for the benefit of one, is the benefit of all, and the neglect of one is the neglect of all."

The early pioneers are fast passing into the shadows of the eternal night. Their course on earth will soon be run. Who could ask for a more glorious existence than they experienced. Who would wish that they had lived in another age, or in a different clime. To be sure, they toiled, but they were not slaves or vassals. They were free, but they did not live unto themselves alone. They ruled, but they were not tyrants or despots. They endured hardships and privations, but they were not overcome; they were triumphant. The prairies were desolate and dreary at times, but they experienced a touch of nature, vouchsafed to but few. They were influenced and educated by cloud and star, by storm and sun, and every winding stream. The absolutism and equality of nature became a part of their very being, and mental make-up. Their deductions and conclusions on matters of statecraft were usually sound for they were brought in daily contact with the inexorable laws of nature. They reasoned naturally from cause to effect, and consequently they discerned man's true relation to man, and dealt largely with fundamentals of government. They transmitted to us a great inheritance. Let us then admonish those who shall rise to fill our places in the long line of generations yet to come, to follow in the footsteps of the early pioneers, to be guided by their precepts and governed by their examples.

Let them draw inspiration from the lives and characters of the early pioneers who dedicated their services to the founding of homes and the establishment of representative government in the state of Iowa—the best form of government yet devised by the mind of man.

If they do all these things, the doctrines and sentiments of a Lenin and Trotsky will not gain a foothold on our soil. If they do all these things, a Mussolini cannot rise in this state or nation to subvert our liberties and dominate our government.

We welcome future generations to the great state of Iowa. We welcome them to the inheritance which has been ours to enjoy. We welcome them to the benefits of good government. We welcome them to our fertile soil and verdant prairies, that they may share with us in the fruits of honest toil and the just rewards of agriculture. "We welcome them to the treasures of science and the delights of learning." We welcome them to our home in agricultural Iowa. We welcome them to the innumerable blessings of husbandry and the joys and delights which are to be found in the Garden of Eden.

Brief addresses on behalf of the Association were made by Hon. George M. Titus of Muscatine, Hon. E. D. Chassell of Des Moines, Hon. Shirley Gilliland of Glenwood, and Hon. E. R. Zeller of Winterset.

Responses were made by Senator F. C. Gilchrist and Representatives E. A. Grimwood and Francis Johnson.

On motion of Senator Fulton the joint convention was dissolved.

The Senate returned to the Senate Chamber and resumed regular session.

The journal of February 23d was corrected and approved.

On motion of Senator McFarlane the Senate adjourned until 9:30 a. m., Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 25, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. J. H. Nightingale, pastor of the Methodist Church, Redfield, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Merritt, from engineers of Jefferson, favoring the law as it now is, relating to registering and licensing of engineers and land surveyors. Judiciary No. 1.

By Senator Mills, from Grant Local 754. F. E. & C. V. Am. D. favoring bank guarantee act, and opposing state bond issue. Banks and banking.

By Senator Haskell, from citizens of Lisbon, favoring House File No. 131, relating to testing of cattle for tuberculosis. Agriculture.

By Senator Hartman, from voters of Fayette county, opposing state bond issue for roads. Highways.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 24, 1927, he had approved the following bills:

Senate File No. 18, an act to amend section 12885 of the code.

Senate File No. 21, an act to amend section 13960 of the code.

Senate File No. 26, an act to amend section 4547 of the code.

Senate File No. 36, an act to repeal section 478 of the code.

Senate File No. 42, an act to repeal sections 7013 and 7014 of the code.



Senate File No. 46, an act authorizing code editor to omit certain formalities in compiling the code.

Senate File No. 96, an act relating to procedure of Senate in the consideration of nominations of public officers and to amend sections 2182, 3276, and to repeal sections 312, 3915, 8606 and 9132 of the code.

Senate File No. 136, an act to amend section 2540 of the code.

#### INTRODUCTION OF BILLS

Senate File No. 251, by Senator Baird, a bill for an act to amend the law as it appears in section eighteen hundred sixty-two (1862), and chapter eighty-nine (89) of Title V of the Code, 1924, relating to the licensing of civil engineers.

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

Senate File No. 252, by Senator Baird, a bill for an act to amend section eleven (11) of chapter one hundred eighteen (118) of the Acts of the Regular Session of the Forty-First General Assembly of Iowa, relating to repayment of rebates from water dues within ten years and for the cancellation of rebates thereafter.

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

Senate File No. 253, by committee on appropriations, a bill for an act to amend section three hundred forty-five (345) of the code, relating to the use of appropriations.

Read first and second times and placed on the calendar.

Senate File No. 254, by Senator Ulstad, a bill for an act to accept the offer of the Board of Trustees of Ellsworth College located in Iowa Falls, Iowa, to convey the property of said College to the State of Iowa.

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

Senate File No. 255, by Senator Lange, a bill for an act to provide the time in which escape shafts in mines shall be made, and to fix the number of persons who may be employed in such mine until such shafts or exits shall be completed.

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

Senate File No. 256, by Senator Shaff, a bill for an act to amend section three thousand forty-seven of the code, relative to the regulation and inspection of foods, drugs and other articles.

Read first and second times and referred to committee on dairy and food.

#### REPORTS OF COMMITTEES

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 235, a bill for an act to cancel certain special deposits heretofore made by former treasurers of state and to provide for the payment of the claims for which such deposits were made, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Bergman submitted the following report:

MR. PRESIDENT: Your committee on banks and banking to which was referred House File No. 60, a bill for an act to amend the law as it appears in Chapter 173 as amended by chapter 174, and chapter 179 as amended by chapter 180 of the acts of the forty-first general assembly, relating to the proof and certification of public fund deposits, and to the liquidation and control of the assets of banks in the hands of the superintendent of banking, or of a receiver, begs leave to report it has had the same under consideration and recommends the same do pass.

A. H. BERGMAN, *Chairman.*

Ordered passed on file.

Senator Browne submitted the following report:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 99, a bill for an act to make an appropriation to pay a claim of the city of Iowa City, Iowa, for interest due said city under the caption of Chapter Two Hundred and Forty-nine, Acts of the Forty-first General Assembly, and erroneously computed, begs leave to report it has had the same under consideration and recommends the same do pass, after reference to the Committee on Appropriations.

CHAS. S. BROWNE, *Chairman.*

The report was adopted and the bill referred to committee on appropriations.

Also:

MR. PRESIDENT: Your committee on claims to which was referred Senate File No. 128, a bill for an act to compensate Jonah Smith for service as Chaplain at Camp McKinley for the period from June 24, 1896, to September 5, 1898, and to make appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass, after reference to the Committee on Appropriations.

CHAS. S. BROWNE, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Senator Darting submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 208, a bill for an act to repeal section eighty-six hundred eight (8608) of the Code relating to a Deputy Commissioner of Insurance, begs leave to report it has had the same under consideration and recommends the same do pass.

H. A. DARTING, *Chairman*.

Ordered passed on file.

Senator Dean submitted the following report:

MR. PRESIDENT: Your committee on fish and game to which was referred House File No. 23, a bill for an act to amend section seventeen hundred sixty-seven (1767) of the Code, 1924, extending the closed season on quail for an indefinite period, begs leave to report it has had the same under consideration and recommends the same do pass.

H. E. DEAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game to which was referred Senate File No. 176, a bill for an act to amend section 1734 of the code, 1924, relating to fishing with trot-lines, begs leave to report it has had the same under consideration and recommends the same do pass.

H. E. DEAN, *Chairman*.

Ordered passed on file.

Senator Benson submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 230, a bill for an act to amend section thirty-nine hundred twenty-six (3926) of the Code, 1924, relating to the loaning of funds belonging to the state educational institutions that are under the control and supervision of the State Board of Education, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 240, a bill for an act to accept the provisions of the United States law commonly known as the Purnell Act and to assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts, and for other purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman.*

Ordered passed on file.

### THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and House File No. 157, a bill for an act to appropriate the sum of Two Hundred (\$200) Dollars to pay the expense or cost of completing the Official Register, 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, 33.

Beatty	Fackler	Lange	Shane
Benson	Gilchrist	McFarlane	Shinn
Bergman	Gunderson	McLeland	Skromme
Booth	Hartman	Merritt	Slemmons
Brush	Haskell	Mills	Stoddard
Cavanaugh	Johnston	Ramsey	Ulstad
Clark	Kern	Rigby	Wilson of Page
Dotts	Klemme	Shaff	Wilson of Polk
Ellis			

Nays, none.

Absent or not voting, 16.

Baird	Campbell	Dean	Langfitt
Breakenridge	Carden	Frailey	Roberts
Brookins	Clearman	Fulton	Stanley
Browne	Darting	Kimberly	Topping

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 Lange Senate File No. 171, a bill for an act to legalize the renewal of the corporate period of Roshek Brothers Company of Dubuque, 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 Lange moved 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.**

Beatty	Fackler	Lange	Shane
Benson	Gilchrist	McFarlane	Shinn
Bergman	Gunderson	McLeland	Skromme
Booth	Hartman	Merritt	Slemmons
Brush	Haskell	Mills	Stoddard
Cavanaugh	Johnston	Ramsey	Ulstad
Clark	Kern	Rigby	Wilson of Page
Dotts	Klemme	Shaff	Wilson of Polk
Ellis			

**Nays, none.**

**Absent or not voting, 16.**

Baird	Campbell	Dean	Langfitt
Breakenridge	Carden	Frailey	Roberts
Brookins	Clearman	Fulton	Stanley
Browne	Darting	Kimberly	Topping

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

Senator Lange 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 McLeland Senate File No. 91, a bill for an act to amend sections seventy-one hundred fifteen (7115), seventy-one hundred twenty-three (7123), and seventy-one hundred twenty-four (7124) of the code relating to assessment rolls and books and the recapitulation sheets pertaining 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 McLeland moved 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.

Beatty	Ellis	Klemme	Shane
Benson	Fackler	Langfitt	Shinn
Bergman	Gilchrist	McFarlane	Skromme
Booth	Gunderson	McLeland	Slemmons
Breakenridge	Hartman	Merritt	Ulstad
Brookins	Haskell	Mills	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark			

Nays, 4.

Brush	Dotts	Kern	Ramsey
-------	-------	------	--------

Absent or not voting, 16.

Baird	Clearman	Fulton	Shaff
Browne	Darting	Kimberly	Stanley
Campbell	Dean	Lange	Stoddard
Carden	Frailey	Roberts	Topping

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

Senator McLeland 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 Gunderson House File No. 141, a bill for an act to repeal section 3720 (thirty-seven hundred twenty) of the code relating to the support and maintenance of children in the Iowa Soldier's Orphans' Home, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Dotts	Klemme	Shaff
Benson	Ellis	Langfitt	Shane
Booth	Fackler	McFarlane	Shinn
Breakenridge	Gilchrist	McLeland	Skromme
Brookins	Gunderson	Merritt	Slemmons
Brush	Haskell	Mills	Ulstad
Cavanaugh	Johnston	Ramsey	Wilson of Page
Clark	Kern	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 17.

Baird	Clearman	Fulton	Roberts
Bergman	Darting	Hartman	Stanley
Browne	Dean	Kimberly	Stoddard
Campbell	Frailey	Lange	Topping
Carden			

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

Senator Cavanaugh 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 McFarlane Senate File No. 168, a bill for an act to amend the law as it appears in section sixty-three hundred fifteen (6315) of the code relating to Firemen's and Policemen's pensions, 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 "fire" in line 4, ", or police", and by inserting after the word "fire" in line 9, ", or police". Also by inserting before the word "in" in line 7, "the Spanish American War, or".

The bill was read for information.

Senator McFarlane moved 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.

Beatty	Dotts	Klemme	Shaff
Benson	Ellis	Lange	Shane
Bergman	Fackler	Langfitt	Shinn
Booth	Gilchrist	McFarlane	Skromme
Breakenridge	Gunderson	McLeland	Slemmons
Brookins	Hartman	Merritt	Stanley
Brush	Haskell	Mills	Ulstad
Cavanaugh	Johnston	Ramsey	Wilson of Polk
Clark	Kern	Rigby	

Nays, none.

Absent or not voting, 14.

Baird	Clearman	Frailey	Roberts
Browne	Darting	Fulton	Stoddard
Campbell	Dean	Kimberly	Topping
Carden			Wilson of Page

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

On motion of Senator Cavanaugh Senate File No. 198, a bill for an act to amend section one (1) of chapter one hundred nineteen (119), Acts of the Forty-first (41st) General Assembly, relating to authorized establishment of Municipal Art Galleries, in cities and towns, and cities under special charter, having a population of twenty thousand (20,000) or more, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Cavanaugh the word "Acts" was inserted in line 2 of section 1 before the word "of".

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Dotts	Klemme	Rigby
Benson	Ellis	Lange	Shaff
Bergman	Fackler	Langfitt	Shane
Booth	Gilchrist	McFarlane	Shinn
Breakenridge	Gunderson	McLeland	Skromme
Brookins	Hartman	Merritt	Slemmons
Brush	Haskell	Mills	Stanley
Cavanaugh	Johnston	Ramsey	Ulstad
Clark	Kern		



Nays, none.

Absent or not voting, 15.

Baird	Clearman	Fulton	Topping
Browne	Darting	Kimberly	Wilson of Page
Campbell	Dean	Roberts	Wilson of Polk
Carden	Frailey	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 Gilchrist Senate File No. 202, a bill for an act to amend section twelve thousand eight hundred thirty-three and section ten thousand six hundred eighty-three of the code relating to appeals to 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 Cavanaugh moved 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.

Baird	Clark	Lange	Shane
Beatty	Dotts	Langfitt	Shinn
Benson	Ellis	McFarlane	Skromme
Bergman	Fackler	McLeland	Slemmons
Booth	Gilchrist	Merritt	Stanley
Breakenridge	Gunderson	Mills	Ulstad
Brookins	Hartman	Ramsey	Wilson of Page
Brush	Haskell	Rigby	Wilson of Polk
Cavanaugh	Johnston	Shaff	

Nays, none.

Absent or not voting, 14.

Browne	Darting	Kern	Roberts
Campbell	Dean	Kimberly	Stoddard
Carden	Frailey	Klemme	Topping
Clearman	Fulton		

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird Senate File No. 182, a bill for an act to amend section ten thousand six hundred fifty-five (10,655) of the 1924 Code, relating to jurisdiction of courts in civil matters, 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 section two (2) and substituting in lieu thereof the following:

"This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Farley Advertiser, a newspaper published in the town of Farley, Iowa, and the Council Bluffs Nonpareil, a newspaper published in the city of Council Bluffs, Iowa, without expense to the state."

Senator Baird moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 37.

Baird	Ellis	Lange	Shaff
Beatty	Fackler	Langfitt	Shane
Benson	Gilchrist	McFarlane	Shinn
Bergman	Gunderson	McLeland	Skromme
Booth	Hartman	Merritt	Slemmons
Breakenridge	Haskell	Mills	Stanley
Brush	Johnston	Ramsey	Ulstad
Cavanaugh	Kern	Rigby	Wilson of Page
Clark	Klemme	Roberts	Wilson of Polk
Dotts			

Nays, none.

Absent or not voting, 12.

Brookins	Carden	Dean	Kimberly
Browne	Clearman	Frailey	Stoddard
Campbell	Darting	Fulton	Topping

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

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Beatty Senate File No. 151, a bill for an act to amend the law as it appears in section one thousand four hundred three (1403) of the Code, 1924, relating to Compensation Payments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Beatty moved 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.

Baird	Clark	Klemme	Shaff
Beatty	Dotts	Lange	Shane
Benson	Fackler	Langfitt	Shinn
Bergman	Gilchrist	McLeland	Skromme
Booth	Gunderson	Merritt	Slemmons
Breakenridge	Hartman	Mills	Stanley
Browne	Haskell	Ramsey	Ulstad
Brush	Johnston	Rigby	Wilson of Page
Cavanaugh	Kern	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Brookins	Darting	Frailey	McFarlane
Campbell	Dean	Fulton	Stoddard
Carden	Ellis	Kimberly	Topping
Clearman			

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

On motion of Senator Breakenridge Senate File No. 161, a bill for an act to appropriate the sum of seventeen thousand four hundred dollars, twenty-seven cents (\$17,400.27) to pay the deficit in the amount appropriated for state aid to county and district fairs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Breakenridge moved 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.

Baird	Clark	Klemme	Shaff
Beatty	Dotts	Lange	Shane
Benson	Fackler	Langfitt	Shinn
Bergman	Gilchrist	McLeland	Slemmons
Booth	Gunderson	Merritt	Stanley
Breakenridge	Hartman	Mills	Ulstad
Browne	Haskell	Ramsey	Wilson of Page
Brush	Johnston	Rigby	Wilson of Polk
Cavanaugh	Kern	Roberts	

Nays, none.

Absent or not voting, 14.

Brookins	Darting	Fulton	Skromme
Campbell	Dean	Kimberly	Stoddard
Carden	Ellis	McFarlane	Topping
Clearman	Frailey		

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

Senator Breakenridge 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 Senate File No. 140, a bill for an act to repeal section eighty-seven hundred forty-one (8741), Code of 1924, and enact a substitute therefor, relating to securities deposited by Life Insurance Companies and 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 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, 34.

Baird	Cavanaugh	Johnston	Rigby
Beatty	Clark	Kern	Shane
Benson	Darting	Klemme	Shinn
Bergman	Dotts	Lange	Slemmons
Booth	Fackler	Langfitt	Stanley
Breakenridge	Gilchrist	McLeland	Ulstad
Brookins	Gunderson	Merritt	Wilson of Page
Browne	Hartman	Ramsey	Wilson of Polk
Brush	Haskell		

Nays, none.

Absent or not voting, 15.

Campbell	Ellis	McFarlane	Skronme
Carden	Frailey	Mills	Stoddard
Clearman	Fulton	Roberts	Topping
Dean	Kimberly	Shaff	

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 Ramsey Senate File No. 133, a bill for an act to repeal section two hundred thirty-seven (237) of the code and to enact a substitute therefor, relating to free distribution of certain laws, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ramsey moved 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.

Baird	Clark	Kern	Roberts
Beatty	Dotts	Klemme	Shane
Benson	Ellis	Lange	Shinn
Bergman	Fackler	Langfitt	Slemmons
Booth	Gilchrist	McLeland	Stanley
Breakenridge	Gunderson	Merritt	Ulstad
Browne	Hartman	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 17.

Brookins	Darting	Haskell	Shaff
Brush	Dean	Kimberly	Skronme
Campbell	Frailey	McFarlane	Stoddard
Carden	Fulton	Mills	Topping
Clearman			

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

Senator Ramsey 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 McLeland Senate File No. 90, a bill for an act to amend section twelve thousand nine hundred sixty-eight (12968) of the code relating to the punishment for assault with intent to commit rape, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McLeland offered the following amendment and moved its adoption:

Amend by striking out all after the word "in" in line 3 of section 2 and inserting in lieu thereof the following: "The Marshalltown Times-Republican, a newspaper published in Marshalltown, Iowa, and the State Center Enterprise, a newspaper published in State Center, Iowa."

The amendment was adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend by striking from section 1 all following the word "notwithstanding" in line 6 thereof.

By unanimous consent on request of Senator Wilson of Page further action was deferred.

On motion of Senator Wilson of Page Senate File No. 226, a bill for an act to amend section one hundred fifty-seven (157) of the code, relating to bills prepared by the editor of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lange moved the previous question, which motion prevailed.

The bill was read for information.

Senator Wilson of Page moved that the reading just had be considered the third reading, which motion prevailed.

Senator Wilson of Page invoked rule 8.

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

Ayes, 7.

Booth  
Fulton

Gilchrist  
Gunderson

Merritt  
Skromme

Wilson of Page

## Nays, 24.

Baird	Dean	Lange	Rigby
Beatty	Dotts	Langfitt	Shane
Benson	Ellis	McFarlane	Shinn
Bergman	Fackler	McLeland	Stemmons
Cavanaugh	Johnston	Mills	Stanley
Clark	Klemme	Ramsey	Wilson of Polk

## Absent or not voting, 18.

Breakenridge	Carden	Haskell	Shaff
Brookins	Clearman	Kern	Stoddard
Browne	Darting	Kimberly	Topping
Brush	Frailey	Roberts	Ulstad
Campbell	Hartman		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senatè.

Senator Wilson of Polk moved that action on Senate File No. 59 be passed and that the bill retain its place on the calendar, which motion prevailed.

On motion of Senator Bergman Senate File No. 144, a bill for an act to repeal sections forty-nine hundred thirty-three (4933), forty-nine hundred thirty-four (4934), forty-nine hundred thirty-five (4935) and forty-nine hundred thirty-six (4936) of the Code, 1924, and to enact a substitute therefor relating to the collection of delinquent motor vehicle license fees, 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 section 1 by striking out all of paragraph 1.

Senator Benson moved to amend the committee amendment by striking "paragraph 1" and inserting in lieu thereof the following: "lines 6, 7, 8 and 9".

The amendment to the amendment was adopted.

The amendment was adopted.

Further action was deferred temporarily.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 93 and House Files Nos. 3, 50 and 54.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 93 and House Files Nos. 3, 50 and 54.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 25th day of February, sent to the governor for his approval, Senate File No. 93.

D. L. WILSON, *Chairman.*

The report was adopted.

The journal of February 24th was corrected and approved.

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

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### INTRODUCTION OF BILLS

Senate File No. 257, by Senator Cavanaugh, a bill for an act authorizing the exchange of certain real estate now constituting a part of Dolliver Memorial State Park in Webster City, Iowa, for other real estate.

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



Senate File No. 258, by Senator McFarlane, a bill for an act to amend chapter ninety-three (93) laws of the Forty-first General Assembly relating to the construction, control and management of dormitories at the state educational institutions by the Iowa State Board of Education.

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

Senate File No. 259, by Senator Wilson of Polk, a bill for an act to repeal subdivision nine (9) of section sixty-two hundred eleven (6211) of the Code, 1924, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns.

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

Senate File No. 260, by Senator Wilson of Polk, a bill for an act to repeal section fifty-seven hundred twelve (5712) of the code and to enact a substitute therefor relating to the diminution in the number of employees under Civil Service when public interest requires.

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

Senate File No. 261, by Senator Fulton, a bill for an act to amend section eighty-five hundred twenty-six (8526) of the code, relating to the sale or offering for sale of certain securities.

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

Senate File No. 262, by committee on insurance, a bill for an act to amend section eight thousand six hundred seventy-one (8671) of the code, relating to approval of life insurance policies by the Commissioner of Insurance and the requirement of medical examination of applicants for life insurance.

Read first and second times and placed on the calendar.

Senate File No. 263, by committee on insurance, a bill for an act to repeal section eighty-seven hundred thirty-seven (8737) of the code, and chapter one hundred sixty-four (164), Acts of the Forty-first (41) General Assembly, and to enact a substitute therefor; and to repeal chapter one hundred sixty-five (165),

Acts of the Forty-first (41) General Assembly, relating to the investment of funds of life insurance companies and associations, and the substitution of securities with the Commissioner of Insurance.

Read first and second times and placed on the calendar.

#### REPORTS OF COMMITTEE

Senator Gilchrist submitted the following reports:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred Senate File No. 183, a bill for an act to require the clerk of the district court to report convictions for liquor violations to the State Bureau of investigation, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred Senate Joint Resolution No. 2 providing for the recognition and establishment of independence Sunday, begs leave to report it has had the same under consideration and recommends the same be amended as follows, and returns the bill without other recommendation:

Amend by striking from the bill the first Preamble paragraph and inserting in lieu thereof the following, to-wit:

*"Whereas, We must acknowledge that the Declaration of Independence was secured for us through the noble lives and inspired efforts of our forefathers; that it came as a great blessing to us and to all the world; but at the same time brought to us a great responsibility to God and to man, and"*

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred House File No. 85, a bill for an act to amend Chapter 549 of the Code of 1924, relating to receivers, by adding thereto a provision for examination of persons suspected of having taken wrongful possession of the effects of any person, corporation or partnership in receivership and providing for enforcement of orders connected therewith, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

Mr. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 172, a bill for an act to amend, revise and codify sections 12083, 12084, and 12088 of the code relating to attachment bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senators Ramsey, Clearman, Topping, Brush, Haskell, McFarlane and Campbell for the rest of the day, on request of Senator Wilson of Polk; Senators Frailey, Skromme, Stoddard, Shaff, Cavanaugh and Hartman for the afternoon, on request of Senator Ellis; Senator Carden for the rest of the day, on request of Senator Beatty; Senator Gunderson for the rest of the day, on request of Senator Shane.

#### SULLIVAN MEMORIAL RESOLUTION

Senator Wilson offered the following resolution:

*Whereas*, Honorable John B. Sullivan, a member of the House of Representatives of the 32nd and 32nd extra and 33rd General Assembly, and a member of the Senate of the 34th and 35th General Assembly of Iowa, died at his home in Des Moines, Iowa, on Monday, September 21, 1925, therefore

*Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three (3) be appointed to draft suitable resolutions in commemoration of his life, character and services to the State.

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

The resolution was adopted and the President appointed as such committee Senator Wilson of Polk, Senator Frailey and Senator Johnston.

#### SENATE CONCURRENT RESOLUTION NO. 23

Senator Breakenridge offered the following resolution:

*Whereas*, The President of the United States has seen fit to veto the McNarey-Haugen Bill, which measure was the final expression of the best judgment of all of the organizations interested in the advancement of agriculture, and which bill had the approval of both the House and the Senate as well as the economic scholars and statesmen who have given the

matter the closest and most careful and complete study and consideration over a period of years, and which veto was against the wishes of the overwhelming majority of the people in the agricultural sections of the country, and

*Whereas*, Any criticism of the bill based upon the assumption that it is opposed to the economic law of supply and demand because it will artificially stimulate production while at the same time decrease consumption, is equally applicable to many approved forms of legislation in behalf of commerce, industry, manufacture and labor, whereby statutory enactments, tariffs, and the like, play an important part in economic and national policies, and

*Whereas*, In our opinion the adoption of the principles of the McNary-Haugen Bill is the most needed economic legislation for the good of the whole United States that has at any time been before the Congress, therefore

*Be It Resolved by the Senate, the House of Representatives concurring:* That the Congress of the United States be urged to immediately resubmit the McNary-Haugen Bill, and to pass the same by the required vote that it shall become one of the laws of the United States in this session of Congress, and that copies of this resolution be sent by wire to the President of the United States Senate and Speaker of the House of Representatives.

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

Senator Browne moved the previous question, which motion prevailed.

Senator Fulton raised the point of order that due to the personal interest Senator Ellis had in the resolution he should be excused from voting under rule 8.

The President held the point well taken and Senator Ellis was excused from voting.

Senator Breakenridge invoked rule 8.

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

Ayes, 24.

Beatty	Dean	McLeland	Shinn
Booth	Dotts	Merritt	Slemmons
Breakenridge	Gilchrist	Mills	Stanley
Brookins	Johnston	Rigby	Ulstad
Browne	Klemme	Roberts	Wilson of Page
Darting	Langfitt	Shane	Wilson of Polk

Nays, 8.

Baird	Bergman	Fackler	Kern
Benson	Clark	Fulton	Lange

Absent or not voting, 17.

Brush	Ellis	Haskell	Shaff
Campbell	Frailey	Kimberly	Skromme
Carden	Gunderson	McFarlane	Stoddard
Cavanaugh	Hartman	Ramsey	Topping
Clearman			

The resolution was adopted.

Senator Breakenridge 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.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 144, a bill for an act to repeal sections forty-nine hundred thirty-three (4933), forty-nine hundred thirty-four (4934), forty-nine hundred thirty-five (4935) and forty-nine hundred thirty-six (4936) of the Code, 1924, and to enact a substitute therefor relating to the collection of delinquent motor vehicle license fees.

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, 27.

Baird	Clark	Kern	Rigby
Beatty	Dean	Klemme	Shane
Benson	Dotts	Lange	Slemmons
Bergman	Ellis	Langfitt	Stanley
Booth	Fackler	McLeland	Ulstad
Breakenridge	Fulton	Merritt	Wilson of Polk
Brookins	Johnston	Mills	

Nays, none.

Absent or not voting, 22.

Browne	Darting	Kimberly	Shinn
Brush	Frailey	McFarlane	Skromme
Campbell	Gilchrist	Ramsey	Stoddard
Carden	Gunderson	Roberts	Topping
Cavanaugh	Hartman	Shaff	Wilson of Page
Clearman	Haskell		

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

Senator Bergman moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman Senate File No. 145, a bill for an act to amend the law as it appears in section five thousand twenty-five (5025) of the Code, 1924, relating to the driving of motor vehicles by minors, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from line 5 of section 1 the words "twenty-one" and inserting in lieu thereof the word "nineteen".

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, 30.

Baird	Dean	Lange	Shane
Benson	Ellis	Langfitt	Shinn
Bergman	Fackler	McLeland	Slemmons
Booth	Fulton	Merritt	Stanley
Breakenridge	Gilchrist	Mills	Ulstad
Brookins	Johnston	Rigby	Wilson of Page
Browne	Kern	Roberts	Wilson of Polk
Clark	Klemme		

Nays, none.

Absent or not voting, 19.

Beatty	Clearman	Hartman	Shaff
Brush	Darting	Haskell	Skromme
Campbell	Dotts	Kimberly	Stoddard
Carden	Frailey	McFarlane	Topping
Cavanaugh	Gunderson	Ramsey	

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

Senator Bergman 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.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the rest of the day, on request of Senator Brookins.

On motion of Senator Bergman Senate File No. 148, a bill for an act to amend the law as it appears in chapter two hundred fifty-one (251) of Title XIII of the Code, 1924, relative to the license fee of electric automobiles, 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, 30.

Baird	Dean	Lange	Shane
Benson	Dotts	Langfitt	Shinn
Bergman	Ellis	McLeland	Slemmons
Booth	Fackler	Merritt	Stanley
Breakenridge	Fulton	Mills	Ulstad
Brookins	Johnston	Rigby	Wilson of Page
Brown	Kern	Roberts	Wilson of Polk
Clark	Klemme		

Nays, none.

Absent or not voting, 19.

Beatty	Clearman	Hartman	Shaff
Brush	Darting	Haskell	Skromme
Campbell	Frailey	Kimberly	Stoddard
Carden	Gilchrist	McFarlane	Topping
Cavanaugh	Gunderson	Ramsey	

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

Senator Bergman 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.

## S. F. 150 WITHDRAWN

By unanimous consent on request of Senator Langfitt Senate File No. 150 was withdrawn from further consideration.

## AMENDMENTS FILED

I move to amend Senate File number two hundred forty-eight (248) by striking therefrom Section Three (3) and adding in lieu thereof the following: •

Sec. 3. This act is deemed of immediate importance and shall take effect from and after its publication in The Mason City Globe Gazette, a newspaper published in Mason City, Iowa, and the Clear Lake Mirror, a newspaper published in Clear Lake, Iowa.

C. F. JOHNSTON.

I move to amend Senate File No. 90 as follows: Strike out in line three (3) Section one (1) the following words, "not less than five" and the figure "5".

Also: In line six (6) of said section the words "a lesser than the maximum."

W. E. MCLELAND.

I move to amend Senate File No. 90 by striking from line 3 thereof the words "or any term of years, not less than five (5)".

Also amend by striking from line six thereof the words "a lesser than the maximum".

GEO. A. WILSON.

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



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 26, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. W. M. Majors, pastor of the African Methodist Episcopal Church, of Oskaloosa, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Stanley, from citizens of Iowa, favoring the abolishing of military training in schools and colleges in Iowa. Military affairs.

By Senator Mills, from voters of Audubon county, opposing state bond issue for roads, and favoring bank guarantee act. Highways.

By Senator Mills, from voters of Guthrie county, opposing state bond issue for roads, and favoring bank guarantee act. Highways.

By Senator Stanley, from voters of Mahaska county, favoring bank guarantee act. Banks and banking.

By Senator Fackler, from voters of Adams county, opposing state bond issue for roads, and favoring bank guarantee act. Highways.

By Senator Johnston, from voters of Franklin county, opposing state bond issue for roads, and favoring bank guarantee act. Highways.

By Senator Merritt, from voters of Greene county, opposing state bond issue for roads, and favoring bank guarantee act. Highways.

By Senator Dean, from voters of Sioux county, favoring bank guarantee act. Banks and banking.

By Senator Dean, from voters of Lyon county, favoring bank guarantee act. Banks and banking.

By Senator Brookins, from voters of Floyd county, opposing state bond issue for roads, and favoring bank guarantee act. Highways.

By Senator Shinn, from voters of Crawford county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Shinn, from voters of Harrison county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Wilson of Page, from voters of Page county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Ulstad, from voters of Wright county, favoring bank guarantee act. Banks and banking.

#### INTRODUCTION OF BILLS

Senate File No. 264, by Senators Rigby and Roberts, a bill for an act to regulate the sale of certain securities such as construction or building mortgage bonds and mortgage bonds which are junior to other liens.

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

#### MESSAGES FROM THE HOUSE

The 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. 160, a bill for an act relating to the assessment of electric transmission lines.

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

House File No. 17, a bill for an act relating to vacancies in office, and providing for a vacancy caused by death of a member-elect before qualifying.

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

Senate Concurrent Resolution No. 23 relative to the veto of the McNary-Haugen Bill.

Also: That the House has concurred in Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 22, a bill for an act relating to the time for holding the annual meeting and election of officers of Farm Aid Associations.

Also: That the House has concurred in Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 8, a bill for an act to provide for the return of excess assessments of cost of constructing main ditches in drainage districts.

Also: That the House has passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 1 for the appointment of a committee, to be appointed by the Governor, to meet with committees from the States of Wisconsin and Illinois for the purpose of conferring and making recommendations relative to the erection of a new bridge or the purchase of one of the toll bridges already built across the Mississippi River from Dubuque to the States of Wisconsin and Illinois, said bridge so erected or purchased, to be a free bridge.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 16, a bill for an act to invest associations incorporated by acts of any territorial legislatures of Iowa for cemetery purposes with the same power to acquire lands for cemetery purposes as are possessed by like associations incorporated under the statutes of this state.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 60, a bill for an act relating to expenses of district judges.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 92, a bill for an act relating to the expenses of shorthand court reporters.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File No. 160, a bill for an act to repeal section 7103 (seventy-one hundred three) of the code and to enact a substitute therefor, relating to the assessment of electric transmission lines.

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

House File No. 17, a bill for an act to amend section eleven hundred forty-six (1146), of the code, 1924, relating to vacancies in office, and providing for a vacancy caused by the death of a member-elect before qualifying.

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

On motion of Senator Lange the Senate adjourned until 2:00 p. m. on Monday, March 7.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 7, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Olaf Holen, pastor of the Salem Lutheran Church of Roland, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Breakenridge indefinitely, on account of the death of his father, on request of Senator Benson; Senator Ramsey for the day, on request of Senator McFarlane; Senator Campbell for the day, on request of Senator McFarlane.

## PETITIONS AND MEMORIALS

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

By Senator Stoddard, from voters of Anthon, opposing bill taxing smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Kern, from voters of Cummings, opposing bill taxing smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Dotts, from voters of state of Iowa, opposing bill taxing smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Brush, from voters of Tama county, favoring income tax bill. Ways and means.

By Senator Fulton, from voters of Keosauqua, opposing bill taxing smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Shinn, from voters of Harrison county, opposing

bill taxing smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Merritt, from voters of Carroll county, opposing taxing of smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Shane, from voters of Iowa, favoring bill providing for a Fish and Game Commission to replace the Department. Fish and game.

By Senator Lange, from members of Cascade Chapter of Iowa Division of the I. W. L. of A., approving the present administration of Fish and Game Department under supervision of W. E. Albert. Fish and game.

By Senator Lange, from voters of Dubuque county, favoring Fish and Game Department under present administration. Fish and game.

By Senator Stoddard, from voters of Sac county, favoring bills in regard to medical professors, county charges and indigents of hospitals. Public health.

By Senator Roberts, from voters of Union county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Wilson of Polk, from Division No. 38 Order of Railway Conductors, opposing proposed "Exemption Bill", opposing state bond issue and favoring depositors' guarantee law. Highways.

By Senator Wilson of Polk, from voters of Iowa, opposing bill taxing tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Wilson of Polk, from Local No. 246 Brotherhood Painters, Paperhangers, and Decorators, opposing bill in regard to contracting our prisoners to the Prison Labor Trust, favoring the income tax bill, favoring House File No. 212 and Senate File No. 177, and opposing House File No. 200. Board of control.

By Senator Wilson of Polk, from Des Moines Trades and Labor Assembly, opposing bill in regard to contracting our prisoners to Prison Labor Trust, and opposing garnishment bill. Board of control.

## INTRODUCTION OF BILLS

Senate File No. 265, by Senator Clark, a bill for an act to amend sections 5235 (fifty-two hundred thirty-five) and 7172 (seventy-one hundred seventy-two) of the code relating to the compensation of the clerk of courts and his assistants.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 266, by Senator Clark, a bill for an act to repeal section three hundred seventy-three (373) of the code, 1924, and to enact a substitute therefor, relating to the levying of a tax for an emergency fund providing for the transfer thereof to any other fund of the municipality.

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

Senate File No. 267, by Senator Clark, a bill for an act to amend section 4641 (forty-six hundred forty-one) of the code relating to the compensation of the county engineer and his assistants.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 268, by Senator Clark, a bill for an act to amend section 5125 (fifty-one hundred twenty-five) of the code relating to the compensation of members of the Board of Supervisors.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 269, by Senator Clark, a bill for an act to amend the law as it appears in chapter sixty-eight (68) of the code, 1924, relating to the sinking of shafts to be used in the operation of a coal mine.

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

Senate File No. 270, by Senator Shaff, a bill for an act to amend section five (5), chapter five (5), acts of the forty-first (41st) general assembly relating to transportation of persons or property for hire by motor vehicles.

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

Senate File No. 271, by Senator Shaff, a bill for an act to amend section four thousand six hundred ninety-nine (4699) of the code, 1924, relative to the primary and secondary road systems.

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

Senate File No. 272, by Senator Shaff, a bill for an act to amend section four thousand eight hundred thirty-eight (4838) of the code, relative to obstructions in a highway.

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

Senate File No. 273, by Senator Shaff, a bill for an act to amend section four thousand seven hundred forty-eight (4748) of the code, relative to primary and secondary road systems.

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

Senate File No. 274, by Senator Stoddard, a bill for an act to amend section four thousand nine hundred fifteen (4915) of the code, 1924, relating to license fees for trucks.

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

Senate File No. 275, by Senator Wilson of Polk, a bill for an act to amend section six thousand nine hundred forty-six (6946) of the code relating to exemptions from taxation.

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

Senate File No. 276, by Senator Johnston, a bill for an act to amend sections seventy-two hundred eleven (7211) and seventy-two hundred fourteen (7214) of the code, 1924, relating to the payment of taxes.

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

Senate File No. 277, by Senator Bergman, a bill for an act to amend chapter 251 (two hundred fifty-one) of the code, relating



to motor vehicles, to the state highway maintenance fund, and the use of such fund.

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

Senate File No. 278, by Senator McFarlane, a bill for an act amending section five hundred two (502) of the code, 1924, relative to memorial halls and monuments for soldiers, sailors and marines.

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

Senate File No. 279, by Senator McFarlane, a bill for an act to amend section six thousand forty-one (6041) of the code, 1924, relating to the assignment of tax sale certificates.

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

Senate File No. 280, by Senator McFarlane, a bill for an act amending sections fifty-one hundred seventy-seven (5177) and ten thousand one hundred fifteen of the code of 1924, relating to marginal assignments or releases of mortgages, contracts or other instruments constituting encumbrances on real estate.

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

#### COMMUNICATION FROM CONGRESS

House of Representatives  
Clerk's Office

Washington, D. C., February 28, 1927.

THE PRESIDENT OF THE SENATE,  
State Legislature, Des Moines, Iowa.

Dear Sir: I have the honor to transmit in accordance therewith copy of a Concurrent Resolution of the Congress of the United States inviting the cooperation of the Executives and Legislatures of the several States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington.

Very respectfully,

(Signed) WM. TYLER PAGE,

*Clerk of the House of Representatives.*

SIXTY-NINTH CONGRESS OF THE UNITED STATES OF  
AMERICA; AT THE SECOND SESSION

Begun and Held at the City of Washington on Monday, the Sixth Day of  
December, One Thousand Nine Hundred and Twenty-six

CONCURRENT RESOLUTION

*Whereas*, The joint resolution of Congress approved December 2, 1924, created the United States Commission for the Celebration of the Two Hundredth Anniversary of the birth of George Washington, composed of nineteen commissioners, as follows: The President of the United States; Presiding Officer of the Senate and the Speaker of the House of Representatives, ex-officio; eight persons appointed by the President of the United States; four Senators and four Representatives, whose duty it is to prepare a plan or plans and a program signaling the two hundredth anniversary of the birth of George Washington, and to take such steps as may be necessary in the coordination and correlation of plans prepared by State commissions or by bodies created under appointment by the governors of the respective States and by representative civic bodies; Therefore be it

*Resolved by the House of Representatives, the Senate concurring*, That the Congress of the United States earnestly and respectfully invites the full cooperation of the legislatures and the chief executives of the respective States and Territories of the United States in the execution of the joint resolution of Congress creating the United States Commission for the celebration of the Two Hundredth Anniversary of the birth of George Washington in such manner as may seem to them most fitting to the end that the bicentennial anniversary of the birth of him who was "first in war, first in peace, and first in the hearts of his countrymen"—the pioneer, the soldier, the statesman, the husbandman, the exemplar of American citizenship, (George Washington, may be commemorated in the year 1932 in such manner that future generations of American citizens may live according to the example and precepts of his exalted life and character and thus perpetuate the American Republic; and be it further

*Resolved*, That an engrossed copy of these resolutions be transmitted by the Clerk of the House of Representatives to the presiding officers of the Senate and House of Representatives of the legislature and to the chief executive of each State and Territory of the United States.

Attest: (Signed) WM. TYLER PAGE,  
Clerk of the House of Representatives.

Attest: EDWIN P. THAYER,  
Secretary of the Senate.

THIRD READING OF BILLS

On motion of Senator Johnston House File No. 87, a bill for an act to repeal section §609 (eighty-six hundred nine) of the

code relating to the payment of salaries for certain state officers and employees, 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, 29.

Beatty	Clark	Kern	Roberts
Benson	Dotts	Lange	Shaff
Bergman	Fackler	Langfitt	Shane
Booth	Fulton	McFarlane	Skromme
Brookins	Gunderson	McLeland	Stanley
Brush	Haskell	Merritt	Stoddard
Cavanaugh	Johnston	Mills	Wilson of Page
			Wilson of Polk

Nays, none.

Absent or not voting, 20.

Baird	Clearman	Gilchrist	Rigby
Breakenridge	Darting	Hartman	Shinn
Browne	Dean	Kimberly	Slemmons
Campbell	Ellis	Klemme	Topping
Carden	Frailey	Ramsey	Ulstad

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

Senator Shane asked unanimous consent to call up for consideration Senate File No. 244, which consent was refused.

Senator Shane moved that the rules be suspended and Senate File No. 244 be taken up for consideration.

Senator Haskell raised the point of order that the bill was not debatable at this time.

The President held the point well taken.

On the question "Shall the motion prevail and the bill be considered at this time?" the vote was:

Ayes, 15.

Beatty	Clark	Lange	Shaff
Benson	Darting	McFarlane	Shane
Bergman	Dotts	Merritt	Wilson of Page
Brush	Johnston	Roberts	

Nays, 14.

Booth	Fulton	Langfitt	Shinn
Brookins	Gunderson	McLeland	Skromme
Browne	Haskell	Mills	Stanley
Ellis	Kern		

Absent or not voting, 20.

Baird	Clearman	Hartman	Slemmons
Breakenridge	Dean	Kimberly	Stoddard
Campbell	Fackler	Klemme	Topping
Carden	Frailey	Ramsey	Ulstad
Cavanaugh	Gilchrist	Rigby	Wilson of Polk

The President declared the motion carried.

Senator Shinn raised the point of order that it took a two-thirds vote to suspend the rules.

The President held the point well taken, and declared the motion lost.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 16 and Senate Joint Resolution No. 1.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 26, 1927, he had approved the following bill:

Senate File No. 93, relative to construction and repair of sidewalks outside the limits of cities but within limits of certain school districts, and providing for assessment of cost on abutting property.

The journal of February 26th was corrected and approved.

On motion of Senator Shaff the Senate adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 8, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. N. O. Peterson, pastor of the Lutheran Church of Clear Lake, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Carden, from members of Fairview Local 161 of F. E. C. U. of A., Iowa Division, opposing bill to create the office of county agents. Agriculture.

By Senator Lange, from Cascade Chapter of Iowa Division of I. W. L. of A., approving the present administration of fish and game department. Fish and game.

By Senator McLeland, from ministers of Marshall county, opposing bill relating to boxing, the measure to tax tobacco and put profits into school funds, and the revenue measure of a bill to tax near beer. Suppression of intemperance.

By Senator Langfitt, from voters of the state, opposing bill taxing smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Baird, from voters of the state, opposing bill taxing smoking tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Cavanaugh, from citizens of Clare, opposing Senate File No. 163, relating to township roads. Highways.

By Senator Cavanaugh, from voters of Webster county, opposing bill taxing cigars and tobaccos in Iowa. Dairy and food.

By Senator Merritt, from citizens of Paton, opposing bond issue. Highways.

By Senator Booth, from citizens of Iowa, opposing bill taxing cigars and tobaccos. Dairy and food.

By Senator Ellis, from citizens of Iowa, opposing bill taxing tobaccos and cigars. Dairy and food.

By Senator Johnston, from citizens of Iowa, opposing additional tax on gasoline. Highways.

By Senator Ramsey, from citizens of Iowa, favoring fish and game commission to replace the present department. Fish and game.

By Senator Baird, from citizens of Iowa, opposing bill taxing tobaccos and cigars. Dairy and food.

By Senator McFarlane, from citizens of Iowa, opposing bill taxing tobaccos and cigars. Dairy and food.

By Senator Stoddard, from electors of Sioux City, petitioning support of bill relating to change in amount of levy, to ten mills, for maintenance of fire department fund in cities over nine thousand. Cities and towns.

By Senator Lange, from citizens of Iowa, opposing bill taxing cigars and tobacco products. Dairy and food.

By Senator Ramsey, from citizens of Iowa, opposing bill taxing cigars and tobacco products. Dairy and food.

By Senator Hartman, from trustees of Post township, Postville, opposing Bergman bill. Highways.

By Senator Hartman, from voters of Fayette county, opposing state bond issue. Highways.

By Senator Hartman, from voters of Allamakee county, opposing state bond issue. Highways.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson of Page 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, 22, 27, 157, 140 and 141.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 8, 22, 27, 157, 141 and 140, and Senate File No. 16 and Senate Joint Resolution No. 1.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 8th day of March, sent to the governor for his approval, Senate File No. 16 and Senate Joint Resolution No. 1.

D. L. WILSON, *Chairman.*

The report was adopted.

#### INTRODUCTION OF BILLS

Senate File No. 281, by Senator Shaff, a bill for an act to amend section eight hundred sixty of the code, relating to certificates of election.

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

Senate File No. 282, by Senator Shinn, a bill for an act to amend sections fifty-five hundred eighty-two (5582) and fifty-five hundred eighty-three (5583) of the code, 1924, relating to the granting of licenses to keep or operate for hire or for profit, any theatre, moving picture show, pool or billiard room or table, dance hall, skating rink, club house, road house, amusement park, or bowling alley, outside of the limits of cities or towns.

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

Senate File No. 283 by Senator Rigby, a bill for an act author-

izing the extension of the time of payment of drainage assessments and the issuance of drainage refunding bonds for the purpose of renewing and extending all or any part of the legal indebtedness for account of drainage districts.

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

Senate File No. 284, by Senator Clark, a bill for an act to repeal section twenty-nine hundred and five (2905) of the code, and to enact a substitute therefor, relating to aid for county and district fairs and the levying of a tax therefor.

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

#### 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. 189, a bill for an act relating to the employment of prisoners.

A. C. GUSTAFSON, *Chief Clerk.*

#### SIFTING COMMITTEE RESOLUTION

Senator Roberts offered the following resolution :

*Be It Resolved by the Senate of the General Assembly of Iowa, That the President of the Senate shall on or before Friday, March 18th, appoint a sifting committee of seven members to which shall be referred all bills other than appropriation bills, and that beginning Monday, March 21st, no bills shall be considered except appropriation bills and bills then upon the Senate calendar unless reported by said sifting committee. And no bills shall be reported or considered by the Senate that have been reported for indefinite postponement.*

The resolution was laid over under the rules.

#### REPORT OF COMMITTEE ON PATRONAGE

Senator Cavanaugh offered the following report and moved its adoption :

MR. PRESIDENT: Your committee selected to appoint attendants to the Senate now respectfully reports that it has selected T. H. St. John, mem-



ber of the Crocker Post, Des Moines, Iowa, as a doorkeeper to take the place left vacant by the passing of O. P. Wright, and respectfully requests his endorsement for the position, dating from March 7th.

Respectfully submitted,

E. E. CAVANAUGH, *Chairman.*  
GEO. CLEARMAN.  
GUY ROBERTS.

The report was adopted and Mr. St. John appeared and was duly sworn.

### REPORTS OF COMMITTEE

Senator Haskell submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 248, a bill for an act to amend section six thousand six hundred twenty-one (6621) and section six thousand six hundred twenty-two (6622) of the code, relating to the population of cities and the number of councilmen therefor, 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. 239, a bill for an act to amend section six thousand thirty-three (6033), Code of 1924, relating to the payment of street improvements, sewers and special assessments of the same, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from section 2 the words "Des Moines Register, a newspaper published in Des Moines, Iowa", and inserting in lieu thereof the words "Sioux City Tribune, a newspaper published in Sioux City, Iowa".

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 231, a bill for an act to amend section six thousand two hundred fifteen (6215) of the Code of 1924 relating to transfer of funds in certain cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

## THIRD READING OF BILLS

On motion of Senator Clearman Senate File No. 191, a bill for an act to repeal paragraph two (2) of section thirty-six hundred twelve (3612) of the code and to enact a substitute therefor, relating to the appointment of probation 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 Clearman moved 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.

Baird	Clearman	Klemme	Shane
Benson	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stanley
Brush	Fulton	McLeland	Stoddard
Campbell	Hartman	Merritt	Topping
Carden	Haskell	Mills	Wilson of Page
Cavanaugh	Johnston	Ramsey	Wilson of Polk
Clark	Kern	Rigby	

Nays, 1.

Shinn

Absent or not voting, 13.

Beatty	Darting	Gilchrist	Roberts
Bergman	Dean	Gunderson	Shaff
Breakenridge	Frailey	Kimberly	Ulstad
Browne			

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

Senator Clearman 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 Benson Senate File No. 225, a bill for an act to amend chapter three hundred ninety-four (394) of Title XIX and section eighty-five hundred eighty-eight (8588) of the code, 1924, providing restrictions upon the conference of degrees, by corporations of an academic character and individuals con-

ducting academic courses, also penalty for violation thereof, a committee bill, was taken up and considered.

By unanimous consent on request of Senator Shinn further action was deferred.

On motion of Senator Johnston Senate File No. 105, a bill for an act to amend section eleven thousand seven hundred ninety-nine (11799) of the code, 1924, relative to the protection of junior liens, 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 "but he shall not enter them as personal judgments against anybody".

The bill was read for information.

Senator McFarlane moved 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	Clark	Klemme	Shane
Beatty	Dotts	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Bergman	Fackler	McFarlane	Slemmons
Booth	Fulton	McLeland	Stanley
Brookins	Gilchrist	Merritt	Stoddard
Browne	Gunderson	Mills	Topping
Brush	Hartman	Ramsey	Ulstad
Campbell	Haskell	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk
Cavanaugh	Kern	Shaff	

Nays, none.

Absent or not voting, 6.

Breakenridge	Darting	Frailey	Kimberly
Clearman	Dean		

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

On motion of Senator McLeland Senate File No. 90, a bill for an act to amend section twelve thousand nine hundred sixty-eight (12968) of the code relating to the punishment for assault

with intent to commit rape, was taken up and considered, the report of the committee having been previously adopted.

Senator Wilson of Polk withdrew the following amendments:

Amend by striking from line 3 thereof the words "or any term of years, not less than five (5)".

Also amend by striking from line six thereof the words "a lesser than the maximum".

The following amendment filed by Senator McLeland was adopted:

Amend as follows: Strike out in line three (3) Section one (1) the following words, "not less than five" and the figure "5".

Also: In line six (6) of said section the words "a lesser than the maximum."

W. E. MCLELAND.

The bill was read for information.

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

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

Ayes, 41.

Baird	Darting	Klemme	Shane
Beatty	Dotts	Lange	Shinn
Benson	Fackler	Langfitt	Skromme
Booth	Fulton	McFarlane	Slemmons
Brookins	Gilchrist	McLeland	Stanley
Browne	Gunderson	Merritt	Stoddard
Brush	Hartman	Mills	Topping
Campbell	Haskell	Ramsey	Ulstad
Carden	Johnston	Rigby	Wilson of Page
Cavanaugh	Kern	Shaff	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 8.

Bergman	Clearman	Ellis	Kimberly
Breakenridge	Dean	Frailey	Roberts

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

Senator McLeland moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 193, a bill for

an act to repeal paragraph one (1) of section forty-eight hundred sixty-three (4863) of the code as amended by chapter nine (9), acts forty-first (41) general assembly, and to enact a substitute therefor, relating to the definition of motor vehicles, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard withdrew his amendment found on page 528 of the Senate journal.

The following committee amendments were adopted:

Amend by striking out from line 4, paragraph 1, after the comma following the word "ambulances" the following words, "city and government vehicles" and also the comma after the word "vehicles".

Also by striking out section 2 and substituting in lieu thereof the following:

Sec. 2. This act being of immediate importance shall be in force and effect from and after its publication in the *Marshalltownian*, *Marshalltown*, Iowa, and the *Anthon Herald*, Anthon, Iowa.

By unanimous consent on request of Senator Stoddard further action was deferred temporarily.

By unanimous consent on request of Senator Gilchrist Senate File No. 118, a special order for today, was made a special order for 10 a. m. Friday on account of the absence of Senator Breakenridge.

The Senate resumed consideration of Senate File No. 193.

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.

Baird	Darting	Klemme	Shane
Beatty	Dean	Lange	Shinn
Booth	Dotts	Langfitt	Skromme
Brookins	Ellis	McFarlane	Slemmons
Browne	Fackler	McLeland	Stanley
Brush	Fulton	Merritt	Stoddard
Campbell	Gilchrist	Mills	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Haskell	Roberts	Wilson of Page
Clark	Johnston	Shaff	Wilson of Polk
Clearman	Kern		

Nays, none.

Absent or not voting, 7.

Benson Bergman	Breakenridge Frailey	Gunderson Kimberly	Ramsey
-------------------	-------------------------	-----------------------	--------

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 Shaff House File No. 76, a bill for an act to repeal section sixty-two hundred seventy-seven (6277) of the code, 1924, and to enact a substitute therefor, relating to the record and filing of city or town plats, and to adjust said records in accordance with the substitute herein enacted, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 43.

Baird	Clearman	Johnston	Shaff
Beatty	Darting	Kern	Shane
Benson	Dean	Klemme	Shinn
Booth	Dotts	Lange	Skromme
Brookins	Ellis	Langfitt	Slemmons
Browne	Fackler	McFarlane	Stoddard
Brush	Fulton	McLeland	Topping
Campbell	Gilchrist	Merritt	Ulstad
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark	Haskell	Roberts	

Nays, none.

Absent or not voting, 6.

Bergman	Frailey	Ramsey	Stanley
Breakenridge	Kimberly		

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 vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird Senate File No. 207, a bill for an act to amend the law as it appears in chapter three hundred ten (310), section six thousand one hundred three (6103) code of 1924, relating to protection from floods, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking the word "thirty-five" from line 4 and inserting in lieu thereof the word "twenty-five".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 42.

Baird	Clearman	Kern	Roberts
Beatty	Darting	Klemme	Shaff
Benson	Dean	Lange	Shane
Bergman	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Brookins	Fackler	McLeland	Stanley
Brush	Fulton	Merritt	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark	Johnston		

Nays, none.

Absent or not voting, 7.

Breakenridge	Frailey	Kimberly	Stoddard
Browne	Hartman	Shinn	

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

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Fulton Senate File No. 214, a bill for an

act to amend section five thousand nine hundred and ninety-three (5993) of the code, 1924, relating to street improvements, sewers and special assessments, 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, 42.

Baird	Clearman	Kern	Shane
Beatty	Darting	Klemme	Shinn
Benson	Dean	Lange	Skromme
Bergman	Dotts	Lanfitt	Slemmons
Booth	Ellis	McFarlane	Stanley
Brookins	Fackler	McLeland	Stoddard
Browne	Fulton	Merritt	Topping
Brush	Gilchrist	Rigby	Ulstad
Campbell	Gunderson	Roberts	Wilson of Page
Carden	Haskell	Shaff	Wilson of Polk
Cavanaugh	Johnston		

Nays, none.

Absent or not voting, 7.

Breakenridge	Frailley	Kimberly	Ramsey
Clark	Hartman	Mills	

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 Mills House File No. 184, a bill for an act to authorize the governor to receive from the secretary of war of the United States, and to disburse, certain moneys now in the possession of said secretary as trustee, 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, 43.

Baird	Clearman	Kern	Shane
Beatty	Darting	Klemme	Shinn
Benson	Dean	Lange	Skromme
Bergman	Ellis	Langfitt	Slemmons
Booth	Fackler	McFarlane	Stanley
Brookins	Fulton	McLeland	Stoddard
Browne	Gilchrist	Merritt	Topping
Brush	Gunderson	Mills	Ulstad
Campbell	Hartman	Ramsey	Wilson of Page
Carden	Haskell	Rigby	Wilson of Polk
Cavanaugh	Johnston	Roberts	

Nays, none.

Absent or not voting, 6.

Breakenridge	Dotts	Kimberly	Shaff
Clark	Frailey		

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

Senator Mills moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookins Senate File No. 223, a bill for an act to amend chapter one hundred thirty-two (132) of the Title IX of the code, 1924, to provide for the reinstatement of licensee whose license has expired by reason of failure to pay the renewal license fee as required by section twenty-seven hundred sixty-nine (2769), 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, 41.

Baird	Darting	Klemme	Shane
Beatty	Dean	Lange	Shinn
Benson	Fackler	Langfitt	Skromme
Bergman	Fulton	McFarlane	Slemmons
Brookins	Gilchrist	McLeland	Stanley
Browne	Gunderson	Merritt	Stoddard
Campbell	Hartman	Ramsey	Topping
Carden	Haskell	Rigby	Ulstad
Cavanaugh	Johnston	Roberts	Wilson of Page
Clark	Kern	Shaff	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 8.

Booth	Brush	Ellis	Kimberly
Breakenridge	Dotts	Frailey	Mills

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

Senator Brookins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson House File No. 13, a bill for an act to amend the law as it appears in chapter three hundred fifty-three (353), section seventy-four hundred twenty-eight (7428), of the code, 1924, relating to straightening creek or river, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from line five (5) the words and figures "forty-five (45)" and inserting in lieu thereof "thirty-five (35)".

The bill was read for information.

Senator Gunderson moved 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	Clark	Kern	Shaff
Beatty	Clearman	Klemme	Shane
Benson	Dean	Lange	Shinn
Bergman	Fackler	Langfitt	Skromme
Booth	Fulton	McFarlane	Slemmons
Brookins	Gilchrist	McLeland	Stanley
Browne	Gunderson	Merritt	Stoddard
Brush	Hartman	Ramsey	Topping
Campbell	Haskell	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk
Cavanaugh			

Nays, none.

Absent or not voting, 8.

Breakenridge	Dotts	Frailey	Mills
Darting	Ellis	Kimberly	Ulstad

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

Senator Gunderson 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 Merritt Senate File No. 97, a bill for an act to amend section seventy-five hundred fifty-six (7556) of the code, relating to levees and drainage ditches and the repair thereof, and to specify and declare what lands shall be deemed an established drainage 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 striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Included as drainage district. That section seventy-five hundred fifty-six (7556) of the code be and the same is hereby amended by adding thereto after the word "basins" in the last line thereof as amended by section twelve (12) of chapter one hundred fifty-three of the Acts of the Forty-first (41st) General Assembly, the following:

"where under laws in force prior to 1904 (nineteen hundred four) drainage ditches and levees were established and constructed without fixing at the time of establishment a definite boundary line for the body of land to be assessed for the cost thereof, the body of land which was last assessed to pay for the repair thereof shall also be considered as an established drainage district for the purpose of maintaining such drainage improvements."

Sec. 2. Proceedings now pending. That said section seventy-five hundred fifty-six (7556) of the code as amended by section one (1) of this act shall be construed to apply to proceedings now pending before boards of supervisors relating to the repair of such ditches and levees as are referred to in the preceding section, and to the assessment and levy of taxes to pay the cost and expense thereof, where assessments have not yet been made and levied to pay for the same as well as to proceedings hereafter instituted.

Sec. 3. Publication clause. This act is deemed of immediate importance and shall take effect from and after the publication in the Carroll Herald, Carroll, Iowa, and the Sac Sun, Sac City, Iowa.

The bill was read for information.

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

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

Ayes, 40.

Baird	Clark	Kern	Shaff
Beatty	Clearman	Klemme	Shane
Benson	Dean	Lange	Shinn
Bergman	Fackler	McFarlane	Skromme
Booth	Fulton	McLeland	Slemmons
Browne	Gilchrist	Merritt	Stanley
Brush	Gunderson	Mills	Stoddard
Campbell	Hartman	Ramsey	Ulstad
Carden	Haskell	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 9.

Breakenridge	Dotts	Frailey	Langfitt
Brookins	Ellis	Kimberly	Topping
Darting			

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 253, a bill for an act to amend section three hundred forty-five (345) of the code, relating to the use of appropriations, a committee bill, was taken up and considered.

The bill was read for information.

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

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

Ayes, 39.

Baird	Clearman	Klemme	Shinn
Beatty	Darting	Lange	Skromme
Benson	Dean	Langfitt	Slemmons
Bergman	Fackler	McFarlane	Stanley
Booth	Fulton	McLeland	Stoddard
Brush	Gunderson	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kern	Shane	

Nays, none.

Absent or not voting, 10.

Breakenridge	Dotts	Gilchrist	Roberts
Brookins	Ellis	Kimberly	Shaff
Browne	Frailey		

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 Wilson of Polk Senate File No. 172, a bill for an act to amend, revise, and codify sections twelve thousand eighty-three (12083), twelve thousand eighty-four (12084), and twelve thousand eighty-eight (12088) of the code relating to attachment 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 Wilson of Polk moved 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.

Baird	Cavanaugh	Johnston	Shane
Beatty	Clark	Kern	Skromme
Benson	Clearman	Klemme	Slemmons
Bergman	Darting	Langfitt	Stanley
Booth	Fackler	McFarlane	Stoddard
Brookins	Gilchrist	McLeland	Topping
Brush	Gunderson	Mills	Ulstad
Campbell	Hartman	Ramsey	Wilson of Page
Carden	Haskell	Roberts	Wilson of Polk

Nays, 1.

Lange

Absent or not voting, 12.

Breakenridge	Dotts	Fulton	Rigby
Browne	Ellis	Kimberly	Shaff
Dean	Frailey	Merritt	Shinn

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

Senator Wilson of Polk 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 Wilson of Page Senate Joint Resolution No. 2, a joint resolution providing for the recognition and establishment of Independence Sunday, with report of committee recommending amendment was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking from the bill the first Preamble paragraph and inserting in lieu thereof the following, to-wit:

*"Whereas, We must acknowledge that the Declaration of Independence was secured for us through the noble lives and inspired efforts of our forefathers; that it came as a great blessing to us and to all the world; but at the same time brought to us a great responsibility to God and to man, and"*.

The bill was read for information.

Senator Wilson of Page moved 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	Dean	Kern	Rigby
Benson	Ellis	Klemme	Skromme
Booth	Fackler	Lange	Slemmons
Brookins	Gilcris	Langfitt	Stanley
Brush	Gunderson	McFarlane	Stoddard
Campbell	Hartman	Merritt	Topping
Carden	Haskell	Mills	Ulstad
Clearman	Johnston	Ramsey	Wilson of Page
Darting			

Nays, none.

Absent or not voting, 16.

Beatty	Cavanaugh	Fulton	Shaff
Bergman	Clark	Kimberly	Shane
Breakenridge	Dotts	McLeland	Shinn
Browne	Frailey	Roberts	Wilson of Polk

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

Senator Wilson of Page 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. 183, a bill for an act to require the clerks of the district court to report convictions for liquor violations to the state bureau of investigation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 33.

Baird	Clearman	Hartman	Rigby
Benson	Darting	Haskell	Shane
Booth	Dean	Johnston	Shinn
Brookins	Ellis	Kern	Skromme
Browne	Fackler	Klemme	Slemmons
Brush	Fulton	Langfitt	Stanley
Campbell	Gilchrist	McLeland	Ulstad
Carden	Gunderson	Merritt	Wilson of Page
		Mills	

Nays, 1.

Lange

Absent or not voting, 15.

Beatty	Clark	McFarlane	Stoddard
Bergman	Dotts	Ramsey	Topping
Breakenridge	Frailey	Roberts	Wilson of Polk
Cavanaugh	Kimberly	Shaff	

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

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clearman Senate File No. 230, a bill for an act to amend section thirty-nine hundred twenty-six (3926) of the Code, 1924, relating to the loaning of funds belonging to the state educational institutions that are under the control and supervision of the State Board of Education, with report of commit-

tee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

Senator Clearman invoked rule 8.

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

Ayes, 21.

Baird	Clearman	McFarlane	Shane
Bergman	Ellis	Merritt	Stanley
Brookins	Haskell	Ramsey	Topping
Brush	Johnston	Rigby	Wilson of Page
Campbell	Lange	Shaff	Wilson of Polk
Clark			

Nays, 21.

Beatty	Fackler	Kern	Roberts
Benson	Fulton	Klemme	Shinn
Booth	Gilchrist	Langfitt	Skromme
Browne	Gunderson	McLeland	Slemmons
Carden	Hartman	Mills	Ulstad
Dean			

Absent or not voting, 7.

Breakenridge	Darting	Frailey	Stoddard
Cavanaugh	Dotts	Kimberly	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Slemmons Senate File No. 176, a bill for an act to amend section seventeen hundred thirty-four (1734) of the code, 1924, relating to fishing with trot-lines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clark moved the previous question, which motion prevailed.

The bill was read for information.

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

Senator Slemmons invoked rule 8.

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



## Ayes, 19.

Beatty	Dean	Kern	Roberts
Booth	Fulton	Langfitt	Skromme
Brookins	Gilchrist	Merritt	Slemmons
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Rigby	

## Nays, 23.

Baird	Darting	Lange	Shinn
Benson	Ellis	McFarlane	Stanley
Browne	Fackler	McLeland	Topping
Brush	Haskell	Ramsey	Wilson of Page
Clark	Johnston	Shaff	Wilson of Polk
Clearman	Klemme	Shane	

## Absent or not voting, 7.

Bergman	Cavanaugh	Frailey	Stoddard
Breakenridge	Dotts	Kimberly	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Slemmons moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The journal of March 7th was corrected and approved.

On motion of Senator Roberts the Senate adjourned until 1.30 p. m.

## AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## PETITIONS AND MEMORIALS

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

By Senator Wilson of Page, from voters of Page county, opposing control of highway commission over primary roads. Highways.

By Senator Baird, from voters of Pottawattamie county, opposing control of highway commission over primary road system. Highways.

By Senator Baird, from voters of state of Iowa, opposing a bill taxing tobacco and tobacco products. Dairy and food.

By Senator Benson, from voters of state of Iowa, favoring the present administration of fish and game department. **Fish and game.**

By Senator Cavanaugh, from voters of Webster county, opposing control of highway commission over primary road system. **Highways.**

By Senator Cavanaugh, from voters of Calhoun county, opposing control of highway commission over primary road system. **Highways.**

By Senator Booth, from Monroe Township Farm Bureau, favoring income tax bill. **Ways and means.**

By Senator Ramsey, from trustees of Bremer county, opposing bill taking control of township roads from township trustees. **Highways.**

By Senator Brookins, from voters of Chickasaw county, favoring income tax bill. **Ways and means.**

By Senator Brookins, from citizens of Floyd county, favoring bills in regard to medical professors, county charges, and indigents of hospitals. **Public health.**

By Senator Brookins, from voters of Floyd county, opposing control of highway commission over primary road system. **Highways.**

By Senator Ellis, from citizens of Cincinnati, Iowa, favoring open season on quail. **Fish and game.**

By Senator Wilson of Page, from voters of Page county, favoring income tax bill. **Ways and means.**

By Senator Johnston from voters of Franklin county, opposing control of highway commission over primary road system. **Highways.**

By Senator Johnston, from voters of Franklin county, favoring Senate File No. 259 and Senate File No. 260. **Cities and towns.**

By Senator Shane, from voters of Wapello county, opposing a bill taxing the products of tobacco and cigars. **Dairy and food.**

By Senator Ellis, from voters of Cincinnati, Iowa, opposing a bill taxing tobacco and tobacco products. **Dairy and food.**

By Senator Shinn, from voters of Crawford county, opposing control of highway commission over primary road system. Highways.

By Senator Shinn, from voters of Harrison county, opposing control of highway commission over primary road system. Highways.

By Senator Klemme, from voters of Winneshiek county, opposing control of highway commission over primary road system. Highways.

By Senator Slemmons, from voters of Buchanan county, opposing control of highway commission over primary road system. Highways.

By Senator Slemmons, from voters of Delaware county, opposing control of highway commission over primary road system. Highways.

By Senator Mills, from voters of Dallas county, opposing control of highway commission over primary road system. Highways.

By Senator Mills from voters of Audubon county, opposing control of highway commission over primary road system. Highways.

By Senator Mills from voters of Guthrie county, opposing control of highway commission over primary road system. Highways.

By Senator Haskell, from Linn County Auto Repair Association, favoring Senate Files Nos. 57, 58, and 59 and House Files Nos. 154 and 155. Highways.

#### REAM MEMORIAL RESOLUTION

Senator Stanley offered the following resolution and moved its adoption:

*Whereas*, Honorable John F. Ream, a member of the Senate in the Thirty-third, Thirty-fourth, Thirty-fifth and Thirty-sixth General Assemblies, died at the Mercy Hospital in Oskaloosa, Iowa.

*Therefore, Be It Resolved by the Senate of the Forty-second General Assembly:* That a committee of three be appointed to draft suitable resolutions to commemorate his life, character, and services to the state.

The resolution was adopted and the president appointed as such committee Senators Stanley, Shinn and Cavanaugh.

#### INTRODUCTION OF BILLS

Senate File No. 285, by Senator McFarlane, a bill for an act to

amend section forty-two hundred sixty-eight (4268) of the Code, 1924, relating to school age, and section forty-two hundred seventy-three (4273) of the Code, 1924, relating to the payment of tuition in public schools.

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

Senate File No. 286, by Senator McFarlane, a bill for an act to amend sections fifty-two hundred twenty (5220), fifty-two hundred twenty-two (5222), fifty-two hundred twenty-four (5224), fifty-two hundred twenty-six (5226), fifty-two hundred thirty (5230) of chapter two hundred sixty-one (261) of the code, 1924, relating to the salary of county officials.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 287, by Senator Wilson of Polk, a bill for an act to amend section five thousand nine hundred eighty-four (5984) of the Code, 1924, relating to the construction of sewers.

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

Senate File No. 288, by Senator Wilson of Polk, a bill for an act to amend section five thousand seven hundred one (5701) of the Code, 1924, relating to the appointment of fire chiefs in cities.

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

Senate File No. 289, by Senator Clearman, a bill for an act to legalize deed from the city of Iowa City, Iowa, to Roy L. Chopek Post No. 17, Department of Iowa, American Legion.

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

Senate File No. 290, by Senator Rigby, a bill for an act authorizing and directing the curator of the Historical Memorial and Art Department of Iowa to collect, and preserve the materials of suspending and disbanding posts of the Grand Army of the Republic in Iowa, and similar records and materials, and making an appropriation therefor.

Read first and second times and referred to committee on military affairs,

Senate File No. 291, by Senator Ellis, a bill for an act to amend section one thousand seven hundred sixty-six (1766) of the Code of 1924, relating to a closed season on fur-bearing animals.

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

Senate File No. 292, by Senator Wilson of Polk, a bill for an act to define, regulate and license real estate brokers and real estate salesmen; to create a state real estate commissioner and to provide a penalty for a violation of the provisions hereof.

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

#### HOUSE MESSAGE CONSIDERED

House File No. 189, a bill for an act to amend section thirty-seven hundred fifty-seven (3757) of the Code, 1924, relating to the employment of prisoners.

Read first and second time and substituted for Senate File No. 192, now on the calendar.

#### THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 235, a bill for an act to cancel certain special deposits heretofore made by former treasurers of state and to provide for the payment of the claims for which such deposits were made, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 38.

Baird	Clearman	Kern	Shinn
Beatty	Darting	Lange	Skromme
Benson	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Brookins	Ellis	Merritt	Stoddard
Browne	Fackler	Mills	Topping
Brush	Fulton	Rigby	Ulstad
Carden	Hartman	Shaff	Wilson of Page
Cavanaugh	Haskell	Shane	Wilson of Polk
Clark	Johnston		

Nays, none.

Absent or not voting, 11.

Bergman	Frailey	Kimberly	Ramsey
Breakenridge	Gilchrist	Klemme	Roberts
Campbell	Gunderson	McLeland	

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 Haskell House File No. 44, a bill for an act to legalize the proceedings for the acquisition of a waterworks system by the city of Cedar Rapids, Iowa, and to validate and declare certain indebtedness assumed by said city in such acquisition as constituting an indebtedness 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 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.

Baird	Darting	Klemme	Shaff
Beatty	Dean	Lange	Shane
Bergman	Dotts	Langfitt	Shinn
Booth	Ellis	McFarlane	Skromme
Brookins	Fackler	McLeland	Slemmons
Browne	Fulton	Merritt	Stanley
Brush	Hartman	Mills	Stoddard
Carden	Haskell	Ramsey	Topping
Cavanaugh	Johnston	Rigby	Wilson of Page
Clark	Kern	Roberts	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 8.

Benson	Campbell	Gilchrist	Kimberly
Breakenridge	Frailey	Gunderson	Ulstad

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 Skromme Senate File No. 240, a bill for an act to accept the provisions of the United States law commonly known as the Purnell Act and to assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts, and for other purposes, 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 from section 3 all of lines 3 and 4 and substituting therefor the following: "the Ames Tribune, a newspaper published in Ames, Iowa, and the Nevada Evening Journal, a newspaper published in Nevada, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Skromme moved 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	Clearman	Klemme	Shane
Beatty	Darting	Lange	Shinn
Benson	Dean	Langfitt	Skromme
Bergman	Dotts	McFarlane	Slemmons
Booth	Fackler	McLeland	Stanley
Brookins	Fulton	Merritt	Stoddard
Browne	Gilchrist	Mills	Topping
Brush	Gunderson	Ramsey	Ulstad
Carden	Haskell	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern	Shaff	

Nays, none.

Absent or not voting, 6.

Breakenridge	Ellis	Hartman	Kimberly
Campbell	Frailey		

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

Senator Skromme 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 Shaff called up for consideration Senate File No. 104, amended by the House, and moved that the Senate concur in the House amendments found on page 540 of the Senate journal.

By unanimous consent on request of Senator Gilchrist further action was deferred and the bill was made a special order for 10 a. m. Wednesday.

#### THIRD READING OF BILLS

On motion of Senator Gilchrist House File No. 85, a bill for an act to amend chapter five hundred forty-nine (549) of the Code of 1924, relating to receivers, by adding thereto, a provision for examination of persons suspected of having taken wrongful possession of the effects of any person, corporation or partnership in receivership, and providing for enforcement of orders connected therewith, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shinn moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 37.

Baird	Dean	Langfitt	Shane
Benson	Dotts	McFarlane	Shinn
Booth	Fackler	McLeland	Skromme
Brookins	Fulton	Merritt	Slemmons
Browne	Gilchrist	Mills	Stanley
Carden	Hartman	Ramsey	Stoddard
Cavanaugh	Johnston	Rigby	Topping
Clark	Kern	Roberts	Ulstad
Clearman	Klemme	Shaff	Wilson of Page
			Wilson of Polk

Nays, 2.

Beatty	Lange
--------	-------

Absent or not voting, 10.

Bergman	Campbell	Ellis	Gunderson
Breakenridge	Darting	Frailey	Haskell
Brush			Kimberly



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

Senator Shinn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Clark House File No. 23, a bill for an act to amend section seventeen hundred sixty-seven (1767) of the Code, 1924, extending the closed season on quail for an indefinite period, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 38.

Baird	Darting	Klemme	Roberts
Beatty	Dean	Lange	Shinn
Benson	Dotts	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Brookins	Fulton	McLeland	Stanley
Browne	Gunderson	Merritt	Stoddard
Brush	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kern		

Nays, 3.

Clearman	Shane	Topping
----------	-------	---------

Absent or not voting, 8.

Bergman	Campbell	Frailey	Kimberly
Breakenridge	Ellis	Gilchrist	Shaff

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

Senator Clark 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. 85 WITHDRAWN

By unanimous consent on request of Senator Clark Senate File No. 85 was withdrawn from further consideration.

## THIRD READING OF BILLS

On motion of Senator Gilchrist House File No. 60, a bill for an act to amend the law as it appears in chapter one hundred seventy-three (173), as amended by chapter one hundred seventy-four (174) and chapter one hundred seventy-nine (179), as amended by chapter one hundred eighty (180) of the acts of the Forty-first (41) General Assembly, relating to the proof and certification of public fund deposits, and to the liquidation and control of the assets of banks in the hands of the superintendent of banking, or of a receiver, 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, 38.

Baird	Dean	Klemme	Shane
Beatty	Dotts	Langfitt	Shinn
Benson	Ellis	McFarlane	Skromme
Bergman	Fackler	McLeland	Slemmons
Booth	Fulton	Merritt	Stanley
Brush	Gilchrist	Mills	Stoddard
Carden	Gunderson	Ramsey	Ulstad
Cavanaugh	Hartman	Rigby	Wilson of Page
Darting	Johnston	Roberts	Wilson of Polk
	Kern	Shaff	

Nays, 5.

Clark	Haskell	Lange	Topping
Clearman			

Absent or not voting, 6.

Breakenridge	Browne	Frailey	Kimberly
Brookins	Campbell		

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

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

## MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 230 failed to pass the Senate.

C. A. BENSON.

## AMENDMENTS FILED

I move to amend Senate File No. 255 by striking from section 1 the words "the Iowa State Board of Education shall have approved the course required to be pursued, and".

C. J. FULTON.

I move to amend Senate File No. 225 by adding the following section:

Sec. 3. This act being deemed of immediate importance shall take effect from and after its passage and publication in the Oskaloosa Herald, a newspaper published in Oskaloosa, Iowa, and the Indianola Herald, a newspaper published at Indianola, Iowa.

F. C. STANLEY.

MR. PRESIDENT: I move to amend the following House amendments to Senate File No. 104 (one hundred four) as follows, and that when so amended, the Senate concur in said House amendments:

1. Amend the amendment of Haney of Mills as the same appears in the House Journal of February 21 (twenty-one), page 565 (five hundred sixty-five) by striking from line two (2) thereof the word "three" and substituting in lieu thereof the word "five".

2. Amend the amendment by Hubbard and Green of Pottawattamie as the same appears in the House Journal of February nineteen (19), page 554 (five hundred fifty-four) by adding to section forty (40) the following: "The provisions of sections 38 (thirty-eight), thirty-nine (39) and 40 (forty) of this act shall not affect the terms for which appointments were made and confirmed on February ten (10), 1927."

3. Amend the amendment by Craig of Warren as the same appears in the House Journal of February 23 (twenty-three), page 621 (six hundred twenty-one) by striking from lines one (1) and two (2) thereof the words and figures "thirty-eight (38)" and substituting in lieu thereof the words and figures "forty-two (42)."

4. Amend the amendment by W. S. Kennedy of Lee as the same appears in the House Journal of February 21 (twenty-one), page five hundred eighty (580), by striking from line one (1) the words and figures "thirty-eight (38)" and substituting in lieu thereof the words and figures "forty-three (43)."

5. Amend the amendment by Allen of Pocahontas as the same appears in the House Journal of February twenty-two (22), page six hundred four (604) to read as follows: "Amend section twenty-one (21) of Senate File No. 104 by striking the entire section, and substituting the following in lieu thereof:

"The auditor of the state highway commission shall give bond in the sum of fifty thousand dollars (\$50,000) for the faithful performance of his duties. The premium on said bond shall be paid by the state highway commission from its support fund. Said auditor shall check and audit all claims against the commission before such claims are approved by the commission, and shall keep all records and accounts relating to the expenditures of the commission. He shall, in the checking and auditing of claims against the commission, and keeping the records and accounts of the commission, be under the direction and supervision of the state board of audit, and act as an agent of said board. The state highway commission shall furnish said auditor with such help and assistants as may be necessary to properly perform the duties herein specified. The executive council may remove said auditor from office for failure to comply with the directions and instructions of the state board of audit in the performance of the duties herein required".

6. Amend the amendment by Craig of Warren as the same appears in the House Journal of February 21 (twenty-one), page 581 (Five hundred eighty-one) to read as follows: "Amend Senate File No. 104 by striking all of section 16 (sixteen) and substituting the following in lieu thereof: 'All claims shall be itemized upon voucher forms prepared for that purpose, sworn to by the claimants, certified to by the engineer in charge, and then forwarded to the state highway commission for audit and approval. Upon the approval, by the state highway commission, of vouchers which are payable from the primary road fund, such vouchers shall be forwarded to the auditor of state, who shall draw warrants therefor, and said warrants shall be paid by the treasurer of state from the primary road fund.'"

I further move that the Senate concur in all other House amendments to Senate File No. 104.

J. O. SHAFF.

Amend House File No. 189 by adding thereto as Section 2, the following:

Sec. 2. All garments made by prison labor and put on the open market shall be labeled "Made by prison labor."

C. H. TOPPING.

I move to amend Senate File No. 104 by striking the first two sentences of the House amendment to Section 21 and substituting therefor the following:

"The State Board of Audit shall establish and maintain in the office of the State Highway Commission an auditing department to audit all claims and check the records of the State Highway Commission and its assistants."

W. E. MCLELAND.

REPORT OF SPECIAL COMMITTEE TO INVESTIGATE  
BANK GUARANTEE LAW

TO THE PRESIDENT AND MEMBERS OF THE SENATE:

TO THE SPEAKER AND MEMBERS OF THE HOUSE:

GENTLEMEN: As part of your special committee raised to make a careful study of the causes and consequences of the banking situation in Iowa and in any neighboring state having a law guaranteeing bank deposits, and to submit to you the comparative facts for your guidance, we have performed the task assigned us as well as the time at our disposal and the pressure of other duties would permit.

Since the superintendent of banking in Iowa was authorized in 1923 to act as receiver, two hundred five banks have been closed. The causes of their failure differ in importance. The major cause, the one most easily recognized and complained of arose from the inflation of all values during the continuance of the world war and the sudden and rapid deflation which followed its close. The period of adjustment was too short to permit a general diffusion of a loss which fell alike upon the merchant in debt for his goods, the manufacturer in debt for his raw materials and the farmer in debt for his lands. The farmer suffered most because he is by far the most numerous class outside cities and towns, because his land or his equity in it is not an easily and readily transferable asset, and because his products depreciated to such an extent as to return him little, if any, profit. When he depends, without much diversification, largely upon a single crop, as of corn in the western and north-western sections of the state, there land values were most highly inflated and there naturally most seriously deflated. When called upon under these conditions to protect his paper he was not able to comply. The banks serving him and aiding in carrying on the trade of his community are usually and necessarily of small capital and of limited resources. Their loans are concentrated in their immediate locality and are much alike in character so that any general disturbance of local business is likely to affect such loans unfavorably. These banks with their principal debtors not meeting their obligations when due were compelled to close their doors or at best were placed in desperate straits.

Several minor causes incidental to the principal one added to the dangerous situation or made the end certain: Inexperience or lack of training on the part of officials in charge of the bank's operation and failure of directors to keep in touch with the conduct of its affairs; insufficient deposits and the reduction of deposits below the safety point due to a steady flow of withdrawals; too many time deposits drawing a high rate of interest to permit the bank to loan or to invest wisely; excessive loans and loans to officials and directors without any security or without sufficient security; the occasional arbitrary and indiscreet acts of examiners through excess of zeal in the performance of their duties; and the distrust and alarm created by the agitation for a law guaranteeing deposits with its implication that all banks are unsafe.

There are in Iowa 1110 state banks, 315 national banks, and 122 private banks. Of the state banks, there are 100 of \$10,000 capital, 115 of \$15,000 capital and 396 of \$25,000 capital. The remaining state banks have in excess of \$25,000 capital. Of the state banks about 400 have less than \$200,000 each in deposits; and these it may be assumed are in the little towns which are community centers for farming districts and bear the handicaps of such location. Compelled by small assets to operate in a narrow field, they cannot vary their investments as do stronger institutions more favorably situated. They are a convenience, if not always a necessity, to their neighborhoods and facilitate contact with the outer business world. They were established and are for the most part carried on by enterprising persons who desire to build up the communities they live in. Upon such banks the blow has fallen hardest. The stockholders of failed banks and of those with failure threatened have paid \$7,132,000 within the last five years in assessments and their directors have taken over and substituted not less than \$5,000,000 in cash for real estate and poor paper. Officers and directors have not infrequently sacrificed the savings of a lifetime in an heroic effort to protect their stockholders and depositors.

Of the 205 closed banks, six have been liquidated and thirty reorganized. Of the 175 remaining, fourteen will be liquidated within thirty days, thirteen more within ninety days, and an additional ten within four months. In this connection it may be noted that the cost of receiverships under the present plan has been but 4.3 per cent on the assets realized; that the overhead has been less than one-fourth of one per cent; and that the interest income has more than covered the total expenses.

The state banks of Nebraska are under the supervision and control of the Department of Trade and Commerce. Whenever the reports and examination show a bank has doubtful assets that may impair its capital or that from any cause it is approaching trouble, this department brings all its authority to bear upon the bank's officers, directors and stockholders to restore their institution to a normal condition. If this effort fails the bank is placed in charge of the Guarantee Fund Commission. Up to this point the Department of Trade and Commerce in Nebraska and the superintendent of banking in Iowa perform the same function.

In 1909 a law guaranteeing deposits in state banks and providing for assessments upon them to make the guarantee good was enacted. Owing to litigation it was not until 1911 that it became effective. As long as times were prosperous and failures few the law worked no particular hardship. In this period because of the advantage it was supposed to confer many new state banks were organized by irresponsible and inefficient persons and some of the smaller national banks gave up their charters and reorganized as state banks. In the ten years following its enactment the number of state banks almost doubled. When, following the war, values dropped to lower and lower levels, bank failures with heavy losses became common. In Nebraska as in Iowa the failures were most numerous and most serious in that part of the state where there had been excessive inflation and deflation, in the corn-producing section lying north of the Platte River and extending a distance of 125

miles west from the Missouri River. The result was that the guarantee fund could not meet the demands made upon it. In the three years, 1921, 1922 and 1923, \$6,701,332.59 were exacted from the stockholders of solvent banks in addition to the depreciation they had to bear in their own assets. In 1923 to prevent a collapse of the state's entire banking system the banking laws were thoroughly revised. At this time the state was divided into seven districts, in each of which the bankers are organized in a single group. Each group names three of its number from whom the governor chooses one. Those so chosen compose the Guarantee Fund Commission who take possession of all money, rights, credits, assets and property, of such banks as are turned over to them by the Department of Trade and Commerce, conduct their affairs and finally dispose of them as provided by law. By virtue of this authority the commission may liquidate any such bank or "manage it as a going concern without regard to its solvency." Under this provision, when the guaranty fund is not sufficient to meet the claims of depositors the failed banks are operated as "going concerns". In these cases there is a sharp distinction between the deposits before taking over and the deposits after taking over. The latter may be withdrawn, the former are held subject to the order of the court.

A bank facing a precarious situation is not required to await action by the authorities. It has but to post on its door the notice, "This bank is in the hands of the Department of Trade and Commerce", and by this simple act places its affairs and assets under the control of this department and establishes a bar against legal proceedings. The bank may then be placed under the Guarantee Fund Commission, if that is found necessary, and operated as a going concern. By this procedure a run upon a bank or the depletion of its cash to a ruinous degree and the serious disturbance of the business of the community can be prevented.

The published and circulated statement that "no depositor has had to wait for his money" requires some modification. Officially it is claimed that "a depositor in need gets his money", but as payment is only made on order of the court, "the need" must be established to the satisfaction of the court. The depositors with money in insolvent banks "operated as going concerns", unless able to show their need and only to that extent, cannot withdraw their deposits, which are treated as time deposits drawing four per cent interest. It is a convenient and ingenious arrangement to enable such a bank to carry on until the depleted guarantee fund may again be drawn upon. The complaints from this source are not given publicity.

To obtain money to enable "going concerns" to function, use is made of what is styled the Bankers' Conservation Fund. The solvent banks may be required to contribute to this and may be assessed one-fourth of one per cent of their average daily deposits in one year but not at any time to exceed one-third of one per cent. These contributions are carried on their books as assets. This fund amounting to more than \$600,000, in the end may be a liability against the guarantee fund.

To supplement and anticipate the guarantee fund, a receiver of a bank in the hands of the Guarantee Fund Commission, when authorized

by the court, may borrow on a receiver's certificates the amount required to supply the deficiency for the payment of its depositors. Such certificates bear six per cent interest and are a first lien on all the assets of the bank and on the rights of the depositors in the guarantee fund.

Nebraska has 893 state banks. At least 102 of them are in receiverships and 40 are operated as going concerns. The estimated average loss to be sustained by the 40 runs from \$127,000 to \$180,000. This loss, whatever it may be, has yet to be borne by the guarantee fund. The guess on the number of banks yet to be turned over to the Guarantee Fund Commission ranges from an optimistic official ten to a gloomy unofficial fifty. The high guess is based on the reported real estate holdings and the amount of their time deposits as compared with the total deposits. The outstanding receiver's certificates now total over \$2,019,000. It has been the practice heretofore not to issue such certificates in excess of the funds available for the guarantee fund within their maturities, but this policy has now been abandoned. The guarantee fund, at the limit of assessment, six-tenths of one per cent on the average daily deposits, realized annually about \$1,700,00. How long this levy will continue upon the solvent banks is problematical. The secretary of the Guarantee Fund Commission fixes the period at two years. Other officials equally well informed extend the period to six years. It depends wholly upon the depreciation the assets of the failed banks suffer and the number of banks to fail hereafter. The cost of receiverships under the Nebraska plan is 4.01 per cent on the assets realized, which is slightly less than the cost in Iowa.

The hazards of banking as of any business may be so increased by law as to make it an undesirable enterprise to engage in. No one can be compelled to put his money in bank stock. The guarantee deposit law of Nebraska imposes the loss to depositors in failed banks upon the stockholders of the solvent banks. To some extent the loss is passed on to the borrowers in a higher rate of interest which runs from eight to ten per cent. This law takes away the premium that should go to honesty, good judgment and conservatism. It is a significant fact that in the territory they serve the 165 national banks in the state, not under the guarantee law, have deposits equalling or exceeding the deposits of the state banks in the same territory. This of course is partly due to their location in the larger cities. For the year ending June 30, 1926, 845 state banks made a net profit of 5.924 per cent on their capital and surplus, running from 4.47 per cent for the smallest banks to 11.45 per cent for the largest banks. Following the groupings of the Department of Trade and Commerce, 266 banks with an average capital of \$15,157 had an average net profit of \$677; 426 banks with an average capital of \$27,963, had an average net profit of \$1,385; 177 banks with an average capital of \$52,484 had an average net profit of \$3,301; eighteen banks with an average capital of \$80,921, had an average net profit of \$4,771; and eighteen banks with an average capital of \$128,639, had an average net profit of \$14,733. The average net profit for the 845 banks was \$1,970. These same banks in the same year paid guarantee assessments to the amount of \$1,495,608 and salaries and wages to the amount of



\$3,935,876. Expressed in percentages on deposits, these were .575 per cent for guarantee assessments and 1.513 per cent for salaries and wages. To put the same thing in another way, the solvent banks must earn more than one-third as much to meet their guarantee assessments as to meet their salaries and wages. Undoubtedly some state banks would nationalize were it not for their estate holdings and the rigid examination their paper would undergo in the process.

The state of Nebraska does not itself guarantee deposits in state banks. It merely provides by law that the banks it charters shall devote, when necessary, six-tenths of one per cent of their average daily deposits to make good the depositors who have funds in closed banks. The state's original guarantee law, when the extreme period of deflation came, could not stand the strain. The accumulations in the years of plenty were soon exhausted. It has been impossible to secure exact figures, and speculative reasoning by the uninformed is of little importance. At the present time the guarantee fund shows an approximate deficit of \$12,000,000. Assets of variable value, it is estimated, may, when realized upon, offset from one-half to two-thirds of this shortage. Under favorable conditions, with no more failures, it will be several years at best before the solvent banks are relieved of their heavy burden. This does not concern the depositor, who has an abiding faith that under this law his money is safe. He speaks for the public at large.

One effect of this guarantee law to which attention should be called is clearly noticeable. Under it there is a growing laxity in the punishment of criminal banking. To these offenses depositors and the general public are alike indifferent. The result is that the offenders are seldom brought to trial, are more seldom convicted, and pay no adequate penalty for their misdeeds, no matter how serious these may be.

The guarantee laws of South Dakota and of Kansas have proved to be unworkable. The repeal of the South Dakota law was submitted in 1926 to voters, but was rejected. The losses there are running into millions with no prospect of payment unless assumed by the state and paid by taxation. In Kansas most of the banks have exercised their privilege to escape from under the law. The legislature now in session is attempting to enact legislation to prevent the opening of weak banks and to require more efficient examinations.

Such are the chief facts as we have ascertained them to be, by an earnest and careful effort. We submit them for your consideration. We forbear drawing any conclusions or offering any recommendations as these do not come within our province.

C. G. COLE.  
H. A. DARTING.  
C. J. FULTON.

TO THE PRESIDENT AND MEMBERS OF THE SENATE:

TO THE SPEAKER AND MEMBERS OF THE HOUSE:

GENTLEMEN: That by virtue of Senate Concurrent Resolution No. 3 which reads as follows:

*Whereas*, There is a growing popular demand for the enactment by the Forty-second General Assembly of a law to guarantee deposits in the banks organized under and by virtue of the laws of Iowa, and

*Whereas*, Such a law should impartially protect both the depositors and the stockholders of these banks, and

*Whereas*, Such a law should be drawn in the light of all available information in regard to the workings of similar laws in other states, therefore

*Be It Resolved by the Senate, the House concurring*: That the President of the Senate is hereby impowered and directed to appoint a committee of three from the Senate, and the Speaker of the House, a committee of three from the House, these to form a joint committee charged with the duty of making a careful study of the causes and consequences of the present banking situation in the state and authorized for the same purpose to visit in their discretion any neighboring state having in operation a law guaranteeing bank deposits to the end that the committee may secure comparative facts and not later than February 18th, report to this Legislature, for its guidance, the actual conditions as they find them.

Three members of your special committee raised to make a careful study of the causes and consequences of the banking situation in Iowa and in any neighboring state as set out in said resolution submit to you the comparative facts for your guidance, hereby report that we have performed the task assigned to us, as well as the time at our disposal and the pressure of other duties would permit.

## IOWA

Since the superintendent of banking of Iowa was authorized in 1923 to act as receiver, two hundred and five banks have been closed. The causes of their failure differ in importance. The major cause, the one most easily recognized and complained of arose from the inflation of all values during the continuance of the world war and the sudden and rapid deflation which followed its close. The period of adjustment was too short to permit a general diffusion of a loss which fell alike upon the merchant in debt for his goods, the manufacturer in debt for his raw materials and the farmer in debt for his lands. The farmer suffered most, for the reason that his land, or his equity in the same, is not an easily and readily transferable asset, and for the further reason that his products depreciated to such an extent as to return him little, if any, profit. When called upon under these conditions to protect his paper he was not able to comply. The banks serving him and aiding in carrying on the trade of his community are usually and necessarily of small capital and of limited resources. Their loans are concentrated in their immediate locality and are much alike in character so that any general

disturbance of local business is likely to affect such loans unfavorably. These banks with their principal debtors not meeting their obligations when due were compelled to close their doors, or at best were placed in desperate straits.

Several minor causes incidental to the principal one added to the dangerous situation or made the end certain: inexperience, or lack of training, on the part of officials in charge of the banks operation and failure of directors to keep in touch with the conduct of its affairs; insufficient deposits and the reduction of deposits below the safety point due to a steady flow of withdrawals in both solvent and insolvent banks; too many time deposits drawing a high rate of interest for the ability and opportunity of the bank to loan or to invest wisely; excessive loans and loans to officials and directors without any security or without sufficient security.

There are in Iowa eleven hundred ten state banks, three hundred fifteen national banks and one hundred twenty-two private banks. Of these one hundred state banks have ten thousand dollar capital; one hundred and fifteen have fifteen thousand dollar capital and three hundred and ninety-six have twenty-five thousand dollar capital. The remaining banks have in excess twenty-five thousand dollar capital. Of these banks about four hundred have less than \$200,000.00 each in deposits; and these, it may be assumed, are in the little towns which are community centers for farming districts. They are a convenience and a necessity to their neighborhood and facilitate contact with the outer business world. They were established and are for the most part carried on by enterprising persons who desire to build up the communities in which they live. The stockholders in state banks have paid \$7,132,000 within the last five years in assessments and their directors have taken over and substituted not less than \$5,000,000.00 in cash for real estate and poor paper.

This committee finds that in September, 1925, the present superintendent of banking instituted a rule requiring the board of directors of each bank under his supervision to have monthly meetings. The enforcement of this rule has resulted in each director having personal knowledge of the condition existing in the bank with which he is connected, and while more strict and frequent examinations have taken place and that paper has been gradually replaced with better paper, through the requirements of the department, yet the department has been of a great constructive help in the saving of scores of weaker banks by its careful attention. Due to the strict supervision, practically no poor loans have been made by banks under this department during the last two years and practically all the trouble came through loans that were made before the deflation period. The superintendent of banking and his department has discouraged the payment of high rates of interest on deposits and a correction of this dangerous practice has been made in many banks.

The committee further finds that in a large number of towns there were, and are, too many banks, that the competition for business has been injurious, both to the public and to the stockholders; that through

the influence of the banking department many consolidations have been effected. The superintendent has instituted rigid rules against excess loans, capital loans, and over loans to officers and directors. This has all resulted in improvement in the banking situation.

This committee further finds that since the superintendent of banking was authorized to act as receiver in 1923, exclusive of those which were reopened, two hundred and five have gone into the hands of a receiver; that the number of banks reorganized were thirty and the number entirely liquidated were six; that of the number of closed banks under the receivership, it is estimated that fourteen will be liquidated in thirty days; thirty in ninety days, six of which were closed in 1926, and ten will be closed and completely liquidated in four months.

That prior to the year 1923, the banks were liquidated by virtue of the appointment of the receivers and attorneys designated by the district court. That under such receivership the same was found to be costly and oftimes the receivership ran over a long period of time, entailing a large expense in liquidation. That since the receiverships have been placed under the superintendent of banking of the state of Iowa, we find that the cost of liquidation has been materially reduced. The cost of operating the receivership in connection with the superintendent of banking has been  $4 \frac{3}{10}$  per cent, or the amount realized from the assets. This record on the amount involved is the best record made by any state for like services.

We further find that the overhead as charged to the banks, in the employment of the office force, furnished by the superintendent of banking has been less than  $\frac{1}{4}$  of 1 per cent on the amount collected and realized; and that the interest income from the banks under receiverships have more than covered the total expenses.

While the banking department has made a wonderful record in regard to the liquidation of its closed banks still it has not been destructive in compelling the sale of the assets of such bank and especially the farm lands at a great sacrifice and loss to the depositors.

As a final analysis your committee finds that the banking situation in Iowa is improving.

## NEBRASKA

Your committee further reports that it visited the states of Nebraska, Kansas and South Dakota. That in the state of Nebraska it made a careful investigation of the workings and conditions of the bank guaranty law. That a personal investigation was made in visiting the state capitol, interviewing the governor, the several officials connected with the banking department, members of the Legislature, bankers and private individuals. That the committee drove into the country districts, interviewed country bankers, also visited towns in which were located banks operated under the guaranty fund commission, as going concerns, as provided by law.

This committee finds that in the year 1909 there was enacted a law known as the Nebraska guaranty law. That the law did not go into effect until the year 1911, owing to litigation contesting its constitutionality. That by virtue of such law all of the state banks of Nebraska were compelled to operate under the guaranty system. That as the original law was drafted the Department of Trade and commerce had the supervision of the operations of the state banks. That power was vested in such department (Trade and Commerce) to appoint the examiners of banks but no provision was made in regard to their liquidation. That such liquidations were made and receivers appointed by the courts. That the department of trade and commerce had no restrictions in regard to the granting of charters of any banks, with the exception as to their qualifications as to the amount to be subscribed, which had a provision for a minimum capital of \$10,000.00. That as a result many new banks were organized after the enactment of the bank guaranty law. In fact the number of state banks almost doubled in a period of ten years.

In the year 1923 the guaranty law was amended and there was created what is known as the guaranty fund commission. By the provisions of this law a commission was created which had the power to conserve and administer the depositors guaranty fund of the state of Nebraska, and provided for a most thorough and complete supervision of the state banks. The state was divided into seven bank groups, a certain number of counties comprising each group. The members of the commission are bankers, appointed by the governor upon the recommendation of each respective group.

The law provides that whenever it shall appear to the department of trade and commerce, from an examination of any bank, that the capital is impaired and that such corporation is conducting its business in an unsafe or unauthorized manner, or is endangering the interests of its depositors; that it shall take charge and possession of the property and business of such bank, and place it in charge of the guaranty fund commission. That the guaranty fund commission shall, thereafter have power to conduct the affairs of said bank, to liquidate or dispose of the same in the manner provided by law. That the commission has the power to immediately close such bank and dispose and liquidate its assets, or to operate same as a going concern.

If the bank is closed and not operated, receiver certificates are issued for the purpose of borrowing money to pay depositors, which certificates have been issued providing for payment of later than one year, and all certificates have been paid at or before the time they became due. These certificates draw interest at the rate of six per cent per annum.

Your committee finds that the interest paid on time deposits in the banks which are operated as going concerns is 4 per cent. That the checking deposits draw no interest, but anyone desiring may change their deposit from a checking to a time deposit. The policy of the

commission is that during such operation of the bank that only those who are in actual need of the money are paid. In issuing certificates the same is handled as follows:

When a receiver is appointed for a bank, a time is set for all depositors to file their claims. The court then passes on all claims and those allowed as preferred claims are ordered paid at once. The receiver then asks permission of the court for authority to borrow the necessary money needed in addition to what cash he has on hand, this to be borrowed through the means of receivers certificates. The certificates are registered in the department of trade and commerce and must be paid in the order of registration. The certificates are secured by a first lien upon all the assets in the failed bank whose deposits are paid from the proceeds, and in addition the purchasers of the certificates are subrogated to the rights of the deposits in the guaranty fund whose claims are paid from the money derived from the sale of the certificates. When the same is closed, the depositors are paid in full.

Your committee begs leave to report that they find some dissatisfaction among the depositors of the banks who do not immediately receive payment of their deposits in full, in the going concern, but this committee finds numerous instances in which depositors who had money in the going concerns continued to deposit in such banks, which later deposits, however, were paid on demand. That the going concerns were operated almost the same as ordinary banks receiving deposits and making limited loans which would aid in the liquidation of the assets, it being the theory of the commission that the assets are better liquidated and perhaps the bank and its assets more subject to sale as a going concern than as one that is closed.

That since the year 1923 each managing officer of a bank is required to obtain a license to engage in the banking business. The object of the law was that all men should be experienced in the banking business before taking charge of any such institution. The secretary of the department of trade and commerce has the right to revoke such license.

Your committee finds that Nebraska has, on December 31, 1926, which includes the 44 banks operated by the commission, a total of 883 state banks. That on January 1, 1911, there were 238 national banks with deposits of \$113,432,000.00. That on June 30, 1926, there were 165 national banks with deposits of \$206,050,000.00. That on January 1, 1911, there were 644 state banks with a deposit of \$70,172,423.10. That on June 30, 1926, there were 893 state banks with deposits of \$284,131,000.00.

In commenting on the cost of operation of the receiverships under the guaranty fund commission we find that under the law operating prior to 1923, that the cost of operation was over double the amount since that time and that the cost on each dollar collected under the present system is 4.1 per cent. However, we find that under the report of the commission from July 1, 1926, to December 31, 1926, the receivership cost of collection per dollar of cash realization was 3.56 per cent.

Under statement of June 30, 1926, as issued by the Department of Trade and Commerce, omitting ten delayed reports, we find that there are 206 state banks with a capital of from \$10,000.00 to \$20,000.00. That the net profit on the capital and surplus from the year beginning July, 1926, was 4.47 per cent. That there are 426 state banks with a capital of from \$20,000.00 to \$40,000.00. That the net profit on the capital and surplus during the same period of one year was 4.95 per cent. That there are 177 state banks with a capital of from \$40,000.00 to \$75,000.00. That the net profit on the capital and surplus during the same period was 8.28 per cent. That there are 18 state banks with a capital of from \$75,000.00 to \$100,000.00 with a net profit on the capital and surplus of 5.9 per cent. That there are 18 state banks with a capital of from \$100,000.00 to \$200,000.00 and the net profit on the capital and surplus is 11.45 per cent. That the average in 845 banks of the net profit on capital and surplus is 5.9 per cent.

The committee further finds that the ratio paid by the banks into the guaranty fund compared with the salary and wages is in the proportion of 1 to 3. The salary and wages being three times the amount of the guaranty fund assessments. The analysis of the operating expenses and income of 845 Nebraska State Banks from July 1, 1925, to June 30, 1926, is as follows:

## ANALYSIS OF OPERATING EXPENSES AND INCOME OF 845 NEBRASKA STATE BANKS

From July 1, 1925, to June 30, 1926.

Capital .....	10,000	20,000	40,000	75,000	100,000	845 Banks†
	to	to	to	to	to	
	20,000	40,000	75,000	100,000	200,000	
	206 Banks	426 Banks	177 Banks	18 Banks	18 Banks	
Interest on Deposits and Savings.....	\$ 800,024	\$ 3,295,204	\$ 2,583,324	\$ 348,366	\$ 598,033	\$ 7,624,951
Interest on Borrowed Money.....	30,254	115,483	92,060	11,196	7,132	256,125
Guarantee Fund Assessments.....	166,120	636,258	486,573	63,844	142,813	1,495,608*
Salaries and Wages.....	496,890	1,721,821	1,267,654	155,450	294,061	3,935,876
Other Expenses.....	332,321	1,377,074	1,069,137	142,491	232,070	3,153,093
<b>Total Expenses .....</b>	<b>\$ 1,825,609</b>	<b>\$ 7,145,840</b>	<b>\$ 5,498,748</b>	<b>\$ 721,347</b>	<b>\$ 1,274,109</b>	<b>\$ 16,465,653</b>
<b>Total Income .....</b>	<b>\$ 1,965,140</b>	<b>\$ 7,735,871</b>	<b>\$ 6,082,979</b>	<b>\$ 807,239</b>	<b>\$ 1,539,315</b>	<b>\$ 18,130,544</b>
<b>Net Income .....</b>	<b>139,531</b>	<b>590,031</b>	<b>548,231</b>	<b>85,892</b>	<b>265,206</b>	<b>1,664,891</b>
<b>Total Deposits .....</b>	<b>27,131,711</b>	<b>111,344,441</b>	<b>86,517,996</b>	<b>12,219,191</b>	<b>22,710,445</b>	<b>259,923,784</b>
<b>Average Deposits .....</b>	<b>131,773</b>	<b>261,372</b>	<b>488,802</b>	<b>678,844</b>	<b>1,261,691</b>	<b>307,602</b>
<b>Average Capital Per Bank .....</b>	<b>15,157</b>	<b>27,963</b>	<b>52,484</b>	<b>80,921</b>	<b>128,639</b>	<b>33,250</b>
<b>Net Profit on Capital and Surplus .....</b>	<b>4.47%</b>	<b>4.95%</b>	<b>6.28%</b>	<b>5.90%</b>	<b>11.45%</b>	<b>5.924%</b>
<b>Average Income Per Bank .....</b>	<b>9,539</b>	<b>18,159</b>	<b>34,367</b>	<b>44,846</b>	<b>85,517</b>	<b>21,456</b>
<b>Average Expense Per Bank .....</b>	<b>8,862</b>	<b>16,774</b>	<b>31,066</b>	<b>40,075</b>	<b>70,784</b>	<b>19,486</b>
<b>Average Net Profit Per Bank .....</b>	<b>\$ 677</b>	<b>\$ 1,385</b>	<b>\$ 3,301</b>	<b>\$ 4,771</b>	<b>\$ 14,733</b>	<b>\$ 1,970</b>
<b>Distribution of \$1.00 of Expense—</b>						
Interest on Deposits and Savings.....	43.82c	46.11c	46.98c	48.30c	46.94c	46.31c
Interest on Borrowed Money.....	1.66c	1.61c	1.67c	1.55c	0.56c	1.56c
Guarantee Fund Assessments.....	9.09c	8.90c	8.85c	8.85c	11.21c	9.08c
Salaries and Wages.....	27.22c	24.10c	23.06c	21.55c	23.08c	23.90c
Other Expenses.....	18.21c	19.28c	19.44c	19.75c	18.21c	19.15c
	100.00c	100.00c	100.00c	100.00c	100.00c	100.00c
<b>Expense (Per Cent of Deposits)—</b>						
Interest on Deposits and Savings.....	2.947%	2.959%	2.983%	2.850%	2.633%	2.931%
Interest on Borrowed Money.....	.111%	.103%	.106%	.091%	.032%	.099%
Guarantee Fund Assessments.....	.611%	.571%	.562%	.522%	.630%	.575%
Salaries and Wages.....	1.831%	1.547%	1.464%	1.271%	1.294%	1.513%
Other Expenses .....	1.225%	1.237%	1.235%	1.170%	1.021%	1.212%
<b>Average Per Cent of Expense on Deposits.....</b>	<b>6.725%</b>	<b>6.417%</b>	<b>6.350%</b>	<b>5.904%</b>	<b>5.610%</b>	<b>6.330%</b>
<b>Average Per Cent of Income on Deposits...</b>	<b>7.23%</b>	<b>6.947%</b>	<b>7.03%</b>	<b>6.614%</b>	<b>6.777%</b>	<b>6.97%</b>
<b>Average Per Cent Net Profit on Deposits..</b>	<b>.51%</b>	<b>.53%</b>	<b>.58%</b>	<b>.71%</b>	<b>1.167%</b>	<b>.64%</b>

†Thirty-eight Guaranty Fund Commission Banks and ten delayed reports not included. 893 State Banks in Nebraska June 30, 1926.

\*Total assessments levied during period aggregate six-tenths of one per cent. Deficiency arises because of different dates assessments were entered.

Compiled by Department of Trade and Commerce, Lincoln, Nebraska.



In order to obtain money to enable closed banks to function, the state bankers have subscribed to a fund known as the "Bankers Conservation Fund," which subscription has been in the ratio of their deposits, with the provision that the assessments shall not exceed one-fourth of 1 per cent of the average daily deposit of said bank during any one year and shall never exceed one-third of 1 per cent. On January 1, 1927, the guaranty fund commission were using \$546,400.00 of this money. This represents a loan made by all the banks in the state to the commission and does not bear interest, but is carried on the books of insolvent banks as a deposit and is payable from the guaranty fund when the bank is closed. The contributing banks are allowed to carry the amount advanced by such bank on their books as assets.

Under date of December 30, 1926, the secretary of the guaranty fund commission made a written report of the condition of the guaranty fund. The report is based, however, to July 1, 1926, but the condition of the fund as of January 1, 1927, is but very little different with the exception, however, that within the last six months dating from July 21, 1926, to January 1, 1927, eighteen banks were taken over by the commission, the total number January 1, 1927, being forty-four banks as against thirty-six banks on June 30, 1926.

In submitting this report, the committee can not verify the accuracy of the same, owing to the fact that it has no way of ascertaining the value of the assets in the closed and going banks operating under the guaranty fund commission, except as to the conclusions as may be drawn from the figures as submitted by the secretary of the guaranty fund commission.

The receivers certificates outstanding on January 1, 1927, totaled slightly over \$2,019,000.00. We call your attention to the fact that maximum assessments of six-tenths of 1 per cent provides a yearly revenue of about \$1,700,000.00. The valuation of the assets in the statement of June 30, 1926, is as follows:

Cash on hand.....	\$ 2,214,176.50
Assets in going concerns 65 per cent of the face value.....	6,509,733.40
Assets in receiverships	
Old 10 per cent of face value.....	330,797.86
New 25 per cent of the face value.....	1,321,423.75
Sale assets (bought at public sale).....	160,102.63
<hr/>	
Total estimated value.....	\$10,536,274.14
Total liabilities of guaranty fund.....	\$13,252,273.26
Total value of assets.....	10,536,274.14
<hr/>	
Leaving a difference of.....	\$ 2,715,999.12
Against which will be applied the realization upon contingent stockholders' liability of.....	3,588,284.07

In commenting upon the statement as heretofore set out in regard to the contingent liability of stockholders of \$3,588,284.07 the committee finds that the constitution of the state of Nebraska provides that a stockholder cannot be sued for the one hundred per cent liability on his stock until after the final liquidation of the assets of the bank. This feature

enables stockholders, due to the length of the delay in collecting the same, to dispose and scatter their property. However, this feature is being corrected by a constitutional amendment which has just passed the Senate with only two dissenting votes and has now gone to the House of Representatives for their consideration.

The committee further finds that during the last six months' period the guaranty fund commission paid off liabilities of over \$3,800,000.00 or at the rate of \$7,600,000.00 a year. At this rate the present liabilities would be cleaned up in less than two years. The statement as given by the guaranty fund commission from July 1, 1926, to December 31, 1926, under cash receipts and disbursements is as follows:

**CASH RECEIPTS AND DISBURSEMENTS**  
July 1, 1926-December 31, 1926

<b>Receipts:</b>		
Realization:		
Assets .....	\$2,770,578.58	
Supplementary Credits ....	138,841.43	\$2,909,420.01
<hr/>		
<b>Liabilities Incurred:</b>		
Receivers' Certificates .....	1,110,282.48	
Guaranty Fund .....	1,188,453.45	
Other Liabilities .....	7,175.00	2,305,910.93
<hr/>		
Other Receipts .....		1,842.05
Total Receipts .....		\$5,217,172.99
<b>Disbursements:</b>		
Liquidation:		
Receivers' Certificates .....	1,226,347.94	
Guaranty Fund .....	141,251.51	
Other Liabilities .....	3,683,069.23	5,050,668.68
Other Disbursements .....		192,686.47
Total Disbursements .....		5,243,355.15
<b>Net results shown for this period:</b>		
Liabilities (Preferred Claims) Paid .....		3,799,134.69
<b>This cash derived from:</b>		
Realization on Assets....	2,751,932.75	
Depositors' Guaranty Fund .....	..	1,047,201.94

Percentage of liquidation from assets, 72.4 per cent.

Receivership cost of collection per dollar of cash realization, 3.56 cents.

Guarantee Fund Commission,  
State of Nebraska.

This committee finds that the bank guaranty law has worked a stabilization in the general business and conditions of the State of Nebraska; that the general public are strong in support of the law; that the objections come largely from the larger bankers of the state who are compelled by virtue of their deposits to pay six-tenths of 1 per cent of the amount of their average daily deposits in any one year to the bank guaranty fund. The majority of the persons owning small banks are in favor of the bank guarantee law. However, the owner of the largest state bank in Nebraska is favorable to the law.

There is one feature that is objectionable, and that is the fact that when

a bank is closed, or operated as a going concern that the receiver in charge has little or no help from the depositors in collecting the assets of the bank, feeling that they have no direct interest in the same. It is further evident that the managing officer of a closed bank is not censured by the general public in regard to mismanagement of the bank, or otherwise, as he is in other states where the depositors in the community are the losers.

Under the laws of Nebraska the public funds are deposited in the state banks without requiring the banks to furnish bonds for the protection of the same. Due to the bank guaranty law no runs are made on state banks caused by the uneasiness or fear of the safety of money.

This committee further finds that due to the bank guaranty law that a considerable amount of money is deposited in the state banks of Nebraska by persons living without the state, especially is this true where state banks are located in towns adjacent to the state line. As shown by the facts heretofore set out, the state of Nebraska does not itself guarantee deposits in state banks but the funds are derived from the assessments from state banks.

#### SOUTH DAKOTA

The members of the committee who investigated the banking laws of the state of South Dakota and especially the effect of the guaranty law in that state, find that the same has been a failure.

Under the provisions of the South Dakota law the maximum assessment in any one year was one-fourth of 1 per cent. Prior to the deflation period in 1920 any person who had the necessary capital could organize a state bank. The managing officers were unlicensed, and as a result after the enactment of the bank guaranty law, numerous new banks were organized.

In the deflation period after 1920 the banks began to fail in large numbers and the guaranty fund was far from adequate to pay the depositors. As a result no depositor has any faith in the law.

In the election in 1926 the voters of South Dakota voted on the question of the repeal of the bank guaranty law in that state, but the measure was lost and the law was not repealed.

The State Legislature of South Dakota has just adopted certain measures providing for the building of a reserve fund by each state bank, to an amount equal to its capital stock. The same to be invested in bonds and securities approved by the banking commission and the bank subscribing to such fund.

#### KANSAS

After leaving Lincoln, Nebraska, two members of the committee, visited Topeka, Kansas and made an investigation of the banking situation and the working of the bank guaranty act. This act was passed on June 20th, 1909. It was recommended at the suggestion of the asso-

ciation of the state bankers for the reason that they felt that the national banks by reason of federal names and supervision, stood higher in the confidence of the public.

The only requirement was that a bank should have been in operation one year before being taken under the guaranty law. Membership was made optional. About 700 of the 1200 state banks came in under this law. 140 banks were instituted shortly after the law went into effect and waited their full year of probation to enter the guaranty system. The banking department had no power to refuse a charter to any applicant who subscribed for the necessary amount of capital and complied with the general provisions of the articles of incorporation.

The assessments of one-twentieth of 1 per cent of its deposits were required until a guaranty fund of \$500,000.00 was paid into the state treasury. Only five assessments which totaled one-fourth of 1 per cent could be levied in one year. Each member was required to deposit a pledge bond of \$500.00 with the treasurer of state on each \$100,000.00 of its deposits.

Until the panic caused by the deflation in the year 1919, but few banks failed. When banks began to fail, the reserve fund was soon depleted. To restore the fund, the bank commissioner was compelled to make the five assessments as provided by law, without distributing them through the year. There was no provision for using participating certificates and the depositors of closed banks failed to receive, from the guaranty fund, sufficient money to cover their losses. This discouraged the depositors and the method by which the five assessments were made, caused a revolt against the guaranty law. A number of the large banks in Topeka and other large banking centers had requested their correspondent banks not to become members of the guaranty system.

The Topeka Security Company was organized for the purpose of insuring the deposits of the state banks not under the guaranty law. This association numbered in round numbers, 150 banks. The charge for this service was \$1.00 per annum for each \$1000.00 deposit. This company had at its command, the service of the highest class assistant selected from the various city banks who made a thorough examination of the responsibility assets and management of applicants. Applicants who did not reach these requirements were rejected until they complied with the rigid requirements. Report of the association exhibited to your committee showed that not a single failure occurred in this system during the period this company carried on its insurance business.

To offset the prestige of banks under the state guaranty law and their associations above mentioned, the Mutual Insurance Association of Banks was organized by a group of banks throughout the state. These associations seemed to have been wanting in rigid requirements and supervision and gradually failed after a number of failures and especially after a member bank of the Wichita clearing association had closed its doors,

It was the intention of the legislature that the guaranty bond mentioned herein was to provide for the prompt payment of annual assessments. The withdrawal from the state guaranty system required the posting of notices six months in advance and under the law it was contemplated that the annual assessments should be continued during this six month period. The supreme court of the state decided the forfeiture of the bonds was the end of the bank's responsibility. This saved many thousands of dollars to withdrawing banks and caused the immediate withdrawal of a large per cent of the member banks and wrecked the confidence of banks and depositors. There are less than 100 banks still making the required assessments.

Your committee conferred with a number of the members of the legislature and others in addition to members of the banking department who substantiated the facts herein set forth. The experience of the Topeka Security Company and the various mutual associations and the clearing house associations, emphasized the necessity of rigid examination and the purpose of the banking department to limit the number of banks necessary to serve a given community.

Effort is being made in Kansas to make the banking department independent. A number of bills have been introduced looking to a better guaranty law and to secure the services of permanent examiners by providing higher salaries and retaining the services of successful examiners.

We were informed that the experienced and successful men were induced to leave the department by more attractive positions offered by other banks and institutions. Your committee was given valuable assistance by the banking department, members of the legislature and by men associated with the large banking institutions of the city of Topeka.

The banking department recommended more rigid laws for organization of new banks, heavy penalties for banks making loans to their officers and the preservation of their legal reserve, and a law prohibiting the hypothecating of their capital stock and requiring assurance that their 100 per cent assessment would be promptly paid.

In an effort to ascertain the condition of the Kansas Bank Guaranty Law, your committee conferred with a number of the larger state and national banks in Topeka. They also had the privilege of conferring with members of the legislature, many of whom were bankers. They all agreed that the \$500,000.00 guaranty fund deposited with the state treasurer was inadequate. That assessments should have been allowed to gradually build up a large reserve during the prosperous years before speculation set in. They believed that this would have carried them through the crisis and not made it necessary to resort to the full number of assessments allowed in any one year. The department stated that their inability to prevent the opening of weak and inefficiently managed banks was not only a detriment to the guaranty system, but to the banking conditions in general. They are recommending that the legislature improve their examiners by providing for higher salaries and some plan

of promotion which the efficient examiners may be rewarded by, thus giving them better supervision.

#### MINNESOTA

From reports received from Minnesota, they have several bills providing for a bank guaranty law. One of the bills, Senate File No. 441, is fashioned much after the Nebraska guaranty law. Another bill, Senate File No. 638, provides for a depositors' protective fund which is in the form of insurance to be paid by the depositor. A resolution has been passed by the Minnesota legislature providing for an investigating committee to be sent to Nebraska for the purpose of investigating the bank guaranty law in that state.

Respectfully submitted,

ED H. CAMPBELL,  
LAFE HILL,  
THOS. L. WOLFE.

On motion of Senator Stoddard the Senate adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 9, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Senator Lloyd Ellis, pastor of the First Christian Church, of Moulton, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Brush, from business men and citizens of Toledo, favoring bill providing for a penalty for issuance of bad checks. Judiciary No. 1.

By Senator Klemme, from Calamar community club, favoring the bill providing for McGregor-Prairie du Chien bridge. Boundary bridges.

By Senator Browne, from voters of Bellevue, opposing change in the present administration of the fish and game department. Fish and game.

By Senator Fackler, from voters of Taylor county, opposing control of highway commission over primary road system. Highways.

By Senator Fackler, from voters of Adams county, opposing control of highway commission over primary road system. Highways.

By Senator Dean, from residents of Iowa, opposing any change in the present administration of the fish and game department. Fish and game.

By Senator Gunderson, from voters of Worth county, opposing income tax law. Ways and means.

By Senator McFarlane, from voters of Waterloo, favoring bank guarantee act. Banks and banking.

By Senator Wilson of Polk, from citizens of Polk county, opposing bill taxing tobacco and tobacco products. Dairy and food.

By Senator Merritt, from citizens of Iowa, opposing taxing of tobacco and tobacco products. Dairy and food.

By Senator Klemme, from members of dental organization of Cresco, opposing amendment to the Perkins Haskell-Klaus law in regard to medical schools. Educational institutions.

By Senator Fulton, from board of supervisors of Van Buren county, opposing change in the present system of county homes. Public health.

By Senator Fulton, from board of supervisors of Jefferson county, opposing change in the present system of county homes. Public health.

By Senator Kern, from citizens of Warren county, opposing a bill taxing tobacco and tobacco products. Dairy and food.

By Senator Dotts, from members of Farm bureau of Lucas county, favoring state income tax law. Ways and means.

By Senator Dotts, from citizens of Wayne county, opposing control of highway commission over primary road system. Highways.

By Senator Lange, from Alumni of the State University of Iowa, of Dubuque county, opposing change in the Perkins act, relating to the medical college. Public health.

By Senator Shinn, from voters of Harrison county, favoring bank guarantee act, opposing additional tax on tobaccos, and favoring bill in regard to bridges. Banks and banking.

By Senator Baird, from voters of Pottawattamie county, opposing additional tax on tobaccos and tobacco products. Dairy and food.

By Senator McFarlane, from Alumni of the State University of Iowa of Black Hawk county, opposing the Wamstad act, providing for an amendment to the Perkins, Klaus-Haskell acts, in relation to indigents of hospitals under state care. Public health.



By Senator Hartman, from citizens of Iowa, opposing a bill taxing tobacco and tobacco products. Dairy and food.

By Senator Hartman, from voters of Fayette county, favoring a bank guarantee act. Banks and banking.

By Senator McFarlane, from voters of the state, opposing a bill taxing tobacco and tobacco products. Dairy and food.

#### INTRODUCTION OF BILLS

Senate File No. 293, by Senator Clark, a bill for an act to amend section 6949 (six thousand nine hundred and forty-nine) of the code relating to exemptions by board of supervisors for military services.

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

Senate File No. 294, by Senator Merritt, a bill for an act to amend section forty-one hundred sixty-six (4166) of the code, relating to the organization of consolidated school districts and the vote thereon in urban territory.

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

Senate File No. 295, by committee on highways, a bill for an act to provide for the permanent transfer of county, city and town funds, to amend section three hundred eighty-eight (388) of the code and repeal sections six thousand two hundred fifteen (6215) and six thousand two hundred sixteen (6216) of the code relating to transfer of funds.

Read first and second times and placed on the calendar.

Senate File No. 296, by committee on conservation, a bill for an act to authorize the Executive Council to exchange certain lands in Madison County, Iowa, at Devil's Backbone State Park for other lands belonging to one C. L. Gray.

Read first and second times and placed on the calendar.

Senate File No. 297, by Senator Benson, a bill for an act to repeal section forty-three hundred forty-nine (4349) of the code as amended by chapter ninety-two (92), acts forty-first (41st) general assembly and to enact a substitute therefor, relating to the education of deaf children.

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

#### REPORTS OF COMMITTEES

Senator Stoddard submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations to which was referred Senate File No. 99, a bill for an act to make an appropriation to pay a claim of the city of Iowa City, Iowa, for interest due said city under the caption of chapter 249, acts of the 41st General Assembly, and erroneously computed, begs leave to report it has had the same under consideration and recommends the same do pass.

**B. M. STODDARD, Chairman.**

Ordered passed on file.

Senator Shaff submitted the following report:

**MR. PRESIDENT:** Your committee on highways to which was referred Senate File No. 187, a bill for an act to levy an additional license fee on gasoline sold in the state of Iowa to provide additional primary road 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:

Amend by adding the following:

Sec. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Newton Daily News, a newspaper published in Newton, Iowa, and the Oskaloosa Herald, a newspaper published in Oskaloosa, Iowa.

**J. O. SHAFF, Chairman.**

Ordered passed on file.

#### S. F. 169 WITHDRAWN

By unanimous consent on request of Senator Fackler Senate File No. 169 was withdrawn from further consideration.

#### SENATE CONCURRENT RESOLUTION NO. 24

Senator Wilson of Polk offered the following resolution:

*Whereas*, It is apparent that the flags carried by the Spanish-American War Veterans during the war with Spain are inadequately and inappropriately located, and

*Whereas*, The flags carried by the Iowa soldiers during the late World War have no location in the State House, and

*Whereas*, It is the opinion of the General Assembly that the flags of both organizations should have an adequate and appropriate location.

*Now, Therefore, Be It Resolved by the Senate, the House concurring,* That a committee of three from the Senate to be appointed by the President of the Senate, and a committee of three from the House, to be appointed by the Speaker of the House of Representatives, be appointed to make a survey of the possibilities and the advisability of locating the flags of said organizations at some suitable place in the State House, and be it further resolved that said committee be and they are hereby instructed to report back to this General Assembly their recommendations for the location of said flags.

The resolution was laid over under the rules.

### THIRD READING OF BILLS

On motion of Senator Johnston, Senate File No. 248, a bill for an act to amend Section six thousand six hundred twenty-one (6621) and Section six thousand six hundred twenty-two (6622) of the code, relating to the population of cities and the number of councilmen 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 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, 42.**

Baird	Clark	Johnston	Rigby
Beatty	Clearman	Kern	Shaff
Benson	Dotts	Kimberly	Shane
Bergman	Ellis	Klemme	Shinn
Booth	Fackler	Lange	Skromme
Brookins	Frailey	Langfitt	Slemmons
Browne	Fulton	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Ulstad
Carden	Hartman	Ramsey	Wilson of Polk
Cavanaugh	Haskell		

**Nays, none.**

**Absent or not voting, 7.**

Breakenridge	Dean	Roberts	Wilson of Page
Darting	Mills	Stanley	

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

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, Senate File No. 177, a bill for an act to promote the use of materials, products and supplies produced, manufactured or made in Iowa in the construction, repair, maintenance and upkeep of any public buildings, public monuments, public structures, or additions thereto; also to require the use of only such materials, supplies and provisions in the maintenance and provisioning of any state, county, school district or other municipal institution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The time having arrived for the consideration of a special order, further action was deferred.

#### HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration Senate File No. 104, amended by the House.

The amendments to House amendments, filed by Senator Shaff, were taken up and considered. (House amendments found on page 540 of the Senate journal.)

The following amendment was considered.

1. Amend the amendment of Haney of Mills as the same appears in the House Journal of February 21 (twenty-one), page 565 (five hundred sixty-five) by striking from line two (2) thereof the word "three" and substituting in lieu thereof the word "five".

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

Senator Gilchrist offered the following amendment as a substitute amendment and moved its adoption:

Amend by striking out all of section 5 as it now appears in the bill as amended by the House.

President Kimball resumed the chair at 10:21 a. m.

On the question "Shall the substitution be made?" the vote was:

**Ayes, 17.**

Brookins	Gilchrist	Klemme	Skromme
Browne	Gunderson	McLeland	Slemmons
Dean	Hartman	Merritt	Stanley
Dotts	Kern	Shinn	Ulstad
Fulton			

**Nays, 80.**

Baird	Cavanaugh	Johnston	Roberts
Beatty	Clark	Kimberly	Shaff
Benson	Clearman	Lange	Shane
Bergman	Darting	Langfitt	Stoddard
Booth	Ellis	McFarlane	Topping
Brush	Fackler	Mills	Wilson of Page
Campbell	Frailey	Ramsey	Wilson of Polk
Carden	Haskell		

**Absent or not voting, 2.**

Breakenridge      Rigby

The substitute was lost.

On the question "Shall amendment No. 1 be adopted?" the vote was:

**Ayes, 36.**

Baird	Clearman	Johnston	Roberts
Beatty	Darting	Kimberly	Shaff
Benson	Dean	Lange	Shane
Bergman	Dotts	Langfitt	Slemmons
Booth	Ellis	McFarlane	Stanley
Brush	Frailey	McLeland	Stoddard
Carden	Fulton	Merritt	Topping
Cavanaugh	Gilchrist	Ramsey	Wilson of Page
Clark	Haskell	Rigby	Wilson of Polk

**Nays, 8.**

Brookins	Campbell	Mills	Skromme
Browne	Klemme	Shinn	Ulstad

**Absent or not voting, 5.**

Breakenridge      Gunderson      Hartman      Kern  
Fackler

Amendment No. 1 was adopted.

The following amendment was considered:

2. Amend the amendment by Hubbard and Green of Pottawattamie as the same appears in the House Journal of February nineteen (19), page 554 (five hundred fifty-four) by adding to section forty (40) the

following: "The provisions of sections 38 (thirty-eight), thirty-nine (39) and 40 (forty) of this act shall not affect the terms for which appointments were made and confirmed on February ten (10), 1927."

By unanimous consent on request of Senator Stoddard, Senator Dean was excused from voting on this amendment under rule 8.

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

Amend the amendment by adding thereto the following: "and the appointees so confirmed may qualify at any time on or before April 20, 1927."

Senator Gilchrist withdrew his amendment to the amendment.

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

Amend the amendment by adding thereto the following: "and the appointees so confirmed may qualify at any time within five days after the final adjournment of the Forty-second General Assembly."

The amendment to the amendment was adopted.

On the question "Shall amendment No. 2 be adopted?" the vote was:

Ayes, 45.

Baird	Clearman	Johnston	Rigby
Beatty	Darting	Kern	Roberts
Benson	Dotts	Kimberly	Shaff
Bergman	Ellis	Klemme	Shane
Booth	Fackler	Lange	Skromme
Brookins	Frailey	Langfitt	Slemmons
Browne	Fulton	McFarlane	Stanley
Brush	Gilchrist	McLeland	Topping
Campbell	Gundersen	Merritt	Ulstad
Carden	Hartman	Mills	Wilson of Page
Cavanaugh	Haskell	Ramsey	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 4.

Breakenridge	Dean	Shinn	Stoddard
--------------	------	-------	----------

Amendment No. 2, as amended, was adopted.

The following amendments were considered:

3. Amend the amendment by Craig of Warren as the same appears in

the House Journal of February 23 (twenty-three), page 621 (six hundred twenty-one) by striking from lines one (1) and two (2) thereof the words and figures "thirty-eight (38)" and substituting in lieu thereof the words and figures "forty-two (42)."

4. Amend the amendment by W. S. Kennedy of Lee as the same appears in the House Journal of February 21 (twenty-one) page five hundred eighty (580), by striking from line one (1) the words and figures "thirty-eight (38)" and substituting in lieu thereof the words and figures "forty-three (43)."

On the question "Shall amendments Nos. 3 and 4 be adopted?" the vote was:

Ayes, 47.

Baird	Clearman	Johnston	Shaff
Beatty	Darting	Kern	Shane
Benson	Dean	Kimberly	Shinn
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stanley
Browne	Frailley	McLeland	Stoddard
Brush	Fulton	Merritt	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark	Haskell	Roberts	

Nays, none.

Absent or not voting, 2.

Breakenridge      Klemme

Amendments Nos. 3 and 4 were adopted.

On motion of Senator Shaff further action was deferred until afternoon.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 177.

The amendment filed by Senator Fulton, found on page 528 of the Senate journal was considered.

Senator Lange moved the previous question, which motion prevailed.

The amendment was 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, 41.

Baird	Darting	Kimberly	Roberts
Benson	Dean	Klemme	Shaff
Bergman	Ellis	Lange	Shane
Booth	Fackler	Langfitt	Shinn
Brush	Frailey	McFarlane	Slemmons
Campbell	Fulton	McLeland	Stanley
Carden	Gunderson	Merritt	Stoddard
Cavanaugh	Haskell	Mills	Topping
Clark	Johnston	Ramsey	Ulstad
Clearman	Kern	Rigby	Wilson of Page
			Wilson of Polk

Nays, 3.

Browne	Dotts	Skronme
--------	-------	---------

Absent or not voting, 5.

Beatty	Brookins	Gilchrist	Hartman
Breakenridge			

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 Rigby, House File No. 189, a bill for an act to amend section thirty-seven hundred fifty-seven (3757) of the Code, 1924, relating to the employment of prisoners, having been substituted for Senate File No. 192, a committee bill, was taken up and considered.

Senator Topping offered the following amendment and moved its adoption:

Amend by adding thereto as Section 2, the following:

Sec. 2. All garments made by prison labor and put on the open market shall be labeled "Made by prison labor."

Senator Topping invoked rule 8.

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

Ayes, 23.

Beatty	Ellis	McLeland	Stanley
Brookins	Fackler	Mills	Topping
Browne	Frailey	Shane	Ulstad
Campbell	Gilchrist	Shinn	Wilson of Page
Clark	Haskell	Skronme	Wilson of Polk
Clearman	Lange	Slemmons	



Nays, 25.

Baird	Darting	Johnston	Merritt
Benson	Dean	Kern	Ramsey
Bergman	Dotts	Kimberly	Rigby
Booth	Fulton	Klemme	Roberts
Brush	Gunderson	Langfitt	Shaff
Carden	Hartman	McFarlane	Stoddard
Cavanaugh			

Absent or not voting, 1.

Breakenridge

The amendment was lost.

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

### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### SENATE FILE NO. 104 MADE SPECIAL ORDER

Senator Shaff moved that further action on the amendments to Senate File No. 104 be deferred until 10 a. m. Thursday, which motion prevailed.

### THIRD READING OF BILLS

The Senate resumed consideration of House File No. 189.

Senator Haskell offered the following amendment and moved its adoption:

Amend by adding as section 2 the following:

Sec. 2. The first paragraph of section thirty-seven hundred fifty-seven (3757) is hereby amended by adding thereto the following: "prisoners classed as trustees may be employed under proper supervision in the repair and construction of bridges and primary roads and in the repair and construction of walks and driveways within state parks."

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

Ayes, 20.

Beatty	Clark	Haskell	Skromme
Brookins	Clearman	Lange	Stanley
Browne	Fackler	McLeland	Topping
Brush	Gilchrist	Shane	Ulstad
Campbell	Hartman	Shinn	Wilson of Polk

Nays, 25.

Benson	Dotts	Klemme	Rigby
Bergman	Fulton	Langfitt	Roberts
Booth	Gunderson	McFarlane	Shaff
Carden	Johnston	Merritt	Slemmons
Cavanaugh	Kern	Mills	Stoddard
Darting	Kimberly	Ramsey	Wilson of Page
Dean			

Absent or not voting, 4.

Baird	Breakenridge	Ellis	Frailey
-------	--------------	-------	---------

The amendment was lost.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following: "Section 1. The law as it appears in section 3757 of the code be and the same is hereby amended by striking out the figures "1927" in line 19 thereof and inserting in lieu thereof the figures "1929".

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

Ayes, 16.

Beatty	Ellis	Haskell	Stoddard
Browne	Fackler	McLeland	Topping
Campbell	Gilchrist	Shinn	Wilson of Page
Dotts	Hartman	Stanley	Wilson of Polk

Nays, 27.

Benson	Hearman	Klemme	Rigby
Bergman	Darting	Lange	Roberts
Booth	Dean	Langfitt	Shaff
Brush	Fulton	McFarlane	Shane
Carden	Gunderson	Merritt	Skromme
Cavanaugh	Johnston	Mills	Slemmons
Clark	Kimberly	Ramsey	

Absent or not voting, 6.

Baird	Brookins	Kern	Ulstad
Breakenridge	Frailey		

The amendment was lost.

The bill was read for information.

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

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

**Ayes, 25.**

Baird	Darting	Kern	Ramsey
Benson	Dean	Kimberly	Rigby
Bergman	Dotts	Langfitt	Roberts
Booth	Fulton	McFarlane	Shaff
Brush	Gunderson	Merritt	Slemmons
Carden	Johnston	Mills	Wilson of Page
Cavanaugh			

**Nays, 21.**

Beatty	Fackler	Lange	Stanley
Brookins	Gilchrist	McLeland	Stoddard
Browne	Hartman	Shane	Topping
Campbell	Haskell	Shinn	Ulstad
Clark	Klemme	Skromme	Wilson of Polk
Clearman			

**Absent or not voting, 3.**

Breakenridge      Ellis      Frailey

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Browne moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

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

**Ayes, 17.**

Brookins	Fackler	Lange	Skromme
Browne	Gilchrist	McLeland	Stanley
Campbell	Hartman	Shane	Topping
Clark	Haskell	Shinn	Ulstad
Clearman			

**Nays, 29.**

Baird	Dean	Kern	Ramsey
Benson	Dotts	Kimberly	Rigby
Bergman	Ellis	Klemme	Roberts
Booth	Frailey	Langfitt	Shaff
Brush	Fulton	McFarlane	Slemmons
Carden	Gunderson	Merritt	Stoddard
Cavanaugh	Johnston	Mills	Wilson of Page
Darting			

**Absent or not voting, 3.**

Beatty      Breakenridge      Wilson of Polk

The motion to lay on the table was lost.

## Nays, 25.

Benson	Dotts	Klemme	Rigby
Bergman	Fulton	Langfitt	Roberts
Booth	Gunderson	McFarlane	Shaff
Carden	Johnston	Merritt	Slemmons
Cavanaugh	Kern	Mills	Stoddard
Darting	Kimberly	Ramsey	Wilson of Page
Dean			

## Absent or not voting, 4.

Baird	Breakenridge	Ellis	Frailey
-------	--------------	-------	---------

The amendment was lost.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following: "Section 1. The law as it appears in section 3757 of the code be and the same is hereby amended by striking out the figures "1927" in line 19 thereof and inserting in lieu thereof the figures "1929".

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

## Ayes, 16.

Beatty	Ellis	Haskell	Stoddard
Browne	Fackler	McLeland	Topping
Campbell	Gilchrist	Shinn	Wilson of Page
Dotts	Hartman	Stanley	Wilson of Polk

## Nays, 27.

Benson	McFarman	Klemme	Rigby
Bergman	Darting	Lange	Roberts
Booth	Dean	Langfitt	Shaff
Brush	Fulton	McFarlane	Shane
Carden	Gunderson	Merritt	Skromme
Cavanaugh	Johnston	Mills	Slemmons
Clark	Kimberly	Ramsey	

## Absent or not voting, 6.

Baird	Brookins	Kern	Ulstad
Breakenridge	Frailey		

The amendment was lost.

The bill was read for information.

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

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

**Ayes, 25.**

Baird	Darting	Kern	Ramsey
Benson	Dean	Kimberly	Rigby
Bergman	Dotts	Langfitt	Roberts
Booth	Fulton	McFarlane	Shaff
Brush	Gunderson	Merritt	Slemmons
Carden	Johnston	Mills	Wilson of Page
Cavanaugh			

**Nays, 21.**

Beatty	Fackler	Lange	Stanley
Brookins	Gilchrist	McLeland	Stoddard
Browne	Hartman	Shane	Topping
Campbell	Haskell	Shinn	Ulstad
Clark	Klemme	Skromme	Wilson of Polk
Clearman			

**Absent or not voting, 3.**

Breakenridge      Ellis                      Frailey

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Browne moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

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

**Ayes, 17.**

Brookins	Fackler	Lange	Skromme
Browne	Gilchrist	McLeland	Stanley
Campbell	Hartman	Shane	Topping
Clark	Haskell	Shinn	Ulstad
Clearman			

**Nays, 29.**

Baird	Dean	Kern	Ramsey
Benson	Dotts	Kimberly	Rigby
Bergman	Ellis	Klemme	Roberts
Booth	Frailey	Langfitt	Shaff
Brush	Fulton	McFarlane	Slemmons
Carden	Gunderson	Merritt	Stoddard
Cavanaugh	Johnston	Mills	Wilson of Page
Darting			

**Absent or not voting, 3.**

Beatty                      Breakenridge      Wilson of Polk

The motion to lay on the table was lost.

## INTRODUCTION OF BILLS

Senate File No. 298, by Senator Kimberly, a bill for an act to amend, revise and codify sections six hundred forty-two (642) and six hundred forty-three (643) of the code, 1924, relating to nominations by primary elections in certain cities and to provide the time of holding city conventions.

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

Senate File No. 299, by Senator McFarlane, a bill for an act to repeal section seventy-two hundred eighty-four (7284) of the Code, 1924, and to enact a substitute therefor, relating to the issuance of tax deeds, and requiring the payment of all unpaid taxes including special assessments due and unpaid and requiring the redemption from any subsequent tax sale before issuance of a tax deed.

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

Senate File No. 300, by Senator McFarlane, a bill for an act to amend section seventy-two hundred fifty-five (7255) of the Code, 1924, relating to notice and sale of prior advertised property for taxes, and to allow the county to become a purchaser at such tax sale.

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

Senate File No. 301, by Senator McFarlane, a bill for an act to require the payment of delinquent taxes and all other taxes including special assessments which are then due before any instrument conveying real estate can be filed in the office of the county recorder in the county in which the real estate lies.

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

Senate File No. 302, by Senator Stoddard, a bill for an act to amend section 9340 of the Code, 1924, relating to building and loan associations, their organization and regulation and the examination thereof.

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

Senate File No. 303, by Senator Stoddard, a bill for an act to repeal section 9346 of the Code, 1924, and to enact a substitute therefor, relating to building and loan associations, their organization and regulation and the examination thereof.

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

Senate File No. 304, by Senator Haskell, a bill for an act to authorize the maintenance and upkeep of law libraries belonging to a county, the cost thereof to be paid from the general fund.

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

Senate File No. 305, by Senator Shaff, a bill for an act to amend section four thousand seven hundred forty-eight (4748) of the code, relating to improvement of township roads.

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

Senate File No. 306, by Senator Cavanaugh, a bill for an act to repeal section ten thousand eight hundred forty-eight (10848) and to amend section ten thousand eight hundred forty-nine (10849) of the code, relative to jury commissions.

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

Senate File No. 307, by Senator Wilson of Polk, a bill for an act to repeal the law as it appears in Chapter One Hundred Sixty-nine (169), Acts of the 41st General Assembly relating to co-insurance.

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

Senate File No. 308, by Senators Mills and Booth, a bill for an act to amend section fifty-three hundred eighty-seven (5387) of the code, relating to the membership of the soldiers' relief commission.

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

Senate File No. 309, by Senator Frailey, a bill for an act to amend section 9087 of the code of 1924, relating to the bringing

of actions against reciprocal or interinsurance exchanges and upon reinsurance and interinsurance contracts.

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

#### REPORTS OF COMMITTEE

Senator Cavanaugh submitted the following reports:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 110, a bill for an act to amend section 4056 (four thousand fifty-six) of the code relating to the collection of charges certified to the county treasurer by the state entomologist, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 82, a bill for an act to amend section 10220 (ten thousand two hundred twenty) of the code relative to escheated lands, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 81, a bill for an act to repeal section 7399 (seventy-three hundred ninety-nine) of the code, relating to defaults by county treasurers, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 173, a bill for an act to repeal section ten thousand eight hundred forty-one (10,841) of the code, relating to the salary of the clerk of the district court, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was re-



ferred House File No. 109, a bill for an act to amend section 4536 (forty-five hundred thirty-six) of the code relating to the state library commission, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on code revision to which was referred House File No. 111, a bill for an act to amend section 10441 (ten thousand four hundred forty-one) of the code relating to returns of marriage, begs leave to report it has had the same under consideration and recommends the same do pass.

E. E. CAVANAUGH, *Chairman*.

Ordered passed on file.

#### MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which amendments 1, 2, 3, and 4 to House amendments to Senate File No. 104 passed the Senate.

J. O. SHAFF.

MR. PRESIDENT: I move to reconsider the vote by which H. F. No. 189 failed to pass the Senate.

B. M. STODDARD.

#### AMENDMENTS FILED

I move to amend Senate File No. 262 by striking out all of lines 4, 5 and 6 and substituting therefor the following: "By inserting a period after the word 'state' in the fifth line and striking the remainder of the section."

C. J. FULTON.

I move to amend the House amendment to Section Five of Senate File No. 104 by striking therefrom the following:

"provided, however, that any county that has received, or will receive during the year 1927 primary road money for use on secondary roads, the amount of such primary road money so received by such county and used on the secondary roads shall be deducted from the amount of refunds provided for herein."

F. C. GILCHRIST.

I move that section 15 of Senate File No. 118 be amended by striking out all of said section 15 and substituting in lieu thereof the following:

"Sec. 15. Right of Appeal. The Executive Council is hereby given appellate power and jurisdiction to hear and determine all appeals taken

under the provisions of this act and to make all orders respecting such appeals.

“Any person whose property rights are prejudicially affected by any order, rule, or regulation of the State Entomologist shall have the right of appeal to the Executive Council within 10 days after he has been served with notice of such order, rule, or regulation, by serving written notice of his appeal on the State Entomologist or any of his inspectors, agents, or employees. When such appeal has been taken, a copy of the notice of appeal together with the proof of service thereof shall be immediately sent to the secretary of the Executive Council who shall at once fix a time and place for the hearing of said appeal and shall give not less than 5 days notice thereof by registered mail to the appellant and the State Entomologist. On the hearing of such appeal depositions and affidavits shall be considered competent evidence of any fact pertinent to said appeal.”

D. L. WILSON.

I move to amend House File No. 42 as follows:

Re-number Sec. 15 to read: “Sec. 16.” and insert as section fifteen the following:

“Sec. 15. Amend Section five (5) of Chapter One Hundred Seventy-three (173) of the Acts of the Forty-first (41) General Assembly, by adding at the end thereof the following:

“However, no suit shall be maintained upon any such bond if the money was legally deposited by authority of the governing council or board, and no premium has been paid for the bond.”

D. L. WILSON.

I move to amend House File No. 59 by striking out the word “or” immediately after the word “poultry” in the second line of Section One and inserting in lieu thereof a comma. I further move to amend said Section One by inserting the words “or swine” immediately after the word “fowls” in line three.

I further move to amend House File No. 59 by striking from line four in Section Three thereof the word “or” and inserting in lieu thereof a comma and that said Section Three of House File No. 59 be further amended by inserting after the word “fowls” in the fourth line of Section Three thereof the words “or swine”.

D. L. WILSON.

The journal of March 8th was corrected and approved.

On motion of Senator Browne the Senate adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 10, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Chas. A. Richards, pastor of the Methodist Episcopal church of Odebolt, Iowa.

## PETITIONS AND MEMORIALS

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

By Senator Merritt, from voters of Sac county, opposing state bond issue, and favoring a bank guarantee act. Highways.

By Senator Merritt, from voters of Greene county, opposing control of highway commission over primary road system. Highways.

By Senator Ulstad, from voters of Wright county, opposing control of highway commission over primary road system. Highways.

By Senator Baird, from voters of Pottawattamie county, opposing bond issue, and favoring bank guarantee act. Highways.

By Senator Booth, from voters of Shelby county, opposing a bill taxing tobaccos and tobacco products. Dairy and food.

By Senator Brookins, from voters of Chickasaw county, opposing a bill taxing tobaccos and tobacco products. Dairy and food.

By Senator Langfitt, from voters of Adair county, opposing bill taxing tobaccos and tobacco products. Dairy and food.

By Senator Brush, from voters of Benton county, opposing a bill taxing tobacco and tobacco products. Dairy and food.

By Senator Booth, from voters of Shelby county, opposing control of highway commission over primary road system. Highways.

By Senator Cavanaugh, from voters of Webster county, opposing bills taxing cigars and tobacco and cigarettes and near beer. Dairy and food.

By Senator Cavanaugh, from voters of Calhoun county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Cavanaugh, from voters of Webster county, favoring income tax bill. Ways and means.

By Senator Mills, from voters of Audubon county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Shinn, from voters of Crawford county, opposing control of highway commission over primary road system. Highways.

By Senator Stanley, from voters of Mahaska county, opposing state bond issue and favoring a bank guarantee act. Highways.

By Senator Faekler, from voters of Taylor county, opposing bond issue. Highways.

By Senator McLeland, from voters of Marshall county, opposing state bond issue and favoring a bank guarantee act. Highways.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 76, 44, 87, 23, 60, 184, 85.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 76, 44, 87, 23, 60, 184, and 85.

## INTRODUCTION OF BILLS

Senate File No. 310, by committee on military affairs, a bill for an act to authorize the executive council to transfer funds and to use certain funds for preservation of Iowa war flags.

Read first and second times and placed on the calendar.

Senate File No. 311, by Senator Wilson of Page, a bill for an act to amend section 4182 (four thousand one hundred eighty-two) of the Code relating to contracts for transportation of children of school age.

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

Senate File No. 312, by Senator Browne, a bill for an act to amend section eight thousand six hundred and thirteen (8613) of the Code, relating to the general powers and duties of the Insurance Commissioner, and authorizing him to call special meetings of the stockholders of mutual insurance companies.

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

Senate File No. 313, by Senator Cavanaugh, a bill for an act to legalize the proceedings of the Webster County Board of Supervisors with respect to the transfer of certain funds from the Webster County Bridge fund to the Webster County Road fund.

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

Senate File No. 314, by Senator Baird, a bill for an act to repeal section four thousand sixty-eight (4068) of the Code, 1924, relating to the superintendent of the School for the Deaf located at Council Bluffs, Iowa.

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

Senate File No. 315, by committee on claims, a bill for an act to reimburse Bu Lohan County, Iowa, for money expended in the care of a state patient at the Hospital for the Insane at Independence, Iowa, and making appropriation to pay the same.

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

## S. F. 61 RECALLED FROM COMMITTEE

By unanimous consent on request of Senator Wilson of Page, Senate File No. 61 was recalled from the committee on judiciary No. 1 and placed on the calendar.

## REPORTS OF COMMITTEES

Senator Rigby submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File No. 257, a bill for an act authorizing the exchange of certain real estate now constituting a part of Dolliver Memorial State Park in Webster City, Iowa, for other real estate, begs leave to report it has had the same under consideration and recommends the same do pass.

C. L. RIGBY, *Chairman*.

Ordered passed on file.

Senator Stanley submitted the following reports:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 285, a bill for an act to amend section 4268 of the code, 1924, relating to school age, and section 4273 of the code, 1924, relating to the payment of tuition in public schools, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 247, a bill for an act relative to pension and annuity retirement system for public school teachers, 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 "ten" in the fourth line thereof and inserting the word "fifty".

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Senator Gilchrist submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 155, a bill for an act to provide the conditions on which judgments may be entered on written instruments, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred House File No. 61, a bill for an act relating to the selection of lists of jurors, and waiver of defects in the manner of their selection, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 227, a bill for an act to repeal sections 13047, 13048, and 13049, relating to the false drawing or uttering of checks, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 280, a bill for an act to amend sections 5177 and 10115 of the Code, 1924, relating to marginal assignments or releases of mortgages, contracts or other instruments constituting encumbrances on real estate, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 251, a bill for an act to amend the law as it appears in section eighteen hundred sixty-two (1862), and chapter eighty-nine (89) of Title V of the Code relating to the licensing of civil engineers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass.

Amend Section 2 by striking out the word "fifteen" in the twentieth line of said section and inserting in lieu thereof the word "eighteen", and by striking out the figure "5" in the parenthesis in line twenty-one and inserting in lieu thereof the figure "8".

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Mills submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 293, a bill for an act to amend section 6949 of the

Code relating to exemptions by board of supervisors for military services, begs leave to report it has had the same under consideration and recommends the same do pass.

REDFIELD C. MILLS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 278, a bill for an act to amend section 502 of the Code relative 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.

REDFIELD C. MILLS, *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. 153, a bill for an act legalizing and making permanent the transfer of money from the water fund of the city of Missouri Valley, Iowa, 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. 250, a bill for an act to amend section six thousand twenty-five (6025) of the 1924 code, relating to the duties of the city engineer, 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. 252, a bill for an act to amend section eleven of chapter one hundred eighteen (118) of the Acts of the regular session of the forty-first general assembly of Iowa, relating to repayment of rebates from water dues within ten years and for the cancellation of rebates thereafter, 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. 259, a bill for an act to repeal subdivision nine



(9) of section sixty-two hundred eleven (C211) of the code, 1924, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 260, a bill for an act to repeal section fifty-seven hundred twelve (5712) of the Code and to enact a substitute therefor relating to the diminution in the number of employees under Civil Service where public interest requires, 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 Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 128, a bill for an act to compensate Jonah Smith for service as chaplain at Camp McKinley for the period from June 24, 1896, to September 5, 1898, and to make appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the figures "1896", wherever they appear in the title and in the bill, and inserting in lieu thereof the figures "1898".

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Clark submitted the following report:

MR. PRESIDENT: Your committee on mines and mining to which was referred Senate File No. 232, a bill for an act to amend the law as the same appears in chapter sixty-eight (68) of the code, 1924, relating to shot firemen who fire shots in coal mines, begs leave to report it has had the same under consideration and recommends the same do pass.

W. A. CLARK, *Chairman.*

Ordered passed on file.

Also.

MR. PRESIDENT: Your committee on mines and mining to which was referred Senate File No. 255, a bill for an act to provide the time in which escape shafts in mines shall be made, and to fix the number of persons who may be employed in such mine until such shafts or exits

shall be completed, begs leave to report it has had the same under consideration and recommends the same do pass.

W. A. CLARK, *Chairman*.

Ordered passed on file.

Also.

MR. PRESIDENT: Your committee on mines and mining to which was referred Senate File No. 269, a bill for an act to amend the law as it appears in chapter sixty-eight (68) of the code, 1924, relating to the sinking of shafts to be used in the operation of a coal mine, begs leave to report it has had the same under consideration and recommends the same do pass.

W. A. CLARK, *Chairman*.

Ordered passed on file.

#### MOTION TO RECONSIDER CONSIDERED

Senator Benson called up for consideration his motion to reconsider the vote by which Senate File No. 230 failed to pass the Senate.

The motion prevailed.

Senator Benson moved that the vote by which Senate File No. 230 passed to its third reading be reconsidered, which motion prevailed.

The bill was read for information.

Senator Clearman moved 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	Clearman	Haskell	Ramsey
Beatty	Darting	Johnston	Rigby
Benson	Dean	Kern	Roberts
Bergman	Dotts	Kimberly	Shaff
Booth	Ellis	Klemme	Shane
Brookins	Fackler	Lange	Stanley
Brush	Frailey	Langfitt	Stoddard
Campbell	Fulton	McFarlane	Topping
Carden	Gilchrist	McLeland	Wilson of Page
Cavanaugh	Gunderson	Merritt	Wilson of Polk
Clark	Hartman	Mills	

Nays, 1.

Skromme

Absent or not voting, 5.

Breakenridge	Shinn	Slemmons	Ulstad
Browne			

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

Senator Clearman 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 Shaff called up his motion to reconsider the vote by which his amendments Nos. 3 and 4 to the House amendments to Senate File No. 104, were adopted by the Senate.

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

Ayes, 26.

Baird	Cavanaugh	Kimberly	Shane
Beatty	Clark	Langfitt	Stanley
Benson	Darting	McFarlane	Stoddard
Bergman	Dean	Ramsey	Topping
Booth	Frailey	Rigby	Wilson of Page
Brush	Haskell	Shaff	Wilson of Polk
Carden	Johnston		

Nays, 12.

Brookins	Gilchrist	Klemme	Skromme
Campbell	Gunderson	Lange	Slemmons
Dotts	Kern	Shinn	Ulstad

Absent or not voting, 11.

Breakenridge	Ellis	Hartman	Mills
Browne	Fackler	McLeland	Roberts
Clearman	Fulton	Merritt	

The motion to reconsider prevailed.

Senator Shaff moved that the vote by which his amendment No. 2 to the House amendments to Senate File No. 104 was adopted be reconsidered.

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

## Ayes, 33.

Baird	Clearman	Lange	Roberts
Beatty	Darting	Langfitt	Shaff
Benson	Dotts	McFarlane	Shane
Bergman	Ellis	McLeland	Stanley
Booth	Frailey	Merritt	Stoddard
Brush	Haskell	Mills	Topping
Carden	Johnston	Ramsey	Wilson of Page
Cavanaugh	Kimberly	Rigby	Wilson of Polk
Clark			

## Nays, 7.

Gilchrist	Klemme	Skromme	Ulstad
Hartman	Shinn	Slemmons	

## Absent or not voting, 9.

Breakenridge	Campbell	Fackler	Gunderson
Brookins	Dean	Fulton	Kern
Browne			

The motion to reconsider prevailed.

Senator Shaff moved that the vote by which his amendment No. 1 to the House amendments to Senate File No. 104 was adopted be reconsidered.

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

## Ayes, 32.

Baird	Clark	Kimberly	Roberts
Beatty	Clearman	Lange	Shaff
Benson	Darting	Langfitt	Shane
Bergman	Dotts	McFarlane	Stanley
Booth	Ellis	McLeland	Stoddard
Brush	Frailey	Mills	Topping
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk

## Nays, 4.

Gilchrist	Klemme	Merritt	Slemmons
-----------	--------	---------	----------

## Absent or not voting, 13.

Breakenridge	Campbell	Gunderson	Shinn
Brookins	Dean	Hartman	Skromme
Browne	Fackler	Kern	Ulstad
	Fulton		

The motion to reconsider prevailed.

Senator Shaff asked unanimous consent to withdraw his amend-

ments to the House amendments to Senate File No. 104, which consent was refused.

Senator McFarlane moved that the amendments be returned to Senator Shaff, which motion prevailed.

Senator Gilchrist withdrew the following amendment:

Amend the House amendment to Section Five of Senate File No. 104 by striking therefrom the following:

“provided, however, that any county that has received, or will receive during the year 1927 primary road money for use on secondary roads, the amount of such primary road money so received by such county and used on the secondary roads shall be deducted from the amount of re-funds provided for herein.”

The following amendment by Senator McLeland was considered:

Amend by striking the first two sentences of the House amendment to Section 21 and substituting therefor the following:

“The State Board of Audit shall establish and maintain in the office of the State Highway Commission an auditing department to audit all claims and check the records of the State Highway Commission and its assistants.”

Senator Ramsey moved the previous question, which motion prevailed.

On the question “Shall the amendment be adopted?” the vote was:

**Ayes, 16.**

Brookins	Fulton	Kern	Shinn
Campbell	Gilchrist	Klemme	Skromme
Dotts	Gunderson	McLeland	Slemmons
Fackler	Hartman	Merritt	Ulstad

**Nays, 30.**

Baird	Clark	Lange	Shaff
Beatty	Clearman	Langfitt	Shane
Benson	Darting	McFarlane	Stanley
Bergman	Ellis	Mills	Stoddard
Booth	Frailey	Ramsey	Topping
Brush	Haskell	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk
Cavanaugh	Kimberly		

**Absent or not voting, 3.**

Breakenridge	Browne	Dean
--------------	--------	------

The amendment was lost.

Senator Shaff moved that the Senate concur in the House amendments to Senate File No. 104, as found on page 540 of the Senate journal.

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

Ayes, 30.

Baird	Cavanaugh	Kimberly	Shaff
Beatty	Clark	Lange	Shane
Benson	Clearman	Langfitt	Stanley
Bergman	Darting	McFarlane	Stoddard
Booth	Ellis	Mills	Topping
Brush	Frailey	Ramsey	Wilson of Page
Carden	Haskell	Rigby	Wilson of Polk
	Johnston	Roberts	

Nays, 16.

Brookins	Fackler	Kern	Shinn
Campbell	Gilchrist	Klemme	Skromme
Dean	Gunderson	McLeland	Slemmons
Dotts	Hartman	Merritt	Ulstad

Absent or not voting, 3.

Breakenridge	Browne	Fulton
--------------	--------	--------

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Shaff moved that the vote by which the amendments were concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### MOTION TO RECONSIDER CONSIDERED

Senator Stoddard called up for consideration his motion to reconsider the vote by which House File No. 189 failed to pass the Senate.

Senator Gilchrist raised the point of order that the motion was out of order as the same motion was made by Senator Browne yesterday.

The President held the point well taken.

On the question "Shall the motion made by Senator Browne to reconsider prevail?" the vote was:

## Ayes, 26.

Baird	Cavanaugh	Johnston	Ramsey
Benson	Darting	Kern	Rigby
Bergman	Dean	Kimberly	Roberts
Booth	Ellis	Langfitt	Shaff
Browne	Frailay	McFarlane	Slemmons
Brush	Fulton	Merritt	Wilson of Page
Carden	Gunderson		

## Nays, 18.

Brookins	Gilchrist	McLeland	Stanley
Campbell	Hartman	Shane	Stoddard
Clark	Haskell	Shinn	Topping
Dotts	Klemme	Skromme	Ulstad
Fackler	Lange		

## Absent or not voting, 5.

Beatty	Clearman	Mills	Wilson of Polk
Breakenridge			

The motion to reconsider prevailed.

By unanimous consent Senator Stoddard withdrew his motion to reconsider.

Senator McFarlane moved that the vote by which House File No. 189 passed to its third reading be reconsidered, which motion prevailed.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. The law as it now appears in Section 3757 of the Code is hereby amended by striking out the figures "1927" in line 19, and inserting in lieu thereof the figures "1931".

Senator Wilson of Page offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking out the figures "1931" and inserting in lieu thereof the figures "1929".

Senator McFarlane raised the point of order that this amendment was out of order as the same one was offered yesterday by the Senator from Polk and defeated.

The President held the point of order not well taken.

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend by adding thereto as Section 2, the following:

Sec. 2. All garments made by prison labor and put on the open market shall be labeled "Made by prison labor."

Senator Frailey raised the point of order that this amendment was acted on yesterday.

The President held that the motion to reconsider opened the bill for amendment and the point of order was therefore not well taken.

Senator Langfitt moved the previous question on the main bill and all pending amendments, which motion was lost.

Senator Lange invoked rule 8.

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

Ayes, 20.

Beatty	Clearman	Lange	Shinn
Brookins	Ellis	McFarlane	Skromme
Browne	Fackler	McLeland	Topping
Campbell	Hartman	Mills	Ulstad
Clark	Haskell	Shane	Wilson of Polk

Nays, 26.

Baird	Cavanaugh	Kern	Roberts
Benson	Darting	Kimberly	Shaff
Bergman	Dean	Klemme	Slemmons
Booth	Frailey	Langfitt	Stanley
Brush	Fulton	Merritt	Stoddard
Carden	Gunderson	Ramsey	Wilson of Page
.	Johnston	Rigby	

Absent or not voting, 3.

Breakenridge	Dotts	Gilchrist
--------------	-------	-----------

The amendment was lost.

Senator Haskell offered the following amendment and moved its adoption:

Amend by adding as section 2 the following:

Sec. 2. The first paragraph of section thirty-seven hundred fifty-seven (3757) is hereby amended by adding thereto the following: "Prisoners



classed as trusties may be employed under proper supervision in the repair and construction of bridges and primary roads and in the repair and construction of walks and driveways within state parks."

Senator Haskell invoked rule 8.

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

Ayes, 24.

Baird	Campbell	Haskell	Shinn
Beatty	Clark	Klemme	Skromme
Booth	Clearman	Lange	Stanley
Brookins	Darting	McLeland	Topping
Browne	Fackler	Shaff	Ulstad
Brush	Hartman	Shane	Wilson of Polk

Nays, 23.

Benson	Ellis	Kimberly	Rigby
Bergman	Frailey	Langfitt	Roberts
Carden	Fulton	McFarlane	Slemmons
Cavanaugh	Gunderson	Merritt	Stoddard
Dean	Johnston	Mills	Wilson of Page
Dotts	Kern	Ramsey	

Absent or not voting, 2.

Breakenridge Gilchrist

The amendment was adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend by adding thereto as section 2 the following:

"Sec. 2. All garments made by prison labor and put on the open market shall be labeled "Made in Iowa".

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

Ayes, 8.

Browne	Mills	Shinn	Topping
McFarlane	Shane	Skromme	Wilson of Polk

Nays, 34.

Baird	Cavanaugh	Gunderson	Merritt
Beatty	Clark	Haskell	Ramsey
Benson	Clearman	Johnston	Rigby
Bergman	Darting	Kern	Roberts
Booth	Dean	Kimberly	Slemmons
Brush	Dotts	Klemme	Stanley
Campbell	Fackler	Lange	Stoddard
Carden	Frailey	Langfitt	Wilson of Page
	Fulton	McLeland	

Absent or not voting, 7.

Breakenridge Brookins	Ellis Gilchrist	Hartman Shaff	Ulstad
--------------------------	--------------------	------------------	--------

The amendment was lost.

Senator Roberts moved the previous question on the main bill, which motion prevailed.

The bill was read for information.

Senator Rigby moved 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.

Baird	Clearman	Johnston	Mills
Benson	Darting	Kern	Ramsey
Bergman	Dean	Kimberly	Rigby
Booth	Dotts	Klemme	Roberts
Browne	Frailey	Langfitt	Shaff
Brush	Fulton	McFarlane	Slemmons
Carden	Gunderson	McLeland	Stoddard
Cavanaugh	Haskell	Merritt	Wilson of Page

Nays, 15.

Beatty	Ellis	Shane	Topping
Brookins	Fackler	Shinn	Ulstad
Campbell	Hartman	Skromme	Wilson of Polk
Clark	Lange	Stanley	

Absent or not voting, 2.

Breakenridge	Gilchrist
--------------	-----------

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

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE HOUSE

The 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. 248, a bill for an act relating to the population of cities and the number of councilmen therefor.

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

House File No. 101, a bill for an act relating to time for administering oath to election counting boards.

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

House File No. 215, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; and to provide the funds for the construction, purchase and maintenance of such bridges.

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

House File No. 117, a bill for an act to make an appropriation for the payment of the expenses incurred in the election contest of Nagle vs. Whiting.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Klemme moved that the Senate adjourn until 2:30 p. m. today.

Senator Slemmons moved to amend the motion by making the hour 1:30 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 1:30 p. m. today.

### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

### PETITIONS AND MEMORIALS

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

By Senator Baird, from barbers of Pottawattamie county, favoring the barbers license law. Public health.

By Senator Shinn, from voters of Harrison county, opposing

control of highway commission over primary road system. Highways.

By Senator Shinn, from voters of Crawford county, opposing control of highway commission over primary road system. Highways.

By Senator Baird, from voters of Pottawattamie county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Baird, from voters of Pottawattamie county, opposing control of highway commission over primary road system. Highways.

By Senator Roberts, from voters of Union county, opposing control of highway commission over primary road system. Highways.

By Senator Klemme, from voters of Winneshiek county, opposing control of highway commission over primary road system. Highways.

By Senator Klemme from voters of Howard county, opposing control of highway commission over primary road system. Highways.

By Senator Mills, from voters of Audubon county, opposing control of highway commission over primary road system. Highways.

By Senator Merritt, from voters of Greene county, opposing control of highway commission over primary road system. Highways.

By Senator Merritt, from voters of Sac county, opposing control of the highway commission over primary road system. Highways.

By Senator Brush, from voters of Toledo, opposing income tax bill. Ways and means.

By Senator Gunderson, from voters of Worth county, opposing control of highway commission over primary road system. Highways.

By Senator Carden, from voters of Washington county, opposing control of highway commission over primary road system and favoring bank guarantee act. Highways.

By Senator Carden from voters of Henry county, opposing control of highway commission over primary road system. Highways.

By Senator Fackler, from voters of Adams county, opposing

control of highway commission over primary road system. Highways.

By Senator Fackler, from the council of Iowa state medical society and Adams county medical society, favoring the Wamstad act, relating to treatment of indigents of hospitals. Public health.

By Senator Hartman, from voters of Allamakee county, opposing control of highway commission over primary road system. Highways.

By Senator Clearman, from voters of Johnson county, favoring the income tax bill. Ways and means.

By Senator Baird, from professional men of Pottawattamie county opposing income tax bill. Ways and means.

By Senator Lange, from voters of Dubuque county, opposing control of highway commission over primary road system. Highways.

By Senator Ramsey, from voters of Bremer county, opposing a bill taxing tobaccos and tobacco products. Dairy and food.

By Senator Brookins, from voters of Floyd county, opposing control of highway commission over primary road system, and favoring bank guarantee act. Highways.

By Senator Ulstad, from voters of Wright county, favoring bank guarantee act. Banks and banking.

By Senator Wilson of Page, from citizens of Page county, opposing income tax bill, opposing control of highway commission over primary road system. Ways and means.

By Senator Wilson of Page, from voters of Fremont county, opposing control of highway commission over primary road system. Highways.

By Senator Skromme, from voters of Boone county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Dotts, from voters of Wayne county, opposing control of highway commission over primary road system. Highways.

By Senator Fulton, from voters of Jefferson county, opposing control of highway commission over primary road system. Highways.

By Senator Fulton, from voters of Van Buren county, opposing

control of highway commission over primary road system. Highways.

By Senator Skromme, from voters of Story county, opposing control of highway commission over primary road system. Highways.

By Senator Gilchrist, from voters of Pocahontas county, opposing control of highway commission over primary road system. Highways.

By Senator Haskell, from Iowa state association of registered nurses of Cedar Rapids, regarding the budget for the state health department. Appropriations.

By Senator McFarlane, from voters of LaPorte City, opposing bills legalizing boxing, tax on tobacco and products and near beer, and seeking larger appropriation for use of attorneys for enforcement of prohibition law. Dairy and food.

#### INTRODUCTION OF BILLS

Senate File No. 316, by committee on insurance, a bill for an act to repeal the law as it appears in section one (1) of chapter one hundred sixty-six (166) of the acts of the forty-first general assembly and to enact a substitute in lieu thereof, relating to Fraternal Life Insurance.

Read first and second times and placed on the calendar.

Senate File No. 317, by Senator Ellis, a bill for an act to amend the law as the same appears in chapter sixty-eight (68) of the code, 1924, relating to means and methods of conducting the air current in coal mines.

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

Senate File No. 318, by Senator Dean, a bill for an act to amend section six thousand forty-one (6041) of the code, 1924, relating to special assessments.

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

Senate File No. 319, by Senator Gilchrist, a bill for an act to require physicians and certain hospital authorities to make report

of injuries arising from the discharge of firearms, and to provide penalties consequent on a failure to make such report.

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

Senate File No. 320, by Senator Gilchrist, a bill for an act regulating bail bonds, the amounts thereof, the approval thereof, the conditions attending such approval, and amending section thirteen thousand six hundred nineteen (13619) of the code relating to the qualifications of sureties on bail bonds.

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

Senate File No. 321, by Senator Gilchrist, a bill for an act to amend, revise, and codify section thirteen thousand eight hundred forty-two (13842) of the code relating to the trial of defendants jointly indicted.

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

Senate File No. 322, by Senator Gilchrist, a bill for an act to repeal section thirteen thousand forty-two (13042) of the code and to enact a substitute therefor, relating to the crime of receiving stolen property.

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

Senate File No. 323, by Senator Gilchrist, a bill for an act to provide for increased sentences in prosecutions for felonies or for attempts to commit felonies when the accused is armed with firearms.

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

Senate File No. 324, by Senator Gilchrist, a bill for an act to amend, revise, and codify chapter six hundred fourteen (614) and section thirteen thousand twenty-six (13026) of the code, to provide penalties for repeated violations of law, to provide for resentencing convicted persons in certain cases, and to provide the rules of evidence and procedure in said matters.

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

Senate File No. 325, by Senator Gilchrist, a bill for an act to amend section thirty-seven hundred eighty-six (3786) of the code relating to the power of the board of parole to parole prisoners.

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

#### REPORT OF COMMITTEE

Senator Johnston, from the committee on motor vehicles, submitted the following report:

**MR. PRESIDENT:** Your committee on motor vehicles to which was referred Senate File No. 134, a bill for an act relating to the licensing and regulation of motor vehicles, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Senator Stoddard moved that the Senate adjourn at 2:30 p. m.

Senator Carden moved to amend the motion by adding "and that when it adjourns it be to reconvene at 4 p. m. today."

The amendment was adopted.

The motion prevailed.

#### THIRD READING OF BILLS

On motion of Senator Benson Senate File No. 225, a bill for an act to amend chapter three hundred ninety-four (394) of Title XIX and section eighty-five hundred eighty-eight (8588) of the code, 1924, providing restrictions upon the conference of degrees, by corporations of an academic character and individuals conducting academic courses, also penalty for violation thereof, a committee bill, was taken up and considered.

Senator Stanley offered the following amendment and moved its adoption:

Amend by adding the following section:

**Section 3.** This act being deemed of immediate importance shall take effect from and after its passage and publication in the Oskaloosa Herald, a newspaper published in Oskaloosa, Iowa, and the Indianola Herald, a newspaper published at Indianola, Iowa.

The amendment was adopted.



Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 1 the words "the Iowa State Board of Education shall have approved the course required to be pursued, and".

The amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend by inserting the word "academic" after the word "any" in line 4 of section 1.

The amendment was adopted.

Senator Stanley 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.**

Baird	Clark	Gunderson	Mills
Beatty	Clearman	Hartman	Rigby
Benson	Darting	Haskell	Shane
Bergman	Dean	Johnston	Slemmons
Booth	Dotts	Kern	Stanley
Brookins	Ellis	Kimberly	Topping
Brush	Fackler	Klemme	Ulstad
Carden	Frailey	Lange	Wilson of Page
Cavanaugh	Fulton	McLeland	Wilson of Polk
	Gilchrist	Merritt	

**Nays, none.**

**Absent or not voting, 11.**

Breakenridge	Langfitt	Roberts	Skromme
Browne	McFarlane	Shaff	Stoddard
Campbell	Ramsey	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 Clearman Senate File No. 142, a bill for an act to amend sections fifty-six hundred thirty-two (5632) and fifty-six hundred thirty-three (5633) of the code, 1924, relating to the election and appointment of officers in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the bill was amended by striking from lines 3 and 4 of section 3 the words "Des Moines Register, and

the Des Moines Capital, newspapers published in Des Moines, Iowa." and inserting in lieu thereof the following:

"Press Citizen and the Daily Iowan, newspapers published in Iowa City, Iowa."

The bill was read for information.

Senator Clearman moved 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	Dotts	Kern	Roberts
Benson	Ellis	Kimberly	Shaff
Bergman	Fackler	Klemme	Shane
Booth	Frailey	Lange	Slemmons
Brookins	Fulton	Langfitt	Stanley
Brush	Gilchrist	McFarlane	Stoddard
Carden	Gunderson	McLeland	Topping
Cavanaugh	Hartman	Merritt	Ulstad
Clark	Haskell	Mills	Wilson of Page
Clearman	Johnston	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 9.

Beatty	Campbell	Dean	Shinn
Breakenridge	Darting	Ramsey	Skromme
Browne			

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

Senator Clearman 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 Frailey Senate File No. 127, a bill for an act to amend and revise section ten thousand nine hundred thirty-three (10933) and section ten thousand nine hundred thirty-four (10934) of the code, 1924, relative to procedure, pleading, trial, and evidence in disbarment proceedings against attorneys and counselors at law, 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 inserting in line twenty-three (23) before

the word "Justice" the word "Chief"; and also by striking therefrom all after the word "of" in line twenty-four (24) to and including the word "but" in line twenty-seven (27); and also by striking from line twenty-seven (27) the word "other".

Senator Frailey 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, 45.

Baird	Darting	Johnston	Rigby
Beatty	Dean	Kern	Roberts
Benson	Dotts	Kimberly	Shaff
Bergman	Ellis	Klemme	Shane
Booth	Fackler	Lange	Shinn
Brookins	Frailey	Langfitt	Slemmons
Browne	Fulton	McFarlane	Stanley
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Ulstad
Carden	Hartman	Mills	Wilson of Page
Cavanaugh	Haskell	Ramsey	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 4.

Breakenridge	Clark	Skromme	Stoddard
--------------	-------	---------	----------

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

Senator Frailey 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.

#### S. F. 221 WITHDRAWN

By unanimous consent on request of Senator Clearman Senate File No. 221 was withdrawn from further consideration.

#### THIRD READING OF BILLS

On motion of Senator Wilson of Polk, Senate File No. 59, a bill for an act to amend sections forty-nine hundred sixty-three (4963) and forty-nine hundred sixty-six (4966) of the Code, 1924, relating to motor vehicles, 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 the title by striking the same and inserting in lieu thereof the following: "A bill for an act to amend section forty-nine hundred sixty-three (4963) of the Code, 1924, relating to motor vehicles."

Amend by striking all after the enacting clause and inserting in lieu thereof the following: "Section 1. That section forty-nine hundred sixty-three (4963) of the Code, 1924, be amended by striking from line three thereof the words "one dollar" and inserting in lieu thereof the words and figures "fifty cents (50c)."

The bill was read for information.

Senator Wilson of Polk moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Baird	Darting	Kern	Shaff
Beatty	Dean	Kimberly	Shane
Benson	Dotts	Klemme	Shinn
Bergman	Ellis	Lange	Slemmons
Booth	Fackler	Langfitt	Stanley
Brookins	Frailey	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Topping
Campbell	Hartman	Merritt	Ulstad
Cavanaugh	Haskell	Mills	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk
Clearman			

Nays, 1.

Browne

Absent or not voting, 7.

Breakenridge	Fulton	Ramsey	Skromme
Carden	Gunderson	Rigby	

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

Senator Wilson of Polk 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 MESSAGES CONSIDERED

House File No. 101, a bill for an act to amend section eight hundred ninety-two (892) of the code, 1924, relating to time for administering oath to election counting boards.

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

House File No. 117, a bill for an act to make an appropriation for the payment of the expenses incurred in the election contest of Nagle vs. Whiting.

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

House File No. 215, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; and to provide for funds for the construction, purchase and maintenance of such bridges.

Read first and second times and referred to committee on boundary bridges.

The Senate adjourned until 4 p. m. today.

The Senate reconvened, President Kimball presiding.

#### REPORTS OF COMMITTEES

Senator Dean submitted the following report:

MR. PRESIDENT: Your committee on fish and game to which was referred House File No. 73, a bill for an act to amend section seventeen hundred sixty-seven (1767) of the code, 1924, relative to closed season for pinnated grouse or prairie chicken, begs leave to report it has had the same under consideration and recommends the same do pass.

H. E. DEAN, *Chairman.*

Ordered passed on file.

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 206, a bill for an act to amend section six thousand five hundred seventy-eight (6578) relating to a tax for parks and cemeteries, begs leave to report it has had the same under consideration and recommends the same do pass.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on compensation of public officers to which was referred Senate File No. 286, a bill for an act to amend Sec-

tions Fifty-two Hundred twenty (5220), Fifty-two Hundred twenty-two (5222), Fifty-two Hundred twenty-four (5224), Fifty-two Hundred twenty-six (5226), Fifty-two Hundred thirty (5230), of Chapter Two Hundred Sixty-one (261) of the Code, 1924, relating to the salary of county officials, 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 as section 6 the following:

Sec. 6. Section fifty-two hundred twenty-four (5524) of the code is amended by striking out the word "seventy" in line two (2), paragraph nine (9), and inserting the word "sixty-five", and by striking out the word "seventy" in line one (1), paragraph ten (10) and inserting in lieu thereof the word "sixty-five".

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers to which was referred Senate File No. 268, a bill for an act to amend Section Fifty-one Hundred twenty-five (5125) of the Code relating to the compensation of members of the Board of Supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers to which was referred Senate File No. 267, a bill for an act to amend Section Forty-six Hundred forty-one (4641) of the Code relating to the compensation of the county engineer and his assistants, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers to which was referred Senate File No. 190, a bill for an act to amend Section ten thousand eight hundred thirty-seven (10837) of the Code of 1924 relating to fees of Clerk of the District Court, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on compensation of public officers to which was referred Senate File No. 265, a bill for an act to amend Sections Fifty-two Hundred thirty-five (5235) and Seventy-one Hundred Seventy-two (7172) of the Code relating to the compensation of the clerk of court and his assistants, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

The journal of March 9th was corrected and approved.

On motion of Senator McFarlane the Senate adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 11, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. W. J. Fowler, pastor of the Methodist Church, of Brooklyn, Iowa.

## LEAVE OF ABSENCE

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

## PETITIONS AND MEMORIALS

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

By Senator Stoddard, from voters of Woodbury county, opposing a bill taxing tobaccos and tobacco products. Dairy and food.

By Senator Klemme, from Iowa state dairy association, of Ames, favoring law enforcing inspection of oleomargarines. Dairy and food.

## COMMUNICATION FROM PIONEER LAWMAKERS' ASSOCIATION

March 10, 1927.

HON. CLEM F. KIMBALL,  
President of Senate,  
Forty-second General Assembly, State House.

Sir: As secretary of the Pioneer Lawmakers' Association, I respectfully transmit to you a resolution adopted by the meeting of that body in its session recently adjourned.

Respectfully submitted,

DAVID C. MOTT, *Secretary.*

Resolution of the Pioneer Lawmakers' Association in session at the Historical Building, February 24, 1927:



*Whereas*, The membership of this Association when in service established and created the Historical Department of Iowa through the high and noble conception of their former member, the late Charles Aldrich, and authorized and provided the building in which the collections are housed, and the administration carried out,

*Whereas*, The expansion and growth both of the collection and administration has been one of the remarkable achievements of state administration through the past twenty years it, nevertheless, has been handicapped through lack of physical equipment during and since the World War,

*Whereas*, The Curator of the Historical Department by way of stating the situation has presented to this Association a succinct finding of facts with respect to the crisis he confronts, which statement is attached to these resolutions, it is

*Resolved*, That the Association has heard with respect and considered with sympathy the facts as stated and the wishes expressed and

*Resolved*, That the Association accept and approve the statement of the Curator and direct its secretary to communicate the same with these resolutions to the House and Senate of the Forty-second General Assembly, with the urgent request that they be seriously considered.

A. B. FUNK, *President*.

DAVID C. MOTT, *Secretary*.

#### INTRODUCTION OF BILLS

Senate File No. 326, by judiciary committee No. 2, a bill for an act to legalize the filing in the Supreme Court of abstracts or appearance by appellants in certain causes.

Read first and second times and placed on the calendar.

Senate File No. 327, by Senators Baird and Wilson of Polk a bill for an act to repeal Sections Thirteen Thousand Nine Hundred Sixty (13960) and Thirteen Thousand Nine Hundred Sixty-one (13961) of the Code, 1924, relating to indeterminate sentences in criminal cases.

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. 162, a bill for an act relating to reports and inventories

of executors, administrators, and testamentary trustees, and to the appraisal of personal property in probate proceedings.

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 legalizing the transfer by the County of Monroe to its County Fund of fourteen thousand dollars (\$14,000.00) from the State Insane Fund and County Insane Fund.

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

House File No. 43, a bill for an act relating to the annexation of territory to cities and towns.

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

House File No. 143, a bill for an act relating to levy of taxes for firemen's and policemen's pension funds.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File No. 143, a bill for an act to repeal section sixty-three hundred ten (6310) of the code as amended by chapters one hundred forty-one (141) and one hundred forty-two (142), acts forty-first (41) general assembly, and to enact a substitute therefor relating to levy of taxes for firemen's and policemen's pension funds.

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

House File No. 43, a bill for an act to amend sections fifty-six hundred twelve (5612) and fifty-six hundred thirteen (5613) of the code, 1924, relating to the annexation of territory to cities and towns.

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

House File No. 116, a bill for an act to legalize the transfer by the county of Monroe to its county fund of fourteen thousand dollars (\$14,000.00) from the state insane fund and county insane fund.

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

House File No. 162, a bill for an act to repeal sections seven thousand three hundred nineteen (7319) and eleven thousand nine hundred twelve (11912) of the code; to repeal sections seven thousand three hundred twenty (7320), seven thousand three hundred twenty-four (7324) and eleven thousand nine hundred thirteen (11913) of the code and to enact substitutes therefor; and to amend section eleven thousand nine hundred sixteen (11916) of the code, relating to reports and inventories of executors, administrators, and testamentary trustees, and to the appraisal of personal property in probate proceedings.

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

#### SENATE INSISTS ON AMENDMENTS TO H. F. 39

Senator Booth moved that the Senate insist on its amendments to House File No. 39.

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

**Ayes, 38.**

Baird	Carden	Gilchrist	Rigby
Beatty	Cavanaugh	Hartman	Shaff
Benson	Clark	Johnston	Shane
Bergman	Clearman	kimberly	Shinn
Booth	Darting	Klemme	Skromme
Brookins	Dotts	Langfitt	Slemmons
Browne	Ellis	McFarlane	Stoddard
Brush	Fackler	McLeland	Ulstad
Campbell	Fulton	Merritt	Wilson of Page
		Mills	Wilson of Polk

**Nays, 1.**

Lange

**Absent or not voting, 10.**

Breakenridge	Gunderson	Ramsey	Stanley
Dean	Haskell	Roberts	Topping
Frailey	Kern		

The motion prevailed and the Senate insisted on its amendments.

#### CONFERENCE COMMITTEE APPOINTED

The President appointed as a conference committee on House File No. 39, on the part of the Senate, Senators Wilson of Polk, Fulton, Shinn and Campbell.

## SENATE RESOLUTION CONSIDERED

Senator Fulton called up for consideration his resolution found on page 484 of the Senate Journal.

By unanimous consent on request of Senator Fulton, the figure "8" was stricken from the last line of the fifth paragraph and the figure "18" inserted in lieu thereof.

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

Ayes, 33.

Baird	Cavanaugh	Kern	Shinn
Beatty	Clark	Kimberly	Skromme
Benson	Clearman	Klemme	Slemmons
Bergman	Fackler	Langfitt	Stoddard
Booth	Fulton	McLeland	Topping
Brookins	Gilchrist	Merritt	Ulstad
Browne	Gunderson	Mills	Wilson of Page
Campbell	Johnston	Shane	Wilson of Polk
Carden			

Nays, 1.

Lange

Absent or not voting, 15.

Breakenridge	Dotts	Haskell	Roberts
Brush	Ellis	McFarlane	Shaff
Darting	Frailey	Ramsey	Stanley
Dean	Hartman	Rigby	

The resolution was adopted.

## CALL OF THE SENATE

March 11, 1927.

MR. PRESIDENT: We, the undersigned members of the Senate in the 42nd General Assembly do hereby ask a call of the Senate at the time of and during the consideration of Senate Joint Resolution No. 3, relating to a constitutional amendment.

F. C. GILCHRIST,  
 C. S. BROWNE,  
 D. L. WILSON,  
 C. J. FULTON,  
 CHAS. D. BOOTH,  
 J. G. MERRITT,  
 LLOYD ELLIS,  
 WILLIAM CARDEN,  
 LARS J. SKROMME,  
 GEO. F. SLEMMONS,  
 R. C. MILLS,  
 OSCAR ULSTAD,  
 WM. H. KLEMME,  
 A. T. BROOKINS,  
 E. E. CAVANAUGH.

## REPORTS OF COMMITTEES

Senator Stoddard submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations to which was referred Senate File No. 315, a bill for an act to reimburse Buchanan County, Iowa, for money expended in the care of a state patient at the hospital for the insane at Independence, Iowa, and making appropriation to pay the same, begs leave to report it has had the same under consideration and recommends the same do pass.

**B. M. STODDARD, Chairman.**

Ordered passed on file.

Senator Frailey submitted the following reports:

**MR. PRESIDENT:** Your committee on judiciary No. 2 to which was referred House File No. 193, a bill for an act to fix and determine the number of members of the house of representatives of this state to which each county is entitled under the census of 1925 (Nineteen Hundred Twenty-five) and to repeal Chapter 331 (three hundred thirty-one), acts 39th (thirty-ninth) general assembly, begs leave to report it has had the same under consideration and recommends the same do pass.

**J. R. FRAILEY, Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 2 to which was referred House File No. 45, a bill for an act legalizing certain franchises of Iowa Railway and Light Corporation, in the towns of Central City, Center Point, Walker, Alburnett, Prairieburg, Quasqueton and Ryan, in the State of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

**J. R. FRAILEY, Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 2 to which was referred House File No 142, a bill for an act to legalize and make permanent the transfer of money from the water fund to the fire equipment fund of the City of Missouri Valley, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

**J. R. FRAILEY, Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 2 to which was referred House File No. 24, a bill for an act to legalize the proceedings of

the Town Council of Earlville, Iowa, with respect to the transfer of certain funds from the Electric Light Fund to the General Fund of said Town, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 74, a bill for an act to create a board of architectural examiners, prescribing its duties, providing for the examination and registration of architects, the issuing or revoking of certificates of registration, and prescribing penalties for violation of this act, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 178, a bill for an act to legalize certain transfer of funds by the city of Eldon, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 164, a bill for an act to repeal Section Thirteen Thousand Forty-seven (13047) of the Code, and to enact a substitute therefor, and providing for penalty for violation thereof, and to repeal Section Thirteen Thousand Forty-nine (13049) of the Code, relating to false drawing or uttering of checks, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 196, a bill for an act to legalize the permanent transfer of fifteen thousand (\$15,000) dollars from the bridge fund to the general fund of Appanoose County, made by resolution of the Board of Supervisors at a meeting held on February 8, 1927, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 65, a bill for an act to amend chapter one hundred ninety-one (191), acts forty-first (41) General Assembly, relating to notice and the service thereof in proceedings to sell or mortgage real estate of a decedent, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 174, a bill for an act to amend sections thirty-eight hundred eight (3808) and thirty-eight hundred nine (3809) of the code, relating to annual reports to the board of parole, and to repeal section thirty-eight hundred ten (3810) relating to duties of the county auditor, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 200, a bill for an act to confirm in R. E. Rouse the title to a portion of land in Section Sixteen, Township Ninety-three North of the Base line, Range Thirty-four West of the Fifth Principal Meridian, described as the south three-eighths of said Section Sixteen, and that parcel of land lying north of the North line of the South Three-eighths of said Section Sixteen, and South of the Center line of the Drainage Ditch in Drainage District No. 41, in Pocahontas County, Iowa, and East of the public highway which crosses Government Lot Four in the South Half of said Section Sixteen; and authorizing and directing the executive council of the state of Iowa to quit claim said land to him, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 83, a bill for an act to prohibit the possession or control of machine guns, to prohibit any person from assisting another in obtaining possession of such gun, to determine and fix the punishment for a violation of such prohibition; to declare certain exceptions, to authorize the destruction of such guns, and to prescribe in part the substance of the indictment or information in such cases and the evi-

dence by which it may be sustained, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *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 deed from the city of Iowa City, Iowa, to Roy L. Chopek Post No. 17, Department of Iowa, American Legion, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 184, a bill for an act to amend chapter six hundred sixteen (616) of the code, 1924, relating to criminal investigation, identification of persons accused of crime, and identification of dead bodies, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 111, a bill for an act to repeal the law as it appears in chapter four hundred thirty-four (434) of Title XXIII of the code, 1924, and to enact a substitute therefor relating to combinations, pools and trusts and to provide for the enforcement thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 11, a bill for an act providing that no bond issue shall be declared carried unless at least sixty-five per cent of the votes cast thereon are favorable thereto, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.



Senator Wilson submitted the following report.

**MR. PRESIDENT:** Your committee on compensation of public officers, to which was referred House File No. 120, a bill for an act to amend section fifty-five hundred seventy-two (5572) of the code, relating to the compensation of township clerks, 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:

**Sec. 2.** All bonds required under the provisions of this act shall be furnished and paid for by the township.

**GEO. A. WILSON, Chairman.**

Ordered passed on file.

Senator Cavanaugh submitted the following reports:

**MR. PRESIDENT:** Your committee on code revision to which was referred Senate File No. 23, a bill for an act to amend, revise, and codify sections 13797 (thirteen thousand seven hundred ninety-seven) and 13809 (thirteen thousand eight hundred nine), of the code, relating to the sustaining of demurrers to criminal charges and to other rulings pertaining thereto and to the effect and avoidance of such rulings, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

**E. E. CAVANAUGH, Chairman.**

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on code revision to which was referred Senate File No. 51, a bill for an act to repeal chapter 501 (five hundred one) of the code and to enact a substitute therefor, relating to the protection of junior 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 the title by striking the period at the end of line three and inserting in lieu thereof a comma (,) and adding thereto the following: "judgment creditors in foreclosure proceedings and sheriff's sale certificates."

Amend section 1 by striking out "11799-b1, 11799-b2, and 11799-b3," and inserting in lieu thereof the following:

"11799-b1. Expenditures authorized. The holder of a sheriff's sale certificate or a judgment creditor in foreclosure proceedings or a holder of a junior lien on land may pay any delinquent taxes or delinquent special assessments on the land, and any interest due on any senior lien. He may, also, in order to prevent or avoid a breach of a condition in a senior lien, perform the condition when the condition is such that it may be performed by the mere payment of money.

11799-b2. Lien. Said holder of sheriff's sale certificate, judgment creditor or junior lienholder, shall, for such expenditures, have a lien on said lands of equal priority with the respective certificate, judgment or junior lien held by him provided such lien be performed as hereinafter provided.

11799-b3. Statement as basis of lien. The basis of said lien shall consist of a statement, signed and sworn to by the certificate holder, judgment creditor, junior lienholder, or by the agent or attorney of such holder or creditor, which shall show the expenditures made, the particular purpose for which made, the dates when made, a description of the land, the name of the record owner of the land, and a definite identification of the lien held by such junior lienholder."

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

### THIRD READING OF BILLS

On motion of Senator Gilchrist Senate File No. 118, a bill for an act to prevent the introduction into and dissemination within this state of insect pests and diseases injurious to plants and plant products of this state, to create the office of state entomologist within the state department of agriculture, and to prescribe its powers and duties, and to provide penalties for a violation thereof and to repeal chapter 201 of the code relating to the state entomologist, was taken up and considered, the report of the committee having been previously adopted.

The following committee amendment was considered.

Amend by inserting immediately after the word "operation" and before the word "is" in line five (5) of section seventeen (17) the following: "such as is normal and usual in farm operations".

President Pro Tem Shane took the chair at 10:05 a. m.

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by adding to the end of Section 17 the following:

"The said secretary is hereby authorized to refund to the Federal Department of Agriculture all moneys so assessed and collected which represent expenditures made on such premises by the United States in accordance with the provisions of the Act of Congress enacted by the Sixty-ninth Congress, approved February 23rd, 1927, and entitled, 'An act to provide for the eradication or control of the European corn borer.'"

The amendment was adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by striking out all of said section 15 and substituting in lieu thereof the following:

“Sec. 15. Right of Appeal. The Executive Council is hereby given appellate power and jurisdiction to hear and determine all appeals taken under the provisions of this act and to make all orders respecting such appeals.

“Any person whose property rights are prejudicially affected by any order, rule, or regulation of the State Entomologist shall have the right of appeal to the Executive Council within 10 days after he has been served with notice of such order, rule, or regulation, by serving written notice of his appeal on the State Entomologist or any of his inspectors, agents, or employees. When such appeal has been taken, a copy of the notice of appeal together with the proof of service thereof shall be immediately sent to the secretary of the Executive Council who shall at once fix a time and place for the hearing of said appeal and shall give not less than 5 days' notice thereof by registered mail to the appellant and the State Entomologist. On the hearing of such appeal depositions and affidavits shall be considered competent evidence of any fact pertinent to said appeal.

President Kimball resumed the chair at 10:40 a. m.

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking Section 3 and substituting the following:

Sec. 3. State Entomologist. There is hereby created and established within the Department of Agriculture the office of State Entomologist. The entomologist of the Iowa Agricultural Experiment Station is hereby constituted the State Entomologist who is the executive officer of this Act. The State Entomologist shall be responsible to and under the authority of the Secretary of Agriculture in the issuance of all rules, regulations, the establishment of quarantines and other official acts. He shall be provided with a suitable office at the College of Agriculture and Mechanic Arts, where his records shall be kept.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting in Section 5, line 17, after the word “presence”, the words “in or upon any place”; in line 18, after the word “disease” the

word "so"; and in line 20, before the word "to" the words "fact and location"; and by striking from lines 18 and 19 all between the word "listed" and the word "shall"; from line 20, the word "same"; and from line 21 all except the word "giving".

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by inserting the words "or assistant state entomologist" after the word "entomologist" in line 20 of section 5.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from Section 6 all from the word "to", in line 13, to the end of the section and by substituting therefor the following: "enforce these rules and regulations which shall be published in the same manner as are the other rules and regulations of the Department of Agriculture."

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from Section 7, in line 2, the word "such"; in lines 6 and 7, the words "in the said rules and regulations"; in lines 8 and 16 the word "other"; in lines 15 and 18, the word "said"; and by striking from line 9 the words "and such owner or other person" and substituting the word "who"; by striking from line 14 the words "within the time and in the manner" and substituting the word "as"; by striking from line 14 the words "by said" and substituting the words "in the"; by inserting in line 16, after the word "person" the words "in possession"; and by striking from line 17 the word "said" and substituting the word "the".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from Section 8, in line 3, the word "said"; in line 7 the words "other", "of, the same"; and in line 8 the word "a" before the word "tag" and the word "other"; by striking in line 6 the words "car or other vehicle carrying" and substituting the word "carrier"; and by inserting in line 17, after the word "and" the word "giving".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption.

Amend by striking from Section 9, in lines 4, 11 and 20, the word "said"; in line 16 the words "the requirements of"; in line 27 the word "other"; and in lines 35 and 36 the words "for the inspection of nurseries."; and by striking from line 8 the words "the said" and substituting the word "such"; by inserting in line 10, after the word "and", the word "giving"; by striking in line 11 the word "provided" and substituting the word "called"; by striking in line 11 the word "in" and substituting the word "by"; by striking in line 22 the words "pursuant to" and substituting the word "under"; by striking in line 28 the words "provided for" and substituting the word "determined"; by inserting in line 34, following the word "at", the word "the"; by striking in line 38 the word "This" and substituting the word "The"; by inserting in line 40, after the word "30th", the words "of each year"; by striking in lines 40 and 41 the words "comply with" and substituting the words "make effective"; by transferring the sentence, beginning in line 29, below to follow line 42.

Senator Benson offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking out the words "by striking in line 11 the word 'provided' and substituting the word 'called'; by striking in line 11 the word 'in' and substituting the word 'by';" after the word "giving". Also by striking the words "by striking in line 28 the words 'provided for' and substituting the word 'determined'" following the word "under".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from Section 10, in lines 1 and 2, the words "in this state"; in line 10 the word "said"; and in line 11 the word "other"; by striking from line 2 the word "this" and substituting the word "the"; by striking in lines 3, 6 and 7 the words "as to which the requirements of" and substituting the word "without"; by striking in lines 4 and 7 the words "have not" and substituting the word "having"; by striking from line 12 the words "provided for" and substituting the word "determined".

Senator Benson offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking out the words "by striking from line 12 the words 'provided for' and substituting the word 'determined'."

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from Section 11, lines 8 and 9, the words "and areas within the state adjacent thereto"; in lines 21 and 22 the words "or other", "whether air, land or water"; in line 24 the words "or any such material"; in lines 23 and 30 the word "said"; by striking, in line 8, the word "said" and substituting the word "the"; by inserting in line 22, before the word "believed" the words "material or substance".

The amendment was adopted.

By unanimous consent on request of Senator Benson the word "state" was stricken from line 8 of section 11 and the word "states" inserted in lieu thereof.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from lines 6 and 7 the words "promulgate quarantines and" and inserting in lieu thereof the words "quarantine and promulgate".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from Section 12, in line 7, the word "enact"; in lines 9, 10 and 13 the words "other"; in line 11 the word "determined"; in line 13 the word "or".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 13, in line 8, the words "and areas within the state adjacent thereto"; in lines 38 and 39 the words "by the state entomologist"; in line 41 the words "in said quarantine until"; by striking in line 6 the words "and promulgate" "and" and inserting, after the word "quarantines", the words "and promulgate"; by striking in line 8 the word "said" and substituting the word "such"; by inserting after the word "pest" the words "or disease"; by inserting in line 21, after the word "carrier" the words "of any kind or character" and after the word "container" the words "or material"; by striking in line 23 the words "the said" and substituting the word "such"; by striking in line 34 the word "therewith"; by striking in lines 38 and 39 the words "shall be prescribed by the state entomologist" and inserting the words "he shall prescribe"; by striking in lines 40 and 41 the words "may be designated in said quarantine until" and inserting the words "he may des-

ignite"; by inserting before the words "the state entomologist" in line 41, the word "When"; by striking from lines 43 and 44 the words "of which the state entomologist" and substituting the word "he"; by inserting, after the word "notice", in line 44, the words "that the quarantine is raised."

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 14 all beginning with the word "For", in line 1, and ending with the word "thereto", in line 4, and by beginning the following word with a capital letter; by striking from line 9 the words "or any other" "or" and from line 10 the word "other".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 15, line 3, the words "state entomologist" and substituting the words "Secretary of Agriculture"; by striking the last sentence of the section.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by substituting the following for section 17:

"Sec. 17. Duty of owner—assessment of costs. Whenever treatment or destruction of any agricultural or horticultural plant or product, in field, feed lot, place of assemblage or storage, or elsewhere, or whenever any special type of plowing or any other agricultural or horticultural operation is required under the rules and regulations, the owner or person having charge of such plants, plant products or places, upon due notice from the state entomologist or his authorized agents, shall take the action required within the time and in the manner designated by such notice. As to time, nothing more than diligence, and as to agricultural or horticultural operations, nothing more than proper husbandry shall be required. In case the owner or person in charge shall refuse or neglect to obey the notice, the secretary of agriculture, or his authorized agents, may do what is required, and the expense thereof the secretary shall assess to the owner after giving him legal notice and a hearing. If the assessment is not paid, the secretary shall certify it to the treasurer of the proper county who shall enter it on the tax books and collect it as ordinary taxes are collected and remit it to the secretary. In case this expense to any person exceeds \$5.00 per acre per annum, the excess shall be paid by the state."

Further action was deferred temporarily.

On motion of Senator Fackler the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

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

### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 118.

Senator Benson offered the following amendment to the amendment offered by Senator Fulton to Section 17 and moved its adoption:

Amend by striking all of the sentence:

"As to time, nothing more than diligence, and as to agricultural or horticultural operations, nothing more than proper husbandry shall be required."

And by inserting after the word "hearing" and before the word "if" in line fifteen (15) the following: "Provided that no expense other than such as is incidental to normal and usual farm operations shall be so assessed."

Amend further by striking the last sentence of the said amendment as follows:

"In case this expense to any person exceeds \$5.00 per acre per annum, the excess shall be paid by the State."

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from Section 20, in line 5, the words "employment of office" and substituting the word "authority".

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:



Amend section 15 by striking out all of said section 15 and substituting in lieu thereof the following:

**Sec. 15. Right of Appeal.** Judges of the District Court shall have power to hear and determine all appeals taken under the provisions of this act and make orders respecting such appeals.

Any person whose property rights are affected by any order, rule or regulation of the State Entomologist shall have the right of appeal to the District Court and such hearing shall be before a judge of the District Court in the county of the residence of the appellant, upon such notice as the court may direct, and the District Court shall always be open to entertain such appeal.

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

Ayes, 15.

Baird	Cavanaugh	McLeland	Stoddard
Beatty	Clark	Mills	Wilson of Page
Booth	Fackler	Roberts	Wilson of Polk
Brookins	Gunderson	Shinn	

Nays, 20.

Benson	Darting	Kern	Merritt
Bergman	Frailey	Kimberly	Shaff
Brush	Fulton	lemme	Shane
Campbell	'christ	Lange	Stanley
Clearman	Johnston	McFarlane	Topping

Absent or not voting, 14.

Breakenridge	Dotts	Langfitt	Skromme
Browne	Ellis	Ramsey	Slemmons
Carden	Hartman	Rigby	Ulstad
Dean	Haskell		

The amendment was lost.

Senator Baird offered the following amendment and moved its adoption:

Amend by adding as section 25 the following:

"Sec. 25. This act being deemed of immediate importance it shall be in full force and effect from and after its publication in the Des Moines Register, a newspaper published in the city of Des Moines, Iowa, and the Council Bluffs Nonpareil, a newspaper published in the city of Council Bluffs, Iowa."

Senator Stoddard offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking out the words "Des Moines Register" and inserting in lieu thereof the words "Sioux City Tribune".

The amendment was lost.

Senator Fulton offered the following amendment to the amendment and moved its adoption :

Amend the amendment by striking out the words "Des Moines Register" and inserting in lieu thereof the words "Fairfield Daily Ledger".

The amendment was lost.

Senator Benson offered the following amendment to the amendment and moved its adoption :

Amend the amendment by striking out the words "Des Moines Register, a newspaper published in the city of Des Moines", and inserting in lieu thereof the words "Elkader Register, a newspaper published at Elkader".

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Benson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Benson raised the point of order that the bill had passed to its third reading and discussion was, therefore, out of order.

The President held the point of order well taken.

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

Ayes, 33.

Baird	Clearman	Kern	Rigby
Beatty	Ellis	Kimberly	Shaff
Benson	Fackler	Klemme	Shane
Bergman	Frailey	Lange	Stanley
Booth	Fulton	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Wilson of Page
Cavanaugh	Johnston	Mills	Wilson of Polk
Clark			

Nays, 1.

Shinn

Absent or not voting, 15.

Breakenridge	Darting	Haskell	Kronmme
Brookins	Dean	Langfitt	Slemmons
Browne	Dotts	Ramsey	Ulstad
Carden	Hartman	Roberts	

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

Senator Benson 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 Senate File No. 178, a bill for an act to legalize certain transfer of funds by the city of Eldon, Iowa, 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 words "without expense to the state" at the end of section 2.

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, 31.

Baird	Clark	Kimberly	Shane
Beatty	Clearman	Klemme	Shinn
Bergman	Ellis	Lange	Stanley
Booth	Fackler	McFarlane	Stoddard
Brush	Frailey	McLeland	Topping
Campbell	Gilchrist	Merritt	Wilson of Page
Carden	Gunderson	Rigby	Wilson of Polk
Cavanaugh	Kern	Roberts	

Nays, none.

Absent or not voting, 18.

Benson	Dean	Johnston	Shaff
Breakenridge	Dotts	Langfitt	Skromme
Brookins	Fulton	Mills	Slemmons
Browne	Hartman	Ramsey	Ulstad
Darting	Haskell		

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 Ellis, the rules were suspended and Senate File No. 196, a bill for an act to legalize the permanent transfer of fifteen thousand (\$15,000) dollars from the bridge fund to the general fund of Appanoose county, made by resolution of the board of supervisors at a meeting held on February 8, 1927, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ellis moved 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	Clearman	Kimberly	Shaff
Beatty	Ellis	Klemme	Shane
Bergman	Fackler	Lange	Shinn
Booth	Frailey	McFarlane	Stanley
Brookins	Fulton	McLeland	Stoddard
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern		

**Nays, none.**

**Absent or not voting, 15.**

Benson	Darting	Haskell	Skronime
Breakenridge	Dean	Langfitt	Slemmons
Browne	Dotts	Mills	Ulstad
Carden	Hartman	Ramsey	

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

On motion of Senator Shinn, the rules were suspended and House File No. 142, a bill for an act to legalize and make permanent the transfer of money from the water fund to the fire equipment fund of the city of Missouri Valley, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

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

Ayes, 34.

Baird	Clearman	Klemme	Roberts
Beatty	Fackler	Lange	Shaff
Bergman	Frailey	Langfitt	Shane
Booth	Fulton	McFarlane	Shinn
Brush	Gilchrist	McLeland	Stoddard
Campbell	Gunderson	Merritt	Topping
Carden	Johnston	Mills	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk
Clark	Kimberly		

Nays, none.

Absent or not voting, 15.

Benson	Darting	Hartman	Slemmons
Breakenridge	Dean	Haskell	Stanley
Brookins	Dotts	Ramsey	Ulstad
Browne	Ellis	Skromme	

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

Senator Shinn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### INTRODUCTION OF BILLS

Senate File No. 328, by Senator Cavanaugh, a bill for an act to amend section four thousand one hundred thirty-one (4131) of the code relating to attaching territory to adjoining school corporation, and designating the parties before whom controversy shall be determined.

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

Senate File No. 329, by Senator Ulstad, a bill for an act to legalize the proceedings of the Hamilton county board of supervisors with respect to the transfer of certain funds from the Hamilton county bridge fund to the Hamilton county road fund.

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

Senate File No. 330, by Senator Wilson of Page, a bill for an

act to repeal section thirty-seven hundred eighty-six (3786) of the code, as amended by chapter sixty-seven (67), acts forty-first (41) general assembly, and to enact a substitute therefor, relating to the power of the board of parole.

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

#### REPORTS OF COMMITTEES

Senator Kimberly submitted the following report:

**MR. PRESIDENT:** Your committee on board of control to which was referred Senate File No. 210, a bill for an act to amend sections 3741 and 3742 of the code of 1924 relative to the salaries of officials and their maintenance and the salaries of guards at the penitentiary and men's reformatory, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on board of control to which was referred Senate File No. 109, a bill for an act to amend chapter 186 of the code, to provide for the transfer to the state hospitals for the insane of insane inmates of the women's reformatory and to provide for their retransfer and expense attending such action, 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 Stoddard submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations to which was referred Senate File No. 10, a bill for an act to establish the General Fund for the State of Iowa, for the biennium beginning July 1, 1927, and ending June 30, 1929, and to appropriate therefrom for all departments, and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium, 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:

Amendments to section 2, (page 2):

1. After line 24, insert the following:  
     "24a Inspector ..... 1,800.00"
2. In line 28, change "112,500.00" to "117,500.00".
3. In line 39, change "1,500.00" to "1,800.00".
4. After line 52, insert the following:  
     "52a Superintendent of Camp Grounds..... 1,500.00"

Amendments to section 3, (page 4):

1. In line 9, change "4,500.00" to "4,000.00"

2. In line 15, change "2,400.00" to "2,500.00"
3. In line 17, change "2,400.00" to "2,300.00"
4. In line 18, change "1,500.00" to "1,600.00".
5. In line 19, change "1,800.00" to "2,000.00".
6. In line 25, change "75,000.00" to "75,900.00".
7. Strike lines 29 and 30, and insert in lieu thereof; as line 29:  
"Traveling, Contingent and Replacement of Cars.....\$42,000.00"
8. In line 41, change "175,000.00" to "250,000.00".
9. In line 59, change "1,000.00" to "1,500.00".
10. In line 73, change "250.00" to "360.00".

Amendments to section 4, (page 9):

1. In line 7, insert after the word "Chief" the word "Voucher" and change "2,400.00" to "1,500.00".
2. In line 8, insert after the word "Clerk" the words "and Stenographer", and change "1,200.00" to "1,400.00".
3. In line 9, insert before the word "Clerk" the word "Voucher".

Amendments to section 5, (page 10):

1. In line 8, change "4,500.00" to "4,000.00".
2. In line 9, change "3,000.00" to "2,700.00".
3. In line 18, change "1,800.00" to "2,000.00".

Amendments to section 7, (page 12):

1. In line 8, change "4,500.00" to "5,000.00".

Amendments to section 9, (page 13):

1. In line 15, change "2,500.00" to "2,750.00".
2. In line 23, change "(6)" to "(7)", and change "7,920.00" to "9,420.00".
3. After line 25, insert the following:  
"25a Supervising Engineer..... 1,000.00"
4. After line 34, insert the following:  
"34a Investigation of T. B..... 5,000.00"
5. After line 35, insert the following:  
"35a Aid to Friendless Children..... 2,500.00"

Amendments to section 10, (page 16):

1. After line 16, insert the following:  
"16a Boiler Inspector..... 1,500.00"
2. In line 17, change "(4)" to "(3)", and change "6,000.00" to "4,500.00".
3. In line 19, change "(7)" to "(5)", and change "8,400.00" to "6,000.00".
4. In line 20, change "1,300.00" to "1,360.00".
5. In line 21, change "(14)" to "(10)", and change "16,800.00" to "12,000.00".

Amendments to section 12, (page 18):

1. In line 23, change "600.00" to "400.00".

Amendments to section 14, (page 20):

1. In line 17, change "1,200.00" to "1,400.00".

Amendments to section 16, (page 23):

1. In line 7, change "160,000.00" to "170,000.00".
2. Strike lines 8 to 20, inclusive and insert in lieu thereof the following:

"The foregoing appropriation for state aid to county fairs shall be deemed conditioned on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable."

Amendments to section 19, (page 26):

1. In line 8, change "6,300.00" to "7,500.00".
2. Strike line 9.
3. In line 10, change "3,000.00" to "2,700.00".
4. In line 14, change "1,200.00" to "1,500.00".
5. Strike line 19.

Amendments to section 21, (page 27):

1. In line 10, change "Director" to "Registrar".
2. After line 10, insert the following:  
"10a Deputy Commissioner..... 2,000.00"
3. After line 10a, insert the following:  
"10b Stenographer ..... 1,200.00"
4. In line 11, change "1,800.00" to "2,000.00".
5. In line 18, change "1,800.00" to "2,000.00".
6. In line 19, change "2,400.00" to "3,000.00".
7. In line 20, change "1,800.00" to "2,400.00".
8. After line 20, insert the following:  
"20a Stenographer ..... \$1,200.00"
9. In line 24, change "3,000.00" to "4,000.00".
10. In line 36, change "1,800.00" to "2,000.00".
11. After line 37, insert the following:  
"37a Assistant Junior Engineer..... 1,600.00"
12. After line 37a, insert the following:  
"37b Stenographer ..... 1,200.00"
13. In line 42, change "4,000.00" to "5,000.00".
14. After line 42, insert the following:  
"42a Equipment and Laboratory..... 1,000.00"

Amendments to section 22, (page 29):

1. In line 31, change "250.00" to "625.00".

Amendments to section 24, (page 33):

1. In line 14, change "1,200.00" to "1,500.00".
2. In line 28, change "5,000.00" to "8,000.00".
3. In line 29, change "10,500.00" to "12,000.00".
4. In line 30, change "2,000.00" to "2,500.00".

Amendments to section 25, (page 34):

1. In line 9, change "3,000.00" to "3,600.00".
2. After line 9, insert the following:  
"9a Second Deputy ..... 2,700.00"
3. In line 28, change "4,000.00" to "1,000.00".

Amendments to section 26, (page 36):

1. In line 11, change "4,000.00" to "3,600.00".
2. After line 12, insert the following:  
"12a Assistant ..... 3,000.00"



3. In line 13, change "1,620.00" to "1,800.00".
4. In line 19, change "35,000.00" to "50,000.00".

Amendments to section 27, (page 37):

1. After line 14, insert the following:  
     "14a Factory Inspector ..... 1,500.00"
2. In line 18, change "3,000.00" to "4,000.00".

Amendments to section 29, (page 39):

- 1 In line 15, change "1,200.00" to "1,800.00".

Amendments to section 31, (page 42):

1. In line 13, after the word "Rent", insert the words "and office expense".

Amendments to section 34, (page 45):

1. In line 12, change "1,200.00" to "1,300.00".
2. In line 13, change "1,500.00" to "1,600.00".

Amendments to section 35, (page 46):

1. At the end of line 28, add the following:  
     "Provided that funds appropriated by this section, in the discretion of the Printing Board, may be used in supplying paper stock for any of the foregoing departments, bureaus' associations and institutions. Any sum so used to be refunded to the printing board and returned to the credit of the appropriation made by this section. When paper stock is so furnished, payment shall be made to the printing board in the same manner as other claims against such departments are paid, and the printing board shall remit the proceeds to the treasurer of state on the first secular day of each calendar month, taking the treasurer's receipt therefor, showing the same properly credited to the appropriation authorized by this section. Such funds so handled shall be exempt from the provisions of sections 143 and 144 of the Code, 1924."
2. After line 31, insert the following:  
     "31a Apiarist Report .....\$250.00"

Amendments to section 36, (page 48):

1. In line 9, change "4,500.00" to "4,000.00".
2. In line 10, change "3,000.00" to "2,700.00".

Amendments to section 37, (page 49):

1. In line 11, after the word "Schools", insert the following:  
     "(for use of rural schools only)"
2. After line 15, insert the following:  
     "The appropriation for mining camp schools shall be disbursed by the superintendent of public instruction as follows:  
     (a) There is hereby set aside five thousand dollars (\$5,000.00) per year as an emergency fund to be disbursed by the superintendent of public instruction by and with the consent of the executive council and upon the application of mining camp schools wherein an emergency arises requiring an expenditure greater than that provided for in paragraph (b) hereof.

Any unexpended portion remaining in the emergency fund after April 1st, of each year shall be allocated by the superintendent of public instruction as provided in paragraph (b) hereof.

(b) The remainder of the fund, after deducting the sum provided for in paragraph (a) hereof, shall be distributed by the superintendent of public instruction as follows:

All school districts wherein the population is less than five thousand (5,000) and wherein fifty per cent (50%) of the children of school age are the children of men regularly engaged in mining, as shown by the school enumeration, shall be considered to be mining camp schools, and the superintendent of public instruction shall allocate to said school districts the mining camp school fund on the per capita basis, as shown in said enumeration.

(c) The superintendent of public instruction is hereby authorized to adopt such regulations as shall be found necessary in carrying out the provisions in paragraph (b) hereof."

Amendments to section 39, (page 50):

1. In line 10, change "2,820.00" to "3,000.00".
2. In line 21, change "(3)" to "(2)", and change "3,600.00" to "2,400.00".
3. In line 22, change "1,500.00" to "1,800.00".
4. In line 23, change "1,500.00" to "1,800.00".
5. After line 25, insert the following:  
     "25a Assistant Reporter ..... 1,800.00"
6. After line 39, insert the following:  
     39a Counsel Fees and other Contingencies (under supervision of Director of Budget).....\$5,000.00"
7. In line 47, change "4,500.00" to "5,000.00".
8. Strike line 66.
9. After line 84, insert the following:  
     "84a Inspectors (2) ..... 3,600.00"
10. After line 84a, insert the following:  
     "84b Tax Auditor ..... 1,800.00"
11. In line 93, change "500.00" to "3,000.00".
12. After line 93, insert the following:  
     "93a Miscellaneous ..... 1,000.00"
13. In line 95, change "10,400.00" to "19,300.00".

Amendments to section 40, (page 54):

1. In line 7, change "4,500.00" to "4,000.00".
2. In line 8, change "3,000.00" to "2,700.00".

Amendments to section 41, (page 55):

1. After line 11, insert the following:  
     "11a Stenographer ..... 1,200.00"
2. Strike line 15.

Amendments to section 43, (page 56):

1. In line 12, change "1,500.00" to "1,800.00".

Amendments to section 44, (page 57):

1. In line 8, change "4,500.00" to "4,000.00".

2. In line 9, change "3,000.00" to "2,700.00".
3. In line 17, change "1,320.00" to "1,500.00".

Amendments to section 46, (page 61):

1. In line 48, change "742,750.00" to "757,750.00".
2. After line 48, insert the following:  
     "48a New Store House and Converting Old Store House  
     into Cottage .....\$40,000.00"
3. In line 69, change "4,000.00" to "2,000.00".
4. In line 90, change "640,950.00" to "650,950.00".
5. After line 101, insert the following:  
     "101a Hospital Building and Equipment.....\$50,000.00"
6. In line 164, change "341,100.00" to "371,100.00".
7. In line 183, change "(\$60,000.00)" to "(\$100,000.00)".

Amendments to section 47, (page 69):

1. In line 49, change "120,000.00" to "140,000.00".
2. After line 56, insert the following:  
     "56a Additional for Truck and Horticultural Crop Ex-  
     perimentation ..... 20,000.00"
3. In line 58, change "44,000.00" to "80,000.00".
4. In line 60, after the word "Marketing" insert the words  
     "In Extension Department".
5. In line 88, change "400,600.00" to "412,600.00".
6. After line 90, insert the following:  
     "90a Water Softener..... 5,000.00"
7. After line 106, insert the following:  
     "106a Capital Expenditures Childrens' Cottage..... 50,000.00"

Amendments to section 49, (page 76):

1. In lines 4, and 5, change the words and figures "Forty  
     Thousand Dollars (\$40,000.00)" to "Twenty Thousand  
     Dollars (\$20,000.00)".

Amendments to section 52, (page 77):

1. In line 5, change "3,000.00" to "2,700.00".

Amendments to section 53, (page 78):

1. In line 6, change "4,000.00" to "4,400.00".
2. In line 7, change "1,320.00" to "1,500.00".
3. Strike line 11, and insert in lieu thereof the following:  
     "2 Chief Examiners.....4,400.00 annually."
4. After line 11, insert the following:  
     "11a 2 Examiners.....4,200.00 annually."
5. After line 11a, insert the following:  
     "11b 2 Examiners.....4,000.00 annually."
6. After line 11b, insert the following:  
     "11c Examiner .....2,700.00 annually."
7. In line 12, change the word "Thirty" to "Twenty-four"  
     and "3,800.00" to "4,400.00".

B. M. STODDARD, *Chairman.*

Ordered passed on file.

## S. F. 10 MADE SPECIAL ORDER

On motion of Senator Stoddard Senate File No. 10 was made a special order for 10 a. m. Wednesday, March 16th.

## APPOINTMENTS TO COMMITTEE ON COUNTY AND TOWNSHIP AFFAIRS

The President appointed Senators Brush and Carden as additional members of the committee on county and township affairs.

## MCKLVEEN MEMORIAL RESOLUTION

Senator Dotts offered the following resolution and moved its adoption:

*Whereas*, Honorable J. A. McKlveen, a member of the Senate in the Thirty-second and Thirty-second extra General Assemblies, died at Chariton, Iowa.

*Therefore, Be It Resolved by the Senate of the Forty-second General Assembly:* That a committee of three be appointed to draft suitable resolutions to commemorate his life, character, and services to the state.

The resolution was adopted and the President appointed as such committee Senators Dotts, McLeland, and Cavanaugh.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 1927, he had approved the following bill: Senate File No. 16, an act to amend section 8585 of the code.

## AMENDMENTS FILED

I move to amend Senate File No. 268, by striking out all of section 1, and inserting in lieu thereof the following:

Section 1. Section 5125 (fifty-one hundred twenty-five) of the Code is amended by inserting at the end of line ten the following: "The members of the board shall be paid per diem and mileage out of the county fund, the county road fund, or the county road building fund for committee work on roads."

B. M. STODDARD.

I move to amend Senate File number 267, by striking out all of section 1, and inserting in lieu thereof the following:

Section 1. Section 4641 (forty-six hundred forty-one) of the Code, is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a comma, and by adding thereto the following: "the county road fund, or the county road building fund."

B. M. STODDARD.

I move to amend Senate File No. 187 as follows:

Amend section one (1) by striking from line two (2) the words "one cent" and inserting in lieu thereof the words "two cents".

Amend section three (3) by striking from line three the words "to the primary road fund" and inserting in lieu thereof the following: "one-half to the primary road fund, one-fourth to the county road fund, and one-fourth to the township road fund".

Amend the title by striking from line two (2) the word "primary".

CHAS. S. BROWNE.

I move to amend Senate File No. 251 as follows:

Substitute in the title of the bill the word "professional" for the word "civil".

Amend line five of Sec. 2 by striking out the word "civil" and substituting therefor the word "professional", and by adding immediately after the word "engineering" in said line the following: "or land surveying".

E. E. CAVANAUGH.

The journal of March 10th was corrected and approved.

Senator Shinn moved that the Senate adjourn until 9:30 p. m. Saturday.

Senator Gilchrist moved to amend by making the hour 10 a. m.

The amendment was accepted.

The motion prevailed and the Senate adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 12, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. J. E. Matheny, pastor of the Methodist Church, of Norwalk.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Johnston for the day, on request of Senator Wilson of Polk; Senator Ellis for the day, on request of Senator Stoddard.

## PETITIONS AND MEMORIALS

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

By Senator Gunderson, from voters of Mitchell county, opposing control of highway commission over primary road system. Highways.

By Senator Campbell, from voters of Ida county, opposing control of highway commission over primary road system. Highways.

By Senator Campbell, from voters of Ida county, opposing bond issue and favoring a bank guarantee act. Highways.

By Senator Campbell, from voters of Plymouth county, opposing control of highway commission over primary road system. Highways.

By Senator Campbell, from voters of Plymouth county, favoring a bank guarantee act. Banks and banking.

By Senator Skromme, from voters of Boone county, opposing a bill taxing tobacco, chewing tobacco and snuff. Ways and means.

By Senator Wilson of Polk, from voters of Polk county, opposing a bill taxing tobacco, chewing tobacco and snuff. Dairy and food.

By Senator Wilson of Page, from board of supervisors of Fremont county, favoring a bill giving counties control of county roads and bridges. Highways.

By Senator Fulton, from merchants of Fairfield, opposing a bill taxing tobaccos and tobacco products. Ways and means.

By Senator Lange, from voters of Dubuque, opposing a bill taxing cigars, smoking tobacco, chewing tobacco and snuff. Ways and means.

By Senator Carden, from citizens of Kalona, opposing any law conflicting with Perkins law. Judiciary No. 1.

By Senator Carden, from citizens of Washington county, opposing a bill taxing cigars, tobacco and snuff. Ways and means.

By Senator Skromme, from citizens of Story county, opposing a bill taxing cigars, tobacco and snuff. Ways and means.

By Senator Campbell, from citizens of Ida county, opposing a bill taxing cigars, tobaccos and snuff. Ways and means.

By Senator Gunderson, from voters of Mitchell county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Hartman, from voters of Fayette county, opposing control of highway commission over primary road system, and favoring bank guarantee act. Highways.

#### SENATE FILE NO. 244 WITHDRAWN

By unanimous consent on request of Senator Shane Senate File No. 244 was withdrawn from further consideration.

#### SENATE FILE NOS. 199 AND 170 WITHDRAWN

By unanimous consent on request of Senator Fulton Senate Files Nos. 199 and 170 were withdrawn from further consideration.

#### INTRODUCTION OF BILLS

Senate File No. 331, by Senator Merritt, a bill for an act to empower the state highway commission in certain cases to make reimbursement to property owners on account of paving assessments levied on highways which are continuations of a primary road.

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

Senate File No. 332, by Senator Wilson of Polk, a bill for an act to amend section fifty-seven hundred sixty-one (5761) of the code, 1924, relating to the power of cities and towns to regulate the installation of electric light and power wiring.

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

Senate File No. 333, by Senator Wilson of Polk, a bill for an act to amend section fifty-two hundred twenty-seven (5227) of the code, 1924, relating to compensation of deputy sheriffs.

Read first and second times and referred to committee on compensation of public officers.

Senate File No. 334, by Senator Wilson of Polk by request, a bill for an act to amend section five thousand eight hundred and seven (5807) of the code, 1924, relating to the powers of park commissioners.

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

Senate File No. 335, by Senator Lange, a bill for an act to amend section ten thousand eight hundred forty-nine (10849) of the code, relating to appointment of jury commissioners.

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

Senate File No. 336, by Senator Lange, a bill for an act to amend chapter two hundred fifty-one (251) of Title XIII of the code, 1924, so as to provide for the detection, seizure and disposition of motor vehicles, the serial or engine number of which has been unlawfully defaced, altered or tampered with.

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

Senate File No. 337, by committee on compensation of public officers, a bill for an act to amend section ten thousand eight hundred four (10804) relative to the salary of judges of the district court.

Read first and second times and placed on the calendar.

Senator Roberts moved that the Senate invite Hon. Loren H.



Laughlin, a member of the State Senate of Nebraska, to address the Senate. The motion prevailed and the President appointed Senator Roberts as a committee of one to escort Senator Laughlin to the desk. Senator Laughlin addressed the Senate briefly.

#### REPORTS OF COMMITTEES

Senator Gilchrist submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred House File No. 51, a bill for an act to amend section five thousand seven hundred thirty-five (5735) of the code, 1924, relating to appeal bonds in the mayor's and police courts, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator McLeland submitted the following report:

**MR. PRESIDENT:** Your committee on county and township affairs to which was referred House File No. 35, a bill for an act to amend the law as it appears in section fifty-five hundred seventy-one (5571) of the Code, 1924, relating to the compensation of township trustees, 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 one thereof and inserting in lieu thereof the following:

"Section 1. That the law as it appears in section fifty-five hundred seventy-one (5571) of the Code, 1924, be and the same is hereby amended by striking from line five (5) thereof the word "three" and inserting in lieu thereof the word "four".

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Senator Shinn submitted the following report:

**MR. PRESIDENT:** Your committee on dairy and food to which was referred Senate File No. 216, a bill for an act relating to pasteurization of milk, 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 "directly" in line five (5) and adding the following: "the provision of this paragraph shall apply only to cities having a population of fifteen thousand (15,000) or more".

A. J. SHINN, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on dairy and food to which was referred Senate File No. 256, a bill for an act to amend section 3047 of the Code relating to the regulation and inspection of foods, drugs and other articles, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHINN, *Chairman.*

Ordered passed on file.

Senator Benson submitted the following report:

MR. PRESIDENT: Your committee on educational institutions to which was referred Senate File No. 258, a bill for an act to amend chapter ninety-three (93) laws of the Forty-first General Assembly relating to the construction, control and management of dormitories at the state educational institutions by the Iowa State Board of Education, begs leave to report it has had the same under consideration and recommends the same do pass.

C. A. BENSON, *Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 104.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

#### THIRD READING OF BILLS

On motion of Senator McLeland, House File No. 56, a bill for an act to amend section ten thousand one hundred eighty-eight (10188) of the Code, 1924, relating to gifts 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 McLeland moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Baird	Clark	Kimberly	Rigby
Beatty	Clearman	Klemme	Shane
Benson	Darting	Lange	Shinn
Booth	Dotts	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stoddard
Browne	Fulton	McLeland	Topping
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Carden	Hartman	Ramsey	Wilson of Polk
Cavanaugh	Kern		

Nays, none.

Absent or not voting, 11.

Bergman	Ellis	Johnston	Skromme
Breakenridge	Frailey	Roberts	Stanley
Dean	Haskell	Shaff	

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

Senator McLeland moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird Senate File No. 239, a bill for an act to amend section six thousand thirty-three (6033), code of 1924, relating to the payment of street improvements, sewers and special assessments of the same, 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 section. 2 the words "Des Moines Register, a newspaper published in Des Moines, Iowa", and inserting in lieu thereof the words "Sioux City Tribune, a newspaper published in Sioux City, Iowa".

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from line 6 of section 1 the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "twenty dollars (\$20.00)".

The amendment was adopted.

The bill was read for information.

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

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

Ayes, 38.

Baird	Clark	Klemme	Shaff
Beatty	Clearman	Lange	Shane
Benson	Dotts	McFarlane	Shinn
Booth	Fackler	McLeland	Slemmons
Brookins	Fulton	Merritt	Stoddard
Browne	Gilchrist	Mills	Topping
Brush	Gunderson	Ramsey	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Carden	Kern	Roberts	Wilson of Polk
Cavanaugh	Kimberly		

Nays, none.

Absent or not voting, 11.

Bergman	Dean	Haskell	Skromme
Breakenridge	Ellis	Johnston	Stanley
Darting	Frailey	Langfitt	

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

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson of Polk Senate File No. 173, a bill for an act to repeal section ten thousand eight hundred forty-one (10841) of the code, relating to the salary of the clerk of the district 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 Wilson of Polk moved 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	Clark	Kimberly	Shaff
Beatty	Clearman	Klemme	Shane
Benson	Dotts	Lange	Shinn
Booth	Fackler	McFarlane	Skromme
Brookins	Fulton	McLeland	Slemmons
Browne	Gilchrist	Merritt	Stoddard
Brush	Gunderson	Mills	Topping
Campbell	Hartman	Ramsey	Ulstad
Carden	Haskell	Rigby	Wilson of Page
Cavanaugh	Kern	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 9.

Bergman	Dean	Frailey	Langfitt
Breakenridge	Ellis	Johnston	Stanley
Darting			

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

Senator Wilson of Polk 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 Fackler Senate File No. 295, a bill for an act to provide for the permanent transfer of county, city and town funds, to amend section three hundred eighty-eight (388) of the code and repeal sections six thousand two hundred fifteen (6215) and six thousand two hundred sixteen (6216) of the code relating to transfer of funds, a committee bill, was taken up and considered.

Senator Wilson of Polk moved that further action be deferred until 10 a. m. Tuesday, March 15th, which motion prevailed.

On motion of Senator Beatty House File No. 81, a bill for an act to repeal section 7399 (seventy-three hundred ninety-nine) of the code, relating to defaults by county treasurers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Beatty moved 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	Darting	Kern	Roberts
Beatty	Dean	Kimberly	Shane
Benson	Dotts	Klemme	Skronime
Booth	Fackler	Lange	Slemmons
Browne	Fulton	McFarlane	Stoddard
Campbell	Gilchrist	McLeland	Topping
Carden	Gunderson	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Page
Clark	Haskell	Rigby	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 12.

Bergman	Brush	Johnston	Shaff
Breakenridge	Ellis	Langfitt	Shinn
Brookins	Frailey	Ramsey	Stanley

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

On motion of Senator Cavanaugh, Senate File No. 296, a bill for an act to authorize the Executive Council to exchange certain lands in Madison County, Iowa, at Devil's Backbone State Park for other lands belonging to one C. L. Gray, a committee bill, was taken up and considered.

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.

Baird	Clark	Kern	Roberts
Beatty	Clearman	Kimberly	Shane
Benson	Darting	Klemme	Skromme
Booth	Dean	Lange	Slemmons
Brookins	Dotts	McFarlane	Stoddard
Browne	Fulton	McLeland	Topping
Campbell	Gilchrist	Merritt	Ulstad
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Bergman	Fackler	Johnston	Shaff
Breakenridge	Frailey	Langfitt	Shinn
Brush	Hartman	Ramsey	Stanley
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh 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 Cavanaugh, Senate File No. 257, a bill for an act authorizing the exchange of certain real estate now constituting a part of Dolliver Memorial State Park in Webster City, Iowa, for other real estate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Cavanaugh the word "City" was stricken from line 3 of the title and the word "County" inserted in lieu thereof.

The bill was read for information.

Senator Cavanaugh moved 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	Clearman	Kimberly	Shane
Beatty	Dean	Klemine	Skromme
Benson	Dotts	Lange	Slemmons
Booth	Fulton	McFarlane	Stoddard
Browne	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Ulstad
Carden	Haskell	Mills	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk
Clark			

**Nays, none.**

**Absent or not voting, 16.**

Bergman	Darting	Hartman	Roberts
Breakenridge	Ellis	Johnston	Shaff
Brookins	Fackler	Langfitt	Shinn
Brush	Frailey	Ramsey	Stanley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh 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. 200, a bill for an act to confirm in R. E. Rouse the title to a portion of land in Section Sixteen, Township Ninety-three North of the Base Line, Range Thirty-four West of the Fifth Principal Meridian, described as the South three-eighths of said Section Sixteen, and that parcel

of land lying North of the North line of the South three-eighths of said Section Sixteen, and South of the Center line of the Drainage Ditch in Drainage District No. 41, in Pocahontas County, Iowa, and East of the Public Highway which crosses Government Lot Four in the South Half of said Section Sixteen; and authorizing and directing the Executive Council of the State of Iowa to quit-claim said land to him, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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.

Baird	Darting	Kimberly	Shane
Beatty	Dotts	Klemme	Shinn
Benson	Fackler	Lange	Skromme
Booth	Fulton	McFarlane	Slemmons
Browne	Gilchrist	McLeland	Stoddard
Campbell	Gunderson	Merritt	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clearman	Kern		

Nays, none.

Absent or not voting, 15.

Bergman	Clark	Johnston	Shaff
Breakenridge	Dean	Langfitt	Stanley
Brookins	Ellis	Mills	Topping
Brush	Frailey	Roberts	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shane House File No. 193, a bill for an act to fix and determine the number of members of the house of representatives of this state to which each county is entitled under the census of 1925 (nineteen hundred twenty-five) and to repeal chapter 331 (three hundred thirty-one), acts 39th (thirty-



ninth) 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 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.

Baird	Darting	Kern	Rigby
Benson	Dotts	Kimberly	Shane
Booth	Fackler	Klemme	Shinn
Brookins	Fulton	Lange	Skromme
Campbell	Gilchrist	McFarlane	Slemmons
Carden	Gunderson	McLeland	Ulstad
Cavanaugh	Hartman	Merritt	Wilson of Page
Clark	Haskell	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 17.

Beatty	Clearman	Johnston	Shaff
Bergman	Dean	Langfitt	Shawley
Breakenridge	Ellis	Mills	Stoddard
Browne	Frailey	Roberts	Topping
Brush			

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 Baird Senate File No. 252, a bill for an act to amend section eleven (11) of chapter one hundred eighteen (118) of the acts of the regular session of the Forty-first General Assembly of Iowa, relating to repayment of rebates from water dues within fifteen years and for the cancellation of rebates thereafter, 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, 29.**

Baird	Dotts	Kimberly	Rigby
Benson	Fackler	Klemme	Shane
Booth	Fulton	Lange	Shinn
Brookins	Gilchrist	McFarlane	Skromme
Carden	Gunderson	McLeland	Slemmons
Clark	Hartman	Merritt	Stoddard
Clearman	Kern	Ramsey	Ulstad
			Wilson of Page

**Nays, 3.**

Haskell	Topping	Wilson of Polk
---------	---------	----------------

**Absent or not voting, 17.**

Beatty	Campbell	Ellis	Mills
Bergman	Cavanaugh	Frailey	Roberts
Breakenridge	Darting	Johnston	Shaff
Browne	Dean	Langfitt	Stanley
Brush			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Slemmons House File No. 24, a bill for an act to legalize the proceedings of the town council of Earlville, Iowa, with respect to the transfer of certain funds from the electric light fund to the general fund of said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Slemmons moved 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.**

Baird	Clearman	Kimberly	Shane
Benson	Darting	Klemme	Shinn
Booth	Dotts	Lange	Skromme
Brookins	Fackler	McFarlane	Slemmons
Browne	Fulton	McLeland	Topping
Campbell	Gilchrist	Merritt	Ulstad
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark	Kern	Rigby	

Nays, none.

Absent or not voting, 14.

Beatty	Dean	Johnston	Shaff
Bergman	Ellis	Langfitt	Stanley
Breakenridge	Frailey	Roberts	Stoddard
Brush	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Slemmons moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird Senate File No. 250, a bill for an act to amend section six thousand twenty-five (6025), of the 1924 code, relating to the duties of the city engineer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Baird moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Baird	Clearman	Kern	Shane
Benson	Darting	Kimberly	Shinn
Booth	Dotts	Slemmons	Stromme
Brookins	Fackler	Lange	Slemmons
Browne	Fulton	McLeland	Topping
Campbell	Gilchrist	Merritt	Ulstad
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark	Haskell		

Nays, none.

Absent or not voting, 15.

Beatty	Dean	Langfitt	Shaff
Bergman	Ellis	McFarlane	Stanley
Breakenridge	Frailey	Rigby	Stoddard
Brush	Johnston	Roberts	

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.

#### PROOF OF PUBLICATION

I hereby certify that as Secretary of the Senate, I have received the proof of publication of Senate File No. 289, a proposed bill for an act to legalize the proceedings of the city council of the city of Iowa City, Iowa.

WALTER H. BEAM, *Secretary.*

#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed Senate Concurrent Resolution No. 14, providing for an investigation of the complaints by certain bridge contractors, relative to the plans and specifications of the State Highway Commission for bridges on secondary roads; and the Speaker has appointed as members of the Committee on the part of the House as provided in said resolution—Green of Pottawattamie, Johnson of Dickinson, Blythe of Iowa, O'Donnell of Dubuque and Christophel of Bremer.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION NO. 14

Amend Substitute for Senate Concurrent Resolution No. 14 by adding thereto the following:

“Said joint committee shall have authority to call witnesses, administer oaths and examine witnesses under oath. All sessions of the committee shall be open to the public. Said joint committee is hereby authorized and directed to employ a reporter who shall take all of the testimony and transcribe the same. Said reporter shall prepare seventeen copies of the testimony and exhibits and furnish one copy to each member of said joint committee, one copy to the State Highway Commission, one copy to the representative of the bridge contractors, one copy each to the boards of supervisors of Harrison and Shelby counties, one copy to the director of the budget, one copy to the Speaker of the House, and one copy to the President of the Senate.”

#### APPROPRIATION BILLS RECOMMENDED BY COMMITTEE

In accordance with the provisions of rule 23, of the Rules of the Forty-second General Assembly, the committee on appropriations presents the following itemized schedule of all appropriations recommended by the committee on appropriations:

S. F. 10. To establish the general fund for the state for the biennium July 1, 1927 to June 30, 1929, for

all departments .....\$29,104,659.10

\*Note: This figure represents the recommendation of the Budget Director for the biennium; the recommendations of the committee on appropriations appear on pages 711 to 716, of the senate journal of March 11.

- S. F. 6. To appropriate sufficient funds for expenses of the United States champion junior dairy judging team in attending the 1927 international live stock show..... \$5,000.00
- S. F. 80. To authorize refund of excess money paid by any person for the purchase of a copy of the book of annotations to the code.
- S. F. 99. To make an appropriation to pay a claim of the city of Iowa City, for interest due under chapter 249, acts of the 41st G. A., and erroneously computed ..... \$767.24
- S. F. 128. To compensate Jonah Smith for service as chaplain at Camp McKinley from June 24 to September 5, 1898..... \$365.00
- \*S. F. 138. To amend section 2465 of the Code, so as to authorize each examining board connected with the department of health to maintain memberships in the respective national organizations, and making an appropriation to pay the membership fees therein.  
\*Note: This bill is still in the committee.
- S. F. 159. To pay the expenses of the boundary commission appointed under chapter 313, acts of the 41st G. A..... \$340.00
- S. F. 161. To pay the deficit in the amount appropriated for state aid to county and district fairs..... \$17,400.27
- S. F. 235. To cancel certain special deposits heretofore made by former treasurers of state and to provide for the payment of the claims for which such deposits were made.
- \*S. F. 236. To pay the expenses of certain bands in attending the national convention of the American Legion of the United States of America, to be held in Paris, in September, 1927..... \$50,000.00  
\*Note: This bill is still in the committee.
- S. F. 315. To reimburse Buchanan County for money expended in the care of a state patient at the Hospital for the Insane at Independence, Iowa \$780.00
- \*H. F. 117. To pay the expenses incurred in the election contest of Nagle vs. Whiting..... \$1,394.79  
\*Note: This bill is still in the committee.

H. F. 157. To pay cost of completing the official register \$200.00

B. M. STODDARD, Chairman.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate Amendment to the following bill in which the concurrence of the House was asked:

House File No. 189, a bill for an act relating to the employment of prisoners.

Also: That the House has concurred in Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 13, a bill for an act relating to straightening of creek or river.

Also: That the Speaker of the House has appointed as members of the Conference Committee, on the part of the House on House File No. 39. Representatives Miller, O'Donnell, Maxfield and Hempel.

A. C. GUSTAFSON, *Chief Clerk.*

### AMENDMENTS FILED

I move to amend House File 290, by striking out section 1, and inserting in lieu thereof the following:

Section 1. Section forty-nine hundred fifteen (4915) of the code, 1924, is amended and revised to read as follows: "For trucks having a load capacity above two (2) tons, and operating exclusively within the limits of cities and towns, the annual license fee shall be one-half ( $\frac{1}{2}$ ) of the rates fixed in the two preceding sections."

B. M. STODDARD.

I move that Senate File No. 10 (House File No. 2) be amended by inserting immediately following line 69 of section 46 which is entitled "Board of Control of State Institutions (B)" the following:

"69-A. For purchase of farm lands out of industrial funds, \$40,000".

D. L. WILSON.

The journal of March 11th was corrected and approved.

On motion of Senator McFarlane the Senate adjourned until 1:30 p. m.. Monday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 14, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Roy H. Brown, pastor of the Central Presbyterian Church, of Des Moines.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Merritt from voters of Carroll county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Gunderson, from voters of Worth county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Roberts, from voters of Decatur county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator McLeland, from voters of Marshall county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Hartman, from voters of Fayette county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Skromme, from voters of Boone county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Johnston, from women of Hampton, favoring child adoption bill. Child welfare.

By Senator Johnston, from voters of Hancock county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Gilchrist, from voters of Pocahontas county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Shinn, from business and professional men of

Missouri Valley, favoring the amendment to the exemption law. Judiciary No. 1.

By Senator Browne, from voters of Jackson county, favoring support of bill relating to membership of pupils of public schools in societies and fraternities. Public schools.

By Senator Carden, from voters of Washington county, opposing bill taxing tobaccos. Dairy and food.

By Senator Shinn, from voters of Denison, opposing a bill taxing tobaccos. Dairy and food.

By Senator Klemme, from voters of Winneshiek county, favoring bank guarantee act. Banks and banking.

By Senator Slemmons, from voters of Delaware county, favoring bank guarantee act. Banks and banking.

By Senator Johnston, from voters of Hancock county, favoring bank guarantee act. Banks and banking.

By Senator Breakenridge, from voters of Dickinson county, opposing bond issue and favoring bank guarantee act. Highways.

By Senator Breakenridge, from voters of Dickinson county, favoring bank guarantee act. Banks and banking.

By Senator Breakenridge, from voters of Emmett county, favoring bank guarantee act. Banks and banking.

By Senator Breakenridge, from voters of Clay county, favoring bank guarantee act. Banks and banking.

By Senator Breakenridge, from voters of Kossuth county, favoring bank guarantee act. Banks and banking.

By Senator Breakenridge, from voters of Sac county, opposing control of highway commission over primary road system. Highways.

By Senator Breakenridge, from voters of Kossuth county, opposing control of highway commission over primary road system. Highways.

By Senator Breakenridge, from voters of Kossuth county, opposing bond issue and favoring bank guarantee act. Highways.



## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 248 and House Files Nos. 13 and 189.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 11, 1927, he had approved the following bill:

Senate Joint Resolution No. 1, relating to appointment of a committee, to be appointed by the Governor to meet with committees from the states of Wisconsin and Illinois relative to bridges across the Mississippi.

## INTRODUCTION OF BILLS

Senate File No. 338, by Senator Langfitt, a bill for an act to create a Court of Claims; to prescribe its jurisdiction, and to provide a method for the selection of judges thereof, and to prescribe the procedure in said court.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 339, by Senator Fulton, a bill for an act to amend, revise, and codify sections forty-six hundred thirty-six (4636), forty-six hundred thirty-seven (4637), forty-six hundred thirty-eight (4638), forty-six hundred thirty-nine (4639), forty-six hundred forty (4640), forty-six hundred forty-one (4641), forty-six hundred forty-three (4643), forty-six hundred forty-four (4644), forty-six hundred forty-five (4645), forty-six hundred forty-six (4646), forty-six hundred sixty-four (4664), forty-six hundred sixty-five (4665), forty-six hundred sixty-six (4666), and forty-six hundred seventy-three (4673) of the code of Iowa, 1924, relating to county roads, bridges, and culverts; to repeal sections forty-six hundred seventy-one (4671), forty-six hundred

seventy-two (4672), forty-six hundred forty-seven (4647), and forty-six hundred forty-eight (4648), of the code of Iowa, 1924; to provide for county home rule over county roads, bridges and culverts, and to provide for approval by the director of the budget of contracts therefor over five thousand dollars (\$5,000) and of payments for extras when in excess of five per cent of the contract price.

Read first and second times and referred to committee on highways.

Senate File No. 340, by Senator Fulton, a bill for an act to amend the law as it appears in section eighty-five hundred twenty-six (8526) and subdivisions three (3), eight (8), ten (10) and eleven (11) thereof; section eighty-five hundred fifty-four (8554) and eighty-five hundred sixty-six (8566) and chapter three hundred ninety-three (393) of Title XIX of the code of Iowa, 1924, relating to investment companies and regulations in regard to the sale of certain securities.

Read first and second times and referred to committee on banks and banking.

Senate File No. 341, by committee on claims, a bill for an act to reimburse Hardin County, Iowa, for money expended in the care of a state patient at the state hospital for the insane at Independence, Iowa, and making an appropriation to pay the same.

Read first and second times and referred to committee on appropriations.

Senate File No. 342, by committee on judiciary No. 2, a bill for an act to amend sections eighty-five hundred twenty-five (8525) and eighty-five hundred twenty-six (8526) of the code, 1924, so as to bring the sale of certain contracts within the provisions of the Blue Sky Law of the State of Iowa.

Read first and second times and placed on the calendar.

Senate File No. 343, by Senator Frailey, a bill for an act to amend section forty-nine hundred twenty-seven (4927) of the code, relating to registration fees upon motor vehicles.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 344, by Senator Shinn, a bill for an act to create

a text book board and committee for the purpose of preparing for use in the public schools of the state a uniform system of text books, registers, records, and school apparatus, to regulate the sale of school books and school supplies, to define the duty of bidders and certain officers in carrying out the provisions of this act, and to provide penalties for the violation of same.

Read first and second times and referred to committee on public schools.

Senate File No. 345, by Senator Carden, a bill for an act to legalize the proceedings of the council of the town of New London in Henry County, Iowa, in the handling of the general fund and various other funds of said town.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 346, by Senator Benson, a bill for an act to legalize the levying of a tax on all taxable property in Clayton County, Iowa, for the erection of a soldier's monument and authorizing the board of supervisors to expend the money raised by such taxation for the purchase of a soldier's monument to be erected in what is known as Brown's Cemetery in Mallory township, Clayton County, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 347, by Senator Bergman, a bill for an act to amend chapter six (6) of the laws of the forty-first general assembly, and sections one (1), three (3), seven (7), and eight (8) of said chapter, and to repeal sections four (4) and five (5) of said chapter, and enact substitutes therefor, relating to the collection of gasoline license fees.

Read first and second times and referred to committee on motor vehicles.

#### REPORTS OF COMMITTEES

Senator Shinn submitted the following report:

**MR. PRESIDENT:** Your committee on dairy and food to which was referred House File No. 59, a bill for an act to require every person engaged in the poultry business to obtain a license from the State Department of Agriculture and to prescribe the fee therefor, begs leave to re-

port it has had the same under consideration and recommends the same do pass.

A. J. SHINN, *Chairman.*

Ordered passed on file.

Senator Ramsey submitted the following report :

MR. PRESIDENT: Your committee on elections to which was referred House File No. 53, a bill for an act to amend section five hundred eighty and five hundred ninety-three of the code, nineteen hundred and twenty-four (1924) relating to nominations by primary elections and the number of votes necessary to a nomination, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

Also.

MR. PRESIDENT: Your committee on elections to which was referred House File No. 55, a bill for an act to amend chapter 25, acts of the 41st General Assembly relating to the use of voting machines, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

Also.

MR. PRESIDENT: Your committee on elections to which was referred House File No. 5, a bill for an act to amend the law as it appears in section 782 of the code, 1924, relating to the number of election ballots to be furnished to the various voting precincts of the state by the officers charged with the printing thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

Also.

MR. PRESIDENT: Your committee on elections to which was referred House File No. 41, a bill for an act to amend chapter 35 of the code relating to elections, to regulate the manner of electing township trustees and township clerks, and to define their qualifications, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

Senator Fulton moved that as Senate File No. 83 had been lost in the House, the secretary be directed to prepare a substitute bill

in accordance with the records and transmit same to the House. The motion prevailed.

Senator Lange moved that the following communications be printed in the journal, which motion prevailed.

COMMUNICATION FROM W. M. JARDINE, SECRETARY OF  
AGRICULTURE

March 10, 1927.

HON. CLEM. F. KIMBALL, President of the Senate,  
Iowa State Legislature, Des Moines, Iowa.

DEAR MR. KIMBALL: I have the honor to acknowledge receipt of copy of Senate concurrent resolution passed by the Forty-second General Assembly of the state of Iowa. This is a resolution protesting against the recent changes of the rules of the Chicago Board of Trade eliminating No. 4 corn from the grades tenderable on futures contracts during the months of November, December, January, and February; and against the proposed changes of said rules which contemplate the elimination of No. 3 white oats from the deliverable grades, unless it can be shown by those instigating such changes that their operations will be in the interests of the producers, and that they are not for the purpose of stimulating speculation and increasing speculative gains at the expense of producers. Through this resolution the General Assembly of the state of Iowa requests a thorough and exhaustive investigation by the Grain Futures Administration of the United States Department of Agriculture as to the probable effects of such changes in the rules of the Chicago Board of Trade.

I am pleased to advise that the Grain Futures Administration is now making a study of the various grades of grain delivered on future contracts with the view of determining how prices may be advanced or depressed thereby. It will be impossible to determine fully the effect of the elimination of No. 4 corn from the deliverable grades until deliveries are made on the new crop next winter during the months of November, December, January, and February, these being the only months when No. 4 corn could be delivered prior to modification of the delivery rules. However, it is only fair to say that the Grain Futures Administration, based on information now available, is of the opinion that the elimination of No. 4 corn from the deliverable grades will result in benefit to the producer in that the value of the dominant future contract will be enhanced thereby with the result that price levels should be lifted for all grades. Inasmuch as moisture is the chief factor in the grading of corn, and as No. 4 corn can be readily dried to meet the requirements of No. 3, it should be in better demand under the rules as modified last January.

As to the elimination of No. 3 oats the situation is somewhat different. The grading down to No. 3 is generally due to excessive damage and discoloration and therefore cannot be raised readily to a higher grade ex-

cept through mixing with oats of better quality, and in unfavorable seasons these are not always available in sufficient quantities to carry the lower grades. The Department believes that No. 3 should remain as one of the deliverable grades, and it is hoped that the Chicago Board of Trade will not take favorable action on any proposition to eliminate No. 3 oats from the grades that may be tendered on a futures contract.

While the Department recognizes the deliveries play an important part in futures contracts, and therefore is desirous of determining the effect on basic prices of any changes in the rules governing the deliverable grades, your attention is directed to the fact that the grain futures act in its present form does not give to the Secretary of Agriculture authority to fix the grades of grain that may be delivered on such contracts.

This same communication is being sent to Hon. L. V. Carter, Speaker of the House.

Sincerely yours,

W. M. JARDINE, *Secretary.*

#### COMMUNICATION FROM ATTORNEY GENERAL SARGENT

March 11, 1927.

MR. WALTER H. BEAM, Secretary of the Senate,  
State House, Des Moines, Iowa.

DEAR SIR: I have the honor to acknowledge receipt of a concurrent resolution of the Senate and House of the state of Iowa, relating to rules adopted recently by the Board of Trade of the city of Chicago, with regard to the delivery of No. 4 corn.

As you know, the Secretary of Agriculture maintains a bureau for the supervision of grain exchanges, as far as the same is within his jurisdiction, under the Grain Futures Act, 1922.

The above resolution will have my careful consideration and I shall be glad to cooperate fully with the Secretary of Agriculture and the Secretary of Commerce in any action with reference to this situation which we may find warranted under the law and the facts.

Very truly yours,

JNO. G. SARGENT, *Attorney General.*

#### SENATE FILE NO. 153 WITHDRAWN

By unanimous consent on request of Senator Shinn Senate File No. 153 was withdrawn from further consideration.

A call of the Senate having been filed on Senate Joint Resolution No. 3, the roll was called.

The roll call revealed the presence of the following Senators:

Baird	Clark	Haskell	Roberts
Beatty	Clearman	Johnston	Shaff
Benson	Darting	Kern	Shane
Bergman	Dean	Kimberly	Shinn
Booth	Dotts	Klemme	Skromme
Breakenridge	Ellis	Lange	Slemmons
Brookins	Fackler	Langfitt	Stanley
Browne	Frailey	McFarlane	Stoddard
Brush	Fulton	McLeland	Topping
Campbell	Gilchrist	Merritt	Ulstad
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk

By unanimous consent on request of Senator Haskell Senator Rigby was excused and the call was declared complete.

### THIRD READING OF BILLS

On motion of Senator Gilchrist Senate Joint Resolution No. 3, a joint resolution agreeing to a proposed 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 passage, was taken up, considered, and the report of the committee adopted.

### SENATE JOINT RESOLUTION NO. 3

A joint resolution agreeing to a proposed 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.

*Whereas*, By Senate joint resolution number one (1) of the Forty-first (41) General Assembly, which resolution was approved April 3, 1925, an amendment to the constitution of the state was proposed; and

*Whereas*, The said proposed amendment was agreed to by a majority of the members elected to the House of Representatives of said Forty-first (41) General Assembly and entered upon its official printed journal at pages 1140 and 1141 with the yeas and nays taken thereon, and was agreed to by a majority of the members elected to the Senate of said Forty-first (41) General Assembly and entered upon its official, printed journal at pages 344 and 345 with the yeas and nays taken thereon; and

*Whereas*, Said proposed amendment was in words and figures as follows, to wit:

"That the period (.) at the end of said section thirty-four (34) of article three (3) of the constitution of the state of Iowa be stricken and the following inserted:

' , but no county shall be entitled to more than one (1) senator.'"; and

*Whereas*, The said resolution and proposed amendment have been pub-

lished as provided by law and have been referred to this, the Forty-second (42) General Assembly, for action thereon; now, therefore,

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the proposed amendment to the constitution of the state of Iowa as contained in and proposed by said Senate joint resolution number one (1) of the Forty-first (41) General Assembly, being in words and figures as follows, to wit:

“That the period (.) at the end of said section thirty-four (34) of article three (3) of the constitution of the state of Iowa be stricken and the following inserted: ‘, but no county shall be entitled to more than one (1) senator.’”

be and the same is hereby agreed to, enacted, and adopted by the Forty-second (42) General Assembly.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by adding thereto the following:

Sec. 2. That the following amendment to the constitution of the state of Iowa is hereby proposed, to wit:

“Strike out section thirty-five (35) of the constitution of the state of Iowa as it now appears on page fifty-three (53) of the code, 1924, and in lieu thereof insert the following:

‘Section 35. The House of Representatives shall consist of one hundred twenty (120) members. Each county shall constitute one representative district and be entitled to one representative. The remaining twenty-one (21) members shall be apportioned by the General Assembly among the ten counties having the largest population.’”

Senator Gilchrist raised the point of order that this resolution is one that relates to a resolution that was passed by the 41st General Assembly. It simply is to concur in a resolution which has been already passed by the 41st General Assembly and has been proposed by the 41st General Assembly to the 42nd, and the purport of this resolution is simply this, that we concur in the amendment which was proposed to the 42nd General Assembly by the 41st General Assembly and that this amendment is out of order because it seeks to avoid the purport of the present resolution, and is not germane to the question under discussion.

The President held the point not well taken; that although the amendment is an amendment to a section of the constitution which provides for membership in both houses, and while the amendment would carry the resolution over for another two years, it is germane.

Senator McFarlane offered the following substitute for Senate



Joint Resolution No. 3, and the pending amendment, and moved its adoption:

SENATE JOINT RESOLUTION NO. 3

Joint Resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, as said section now appears on page fifty-three (53) code, 1924, relating to the apportionment of the state into senatorial districts.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. Number of senators. That the following amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, as said section now appears on page fifty-three (53), code, 1924, be and the same is hereby proposed:

That the period (.) at the end of said section thirty-four (34) of article three (3) of the constitution of the state of Iowa be stricken and the following inserted:

“, but no county shall be entitled to more than one (1) senator.”

Section 2. That the following amendment to the constitution of the state of Iowa is hereby proposed, to wit:

“Strike out section thirty-five (35) of the constitution of the state of Iowa as it now appears on page fifty-three (53) of the code, 1924, and in lieu thereof insert the following:

“Sec. 35. The House of Representatives shall consist of one hundred twenty members. Each county shall constitute one representative district and be entitled to one representative. The remaining twenty-one (21) members shall be apportioned by the General Assembly among the ten counties having the largest population.”

Sec. 3. Be it further resolved that the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next general assembly, and that the secretary of state cause the same to be published for three (3) months previous to the date of said election as provided by law.

Senator McFarlane withdrew his amendment to the original resolution, by unanimous consent.

Senator Gilchrist raised the point of order that the substitute is out of order because of various reasons, one of which is that it is not germane. It is not an amendment to Senate Joint Resolution No. 3, now before the Senate, which is simply to adopt or reject an amendment which had been proposed to the 42nd General Assembly by the 41st General Assembly. It is in language, shape and form manifestly an attempt to change the language of Senate

Joint Resolution No. 3, before this present General Assembly, so that it cannot receive final legislative action at this session.

The President held the point not well taken.

Senator Slemmons moved the previous question on both the substitute and the main question, which motion prevailed.

Senator Baird raised the point of order that Senator McFarlane had the closing on the substitute and Senator Gilchrist had the closing on the main resolution, under the rules, and Senator Gilchrist's argument, was therefore, out of order.

The President held the point well taken.

On the question "Shall the substitution be made?" the vote was:

Ayes, 16.

Baird	Darting	Kimberly	Shane
Benson	Frailey	Lange	Stoddard
Bergman	Haskell	McFarlane	Topping
Brush	Johnston	Shaff	Wilson of Polk

Nays, 32.

Beatty	Clark	Gunderson	Ramsey
Booth	Clearman	Hartman	Roberts
Breakenridge	Dean	Kern	Shinn
Brookins	Dotts	Klemme	Skromme
Browne	Ellis	Langfitt	Slemmons
Campbell	Fackler	McLeland	Stanley
Carden	Fulton	Merritt	Ulstad
Cavanaugh	Gilchrist	Mills	Wilson of Page

Absent or not voting, 1.

Rigby

The substitution was lost.

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 resolution pass?" the vote was:

## Ayes, 36.

Beatty	Cavanaugh	Gilchrist	Mills
Benson	Clark	Gunderson	Ramsey
Booth	Clearman	Hartman	Roberts
Breakenridge	Darting	Johnston	Shinn
Brookins	Dean	Kern	Skromme
Browne	Dotts	Klemme	Slemmons
Brush	Ellis	Langfitt	Stanley
Campbell	Fackler	McLeland	Ulstad
Carden	Fulton	Merritt	Wilson of Page

## Nays, 12.

Baird	Haskell	McFarlane	Stoddard
Bergman	Kimberly	Shaff	Topping
Frailey	Lange	Shane	Wilson of Polk

Absent or not voting, 1.

Rigby

The resolution 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 resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Baird asked that the motion be divided.

The motion to lay on the table prevailed.

On motion of Senator Shaff the Senate went into executive session.

## EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Mr. Ambrose L. Urick, of Des Moines, Polk County, as Labor Commissioner for the term of two years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment of Hon. Ernest L. Hogue of Blencoe, Monona County, as Director of the Budget, for the term of six years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment of Hon. Hiram K. Evans, of Corydon, Wayne County, as a member of the Board of Parole, for the term of six years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment

of John W. Strohm, of Clinton, Clinton County, as State Fire Marshal, for the term of four years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment of George W. Godfrey, of Algona, Kossuth County, as member of the State Board of Education, for the term of six years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment of Edward P. Schoentegen, of Council Bluffs, Pottawattamie County, as a member of the State Board of Education, for the term of six years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment of Mrs. Pauline Lewelling Devitt, of Oskaloosa, Mahaska County, as a member of the State Board of Education, for the term of six years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment of Frank M. Abbott, of Osceola, Clarke County, as a member of the Appeal Board, for the term of four years, beginning July 1, 1927.

On motion and roll call the Senate confirmed the appointment of Dan J. Schnittjer, of Delhi, Delaware County, as a member of the Appeal Board, for the term of two years, beginning July 1, 1927.

On motion and roll call the Senate refused to confirm the appointment of George Norman Clark, of Mason City, Cerro Gordo County, as a member of the Board of Control of State Institutions.

The Senate arose from executive session and resumed regular session.

#### AMENDMENTS FILED

I move to amend Senate File No. 10 by inserting after line 15a of section 14a, the following:

"15b For the improvement of the Missouri and Mississippi Rivers (subject to the direction and approval of the Executive Council) \$5,000.00.

B. M. STODDARD.

I move to amend Senate File No. 10, by inserting after the word "mapping" in line 13, of section 18, the words "and traveling expenses", and by changing the figures "2,000.00" to "3,500.00"; further to amend section 18, by striking out line 14.

B. M. STODDARD.

I move to amend Senate File No. 10, section 14a, by inserting as line 15a "for Great Lakes and St. Lawrence Waterway Project, under the direction of and with the approval of the Executive Council, \$5,000 (five thousand dollars)."

W. J. BREAKENRIDGE.

I move to amend Senate File No. 187 by striking all after the enacting clause and substituting therefor the following:

Section 1. Section one of chapter six of the laws of the Forty-first General Assembly is hereby amended by striking from line 1 the word "two" and the figure "2" and substituting therefor the word "three" and the figure "3".

Sec. 2. This act being deemed of immediate importance shall take effect from and after its publication in the Newton Daily News, a newspaper published in Newton, Iowa, and The Daily Ledger, a newspaper published in Fairfield, Iowa.

Amend the title by making it,

An act to amend chapter six (6) of the acts of the Forty-first General Assembly providing for a gasoline tax and to increase the amount thereof.

C. J. FULTON.

On motion of Senator Shane the Senate adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 15, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. R. L. Hauter, pastor of the First Presbyterian church, of Winfield, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Booth, from voters of Shelby county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Breakenridge, from board of supervisors of Clay county, opposing control of highway commission over primary road system. Highways.

By Senator Beatty, from voters of Poweshiek county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Lange, from voters of Dubuque county, opposing a bill taxing tobaccos. Dairy and food.

By Senator Roberts, from voters of Ringgold county, opposing a bill taxing tobaccos. Dairy and food.

## 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. 248 and 104 and House Files Nos. 13 and 189.

## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 15th day of March, 1927, sent to the governor for his approval:

Senate Files Nos. 104 and 248.

D. L. WILSON, *Chairman.*

The report was adopted.

### INTRODUCTION OF BILLS

Senate File No. 348, by Senator Rigby, a bill for an act to amend section ninety-six hundred eighty-eight (9688) of the code, 1924, relating to warehouseman's liens.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 349, by Senator Ellis, by request, a bill for an act to amend section sixty-three (63) of the code, 1924, relating to the construction of statutes and defining the word "physician" and other like terms.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 350, by Senator Breakenridge, a bill for an act to authorize the transfer of a portion of the county bridge fund of Palo Alto county, Iowa, to the county road building fund.

Read first and second times and referred to committee on judiciary No. 1.

On motion of Senator Johnston the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 11 memorializing Congress to grant federal aid in the construction of interstate bridges.

Also: 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 the indexing of certain chattel mortgages.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 319, a bill for an act to legalize deed from the city of Iowa City, Iowa, to Roy L. Chopek Post No. 17, Department of Iowa, American Legion.

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 relating to the local budget.

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 requiring loaves of bread to conform to certain standards as to weight and requiring the branding of bread; providing for penalties for violation and authorizing the Secretary of Agriculture to make rules and regulations for the enforcement of the act.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 173, a bill for an act relating to levy of taxes by cities and towns.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION NO. 11

Memorializing Congress to grant federal aid in the construction of interstate bridges.

*Whereas*, The boundaries dividing the several states in many instances consist of natural water courses and rivers; and

*Whereas*, The cost of interstate bridges is very great, since the rivers in many instances are wide and the engineering and construction problems difficult to solve; and

*Whereas*, The constitution of the United States vests in Congress control over all interstate communication and the federal government is vitally interested in developing national highways cutting across state lines; therefore,

*Be It Resolved by the House, the Senate concurring*, That the legislature of the state of Iowa earnestly request and petition the Congress of the United States to enact legislation to give federal aid for the construction of interstate bridges; and

*Be It Further Resolved*, That a copy of this resolution properly attested be forwarded to the presiding officers of both houses of Congress and to the Iowa senators and representatives therein.



## HOUSE AMENDMENT TO SENATE FILE NO. 123

Amend Senate File No. 123 by adding at the end thereof the following: "also amend by striking from line three the following: 'or which provide for a receivership'".

## REPORTS OF COMMITTEES

Senator Cavanaugh submitted the following report.

MR. PRESIDENT: Your committee on code revision to which was referred Senate File No. 22, a bill for an act to repeal section 13874 (thirteen thousand eight hundred seventy-four), and to amend section 13946 (thirteen thousand nine hundred forty-six), of the code, relating to the discharge of juries in criminal cases and to motions in arrest of judgment in criminal cases, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

E. E. CAVANAUGH, *Chairman.*

Ordered passed on file.

Senator Shaff submitted the following reports:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 209, a bill for an act to make the primary roads arterial highways and to regulate traffic as it enters upon such highways, begs leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 305, a bill for an act to amend section four thousand seven hundred forty-eight (4748) of the code, relating to the improvement of township roads, begs leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 313, a bill for an act to legalize the proceedings of the Webster County Board of Supervisors with respect to the transfer of certain funds from the Webster County Bridge fund to the Webster County Road Fund, begs leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 277, a bill for an act to amend Chapter 251 (two hundred fifty-one) of the code, relating to motor vehicles, to the state highway maintenance fund, and the use of such fund, begs leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred Senate File No. 68, a bill for an act relating to the appointment and qualifications of members of the Board of Control of State Institutions, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Chairman.*

Ordered passed on file.

#### HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration Senate Concurrent Resolution No. 14, amended by the House, and moved that the Senate concur in the following amendment:

Amend substitute for Senate Concurrent Resolution No. 14 by adding thereto the following:

"Said joint committee shall have authority to call witnesses, administer oaths and examine witnesses under oath. All sessions of the committee shall be open to the public. Said joint committee is hereby authorized and directed to employ a reporter who shall take all of the testimony and transcribe the same. Said reporter shall prepare seventeen copies of the testimony and exhibits and furnish one copy to each member of said joint committee, one copy to the State Highway Commission, one copy to the representative of the bridge contractors, one copy each to the boards of supervisors of Harrison and Shelby counties, one copy to the director of the budget, one copy to the Speaker of the House, and one copy to the President of the Senate."

Senator Gilchrist offered the following amendment to the House amendment and moved its adoption:

Amend by striking out the last sentence and inserting in lieu thereof the following: "Said reporter shall prepare three copies of the transcript and furnish one copy to the Director of the Budget, one copy to the Chief Clerk of the House and one copy to the Secretary of the Senate, and these copies so furnished shall be open for public inspection by any person concerned."

Senator Shaff offered the following amendment to the amendment and moved its adoption:

Amend by striking out the words "Director of the Budget" and inserting in lieu thereof the words "Governor of Iowa".

The amendment to the amendment was accepted.

The amendment to the House amendments was adopted.

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Baird	Clearman	Johnston	Roberts
Beatty	Dean	Kern	Shaff
Benson	Dotts	imberly	Shane
Bergman	Fackler	Lange	Skromme
Boo.h	Fulton	Langfitt	Slemmons
Breakenridge	Gilchrist	Merritt	Stoddard
Brush	Gunderson	Mills	Topping
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 12.

Brookins	Darting	Klemme	Shinn
Browne	Ellis	McFarlane	Stanley
Campbell	Frailey	McLeland	Ulstad

The House amendment as amended having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Shaff moved that the vote by which the Senate concurred in the House amendment, as amended, be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

### THIRD READING OF BILLS

On motion of Senator Shaff Senate File No. 295, a bill for an act to provide for the permanent transfer of county, city and town funds, to amend section three hundred eighty-eight (388) of the code and repeal sections six thousand two hundred fifteen (6215) and six thousand two hundred sixteen (6216) of the code relating to transfer of funds, a committee bill, was taken up and considered.

Senator Wilson of Polk offered the following amendments and moved their adoption:

Amend by striking out of lines four (4) and five (5) the following: "And any city or town by resolution unanimously concurred in by its council," also by striking out of lines eight (8) and nine (9) the words "or wherein such city or town is located,". Also by striking out the comma (,) after the word "county" in line thirteen (13) and also the balance of line thirteen (13), all of lines fourteen (14) and fifteen (15) and "lation" and the word "therein" in line sixteen (16). Also amend by striking out of lines seventeen (17) and eighteen (18) the comma (,) following the word county and the words "city or town proposing to make the transfer". Also by striking out of line nineteen (19) the words "or the council". Also amend by striking out of line twenty (20) the words "as the case may be". Also by striking out of line twenty-seven (27) and twenty-eight (28) the words "or the city or town clerk as a part of said resolution." Also amend by striking out all of section 2.

The amendments were adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from lines 12 and 13 of section one the words "newspapers published within the county" and inserting in lieu thereof the following "the official newspapers of the county".

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting the word "in" after the word "concurred" in line 3 of section 1.

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by inserting after the word "auditor" in line 27 the words "as a part of said resolution,".

Senator Fackler moved that further action be deferred and the bill be made a special order for 1:30 p. m. today. The motion prevailed.

#### S. F. 78 WITHDRAWN

By unanimous consent on request of Senator Benson Senate File No. 78 was withdrawn from further consideration.

## S. F. 184 REREFERRED

By unanimous consent on request of Senator Frailey Senate File No. 184 was rereferred to the committee on judiciary No. 2.

## SIFTING COMMITTEE RESOLUTION CONSIDERED

Senator Roberts called up for consideration his sifting committee resolution, found on page 594 of the Senate Journal.

Senator Roberts offered the following amendment and moved its adoption.

Amend by striking from line 5 the figures "21st" and inserting in lieu thereof the figures "28th".

The amendment was adopted.

The resolution was adopted.

## THIRD READING OF BILLS

On motion of Senator Wilson of Polk Senate File No. 262, a bill for an act to amend section eight thousand six hundred seventy-one (8671) of the code, relating to approval of life insurance policies by the commissioner of insurance and the requirement of medical examination of applicants for life insurance, a committee bill, was taken up and considered.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out all of lines 4, 5 and 6 and substituting therefor the following: "By inserting a period after the word 'state' in the fifth line and striking the remainder of the section."

The amendment was adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking out the period after the word "state" in the amendment and adding the following:

"and require a medical examination of the applicant by a physician duly authorized to practice medicine, except that no such examination may be required when the amount of the policy does not exceed twenty-five hundred dollars (\$2,500.00), and in no event shall policies by any one company on the life of any one person aggregating more than ten thousand dollars (\$10,000.00) and in no one year aggregating more than twenty-five hundred dollars (\$2,500.00) be approved."

By unanimous consent on request of Senator Wilson of Polk further action was deferred and the bill made a special order for 2:30 p. m. today.

On motion of Senator Wilson of Polk Senate File No. 263, a bill for an act to repeal section eighty-seven hundred thirty-seven (8737) of the code, and chapter one hundred sixty-four (164), acts of the forty-first (41) general assembly, and to enact a substitute therefore; and to repeal chapter one hundred sixty-five (165), acts of the forty-first (41) general assembly, relating to the investment of funds of life insurance companies and associations, and the substitution of securities with the commissioner of insurance, a committee bill, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking out sections 5 and 6 and renumbering the remaining sections accordingly.

By unanimous consent on request of Senator Gilchrist the amendment was amended by striking out all after the word "out" and inserting in lieu thereof the following:

"paragraphs 5 and 6 of section 1 and renumbering the remaining paragraphs accordingly."

Senator Wilson of Polk asked that the amendment be divided.

On the question "Shall paragraph 5 of section 1 be stricken?" the vote was:

Ayes, 26.

Beatty	Clark	Gunderson	Roberts
Benson	Clearman	Kern	Shinn
Booth	Darting	Langfitt	Skromme
Browne	Dotts	McLeland	Slemmons
Brush	Fackler	Mills	Ulstad
Campbell	Fulton	Rigby	Wilson of Page
Cavanaugh	Gilchrist		

Nays, 19.

Baird	Frailey	Lange	Stanley
Bergman	Haskell	McFarlane	Stoddard
Carden	Johnston	Merritt	Topping
Dean	Kimberly	Shaff	Wilson of Polk
Ellis	Klemme	Shane	

Absent or not voting, 4.

Breakenridge	Brookins	Hartman	Ramsey
--------------	----------	---------	--------

The amendmnet was adopted.

On moton of Senator Klemme the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### INTRODUCTION OF BILLS

Senate File No. 351, by Senator Lange, a bill for an act to require every person, firm, association or corporation operating chain stores in the state to obtain a license from the treasurer of state, and providing penalties.

Read first and second times and referred to committee on commerce and trade.

Senate File No. 352, by committee on highways, a bill for an act to amend the law as it appears in Senate File Number one hundred four (104) as enacted by the Forty-second General Assembly of Iowa, relating to the primary road system and the appointment of members of the highway commission.

Read first and second times and placed on the calendar.

Senate File No. 353, by committee on highways, a bill for an act to amend the law as it appears in Senate File number one hundred four (104) as enacted by the Forty-second General Assembly of the State of Iowa, relating to the improvement of the primary road system and the appointment of members of the highway commission and an auditor therefor.

Read first and second times and placed on the calendar.

Senate File No. 354, by committee on highways, a bill for an act to create a comprehensive plan for the improvement of the primary road system.

Read first and second times and placed on the calendar.

Senate File No. 355, by Senator Ulstad, a bill for an act to amend section six thousand two hundred eleven (6211) of the code, 1924, as amended by chapter one hundred thirty-nine (139) of the laws of the Forty-first General Assembly, relating

to city or town taxes for particular purposes and providing for the levying of a paving repair fund tax; and also to amend section six thousand two hundred sixty-one (6261) of the Code, 1924, as amended by chapters one hundred thirty-nine (139) and one hundred four (104) of the laws of the Forty-first General Assembly, relating to the anticipation of special city or town taxes and the issuance of certificates or bonds with interest coupons therefor, and providing that the paving repair fund may be anticipated.

Read first and second times and referred to committee on cities and towns.

Senate File No. 356, by Senator Ellis, a bill for an act to repeal section one thousand seven hundred fifty-two (1752) of the Code, 1924, and to enact a substitute therefor relating to a wholesale fish market license and providing that a person operating the business of shipping his own catch of fish to eastern markets and fish peddlers shall procure a license to do so.

Read first and second times and referred to committee on fish and game.

Senate File No. 357, by Senator Benson, a bill for an act to prohibit the selling of certain wares, merchandise and service and the operation of any temporary business or place of amusement upon any public highway or the street of any city or town near any state county or district fair grounds, or on grounds adjacent thereto, during the time a state, county or district fair is being held and to provide a punishment for violators.

Read first and second times and referred to committee on agriculture.

#### REPORTS OF COMMITTEES

Senator Gunderson submitted the following report:

MR. PRESIDENT: Your committee on child welfare to which was referred Senate File No. 116, a bill for an act to repeal Sections ten thousand four hundred ninety-six (10496) to ten thousand five hundred and one (10501), both inclusive, Code of 1924, relating to adoption 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:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:



Section 1. Adoption-Petition and Consent. Any person of lawful age may petition any court of record of the county in which he or the child resides for permission to adopt any child not his own, but no person other than the parent of a child may assume the permanent care and custody of a child under fourteen years of age except in accordance with the provisions of this act or the provisions of chapter eighty (80) Acts of the Forty-first (41st) General Assembly. If the petitioner be married, the spouse shall join in the petition. A person of full age may be adopted.

Sec. 2. Investigation. Upon the filing of a petition for the adoption of a minor child, the court shall proceed to verify the allegations of the petition; to investigate the conditions and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption; and to make appropriate inquiry to determine whether the proposed foster home is a suitable one for the child. No petition shall be granted until the child shall have lived for six months in the proposed home, provided, however, that such investigation and period of residence may be waived by the court upon good cause shown when satisfied that the proposed home and the child are suited to each other.

Sec. 3. Consent, when necessary. No person may assign, relinquish or otherwise transfer to another his rights or duties with respect to the permanent care or custody of a child under fourteen years of age except in accordance with this act. The consent of both parents shall be given to such adoption unless one is dead, or is considered hopelessly insane, or has for one year immediately preceding been under indictment for abandoning the family, or is imprisoned for a felony, or is an inmate or keeper of a house of ill-fame, or unless the parents are not married to each other, or unless the parent or parents have signed a release of the child in accordance with the statute on child placing, or unless one or both of the parents have been deprived of the custody of the child by judicial procedure because of unfitness to be its guardian. If one parent has been judicially deprived of custody because of unfitness to be the guardian, the parent having exclusive legal custody, or if not married to each other, the parent having the care and providing for the wants of the child may give consent. If the child is not in the custody of either parent, but is in the care of a duly appointed guardian, then the consent of such guardian shall be necessary. Where the child is a ward of the state in a state institution the consent of the Board of Control of State Institutions shall be first obtained before said adoption shall be effective. If the child has been given by written lease to a licensed child welfare agency in accordance with the statute on child placing, the consent of the agency to whom the release was made shall be necessary. When the child adopted is fourteen years of age or over, his consent shall also be necessary.

Sec. 4. Notice of hearing. When the parents of any minor child are dead or have abandoned him, and he has no guardian in the state, the court may order such notice of a hearing on such petition as he may determine or such notice may be waived.

Sec. 5. Decree—Change of name. If upon the hearing the court shall be satisfied as to the identity and relationship of the persons concerned, and that the petitioners are able to properly rear and educate the child, and that the petition should be granted, a decree shall be entered in the office of the clerk, setting forth the facts including as far as known the name of the child, of its parents and of the persons adopting it, and the name under which the child is thereafter to be known, and ordering that from the date thereof, the child shall be the child of the petitioners. The clerk shall deliver to the foster parents a certified copy of the decree. If desired, the court, in and by said decree, may change the name of the child.

Sec. 6. Status of the adopted child. Upon the entering of such decree, the rights, duties and relationships between the child and parent by adoption shall be the same that exists between parents and child by lawful birth and the right of inheritance from each other shall be the same as between parent and children born in lawful wedlock.

Sec. 7. Annulment. If within five years after the adoption, a child develops feeble-mindedness, epilepsy, insanity or venereal infection as a result of conditions existing prior to the adoption, and of which the adopting parent had no knowledge or notice, a petition setting forth such facts may be filed with the district court of the county where the adoptive parents are residing. If the facts alleged are proved, upon hearing the court may annul the adoption and commit the child to the guardianship of the state board of control. In every such proceeding it shall be the duty of the county attorney to represent the interests of the child.

Sec. 8. Records of adoption. The findings of the court in any petition for adoption shall be made a complete record and same shall be filed as are other records of the court, but in addition thereto, the Clerk of Court shall cause a duplicate copy thereof to be sent to the Board of Control of state institutions for their files.

Sec. 9. That sections ten thousand four hundred ninety-six (10496) to ten thousand five hundred and one (10501), both inclusive, code of 1924, be and the same are hereby repealed.

O. E. GUNDERSON, *Chairman.*

Ordered passed on file.

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 205, a bill for an act to provide for coordinating the work and services of the various departments of the state, begs leave to report it has had the same under consideration and returns the bill without recommendation.

A. T. BROOKINS, *Chairman.*

Ordered passed on file.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 263.

Senator Benson offered the following amendment as a substitute amendment for the amendment offered by Senator Gilchrist to paragraph 6 of section 1, and moved its adoption:

Amend by striking the period at the end of subsection 6 of section 1 thereof, substituting a comma, and adding the following:

“provided, however, that no company shall be permitted to have more than ten per cent (10%) of its reserve invested in securities included in this subsection at any one time.”

On the question “Shall the substitution be made?” the vote was:

Ayes, 25.

Baird	Clearman	Lange	Shaff
Benson	Darting	McFarlane	Shane
Bergman	Ellis	Merritt	Stanley
Booth	Frailey	Ramsey	Stoddard
Brush	Haskell	Rigby	Topping
Carden	Kimberly	Roberts	Wilson of Polk
Cavanaugh			

Nays, 18.

Beatty	Fulton	Langfitt	Skronme
Browne	Gilchrist	McLeland	Slemmons
Clark	Gunderson	Mills	Ulstad
Dean	Kern	Shinn	Wilson of Page
Dotts	Klemme		

Absent or not voting, 6.

Breakenridge	Campbell	Hartman	Johnston
Brookins	Fackler		

The substitution was made.

The amendment was adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by inserting in line ninety-four (94) of subsection seven (7) of section 1 after the word “enumerated” the following: “in subsections One (1), Two (2), Three (3), Four (4), and Five (5)”.

Senator Lange withdrew his amendment.

The bill was read for information.

Senator Wilson of Polk moved 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	Clearman	Johnston	Roberts
Benson	Darting	Kimberly	Shaff
Bergman	Dean	Klemme	hane
Booth	Dotts	Lange	Shinn
Breakenridge	Ellis	McFarlane	Stanley
Browne	Fackler	McLeland	Stoddard
Brush	Frailey	Merritt	Topping
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark	Haskell	Rigby	

Nays, 7.

Beatty	Gilchrist	Skromme	Ulstad
Brookins	Kern	Slemmons	

Absent or not voting, 3.

Campbell	Fulton	Langfitt
----------	--------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate resumed consideration of Senate File No. 295, a bill for an act to provide for the permanent transfer of county, city and town funds, to amend section three hundred eighty-eight (388) of the code and repeal sections six thousand two hundred fifteen (6215) and six thousand two hundred sixteen (6216) of the code relating to transfer of funds.

Senator Fackler offered the following amendments and moved their adoption:

Amend the title thereto by striking out the comma (,) following the word "county" in line one (1) thereof, and by striking out the words "city and town" in said line one (1), and by inserting a period (.) following the word "funds" in lieu of the comma (,), and in line two (2) thereof, and by striking out all of the balance of said title.

Further amend by striking out all after the enacting clause, and substituting in lieu thereof the following:

"Any county by resolution unanimously concurred in by its board of supervisors may make a permanent transfer from the county bridge fund to county road fund, and from county road fund to county bridge fund, if approved by a judge of the district court in the county seeking to make such transfer at a hearing had on a day to be fixed by said judge.

"Not less than five days before the date of said hearing notice thereof shall be given by publication in one or more newspapers published within the county seeking to make the transfer. The notice shall be addressed generally to the taxpayers and the public of the county proposing to make the transfer, and shall recite the substance of the resolution adopted by the board of supervisors and set forth, specifically, the funds from and to which the transfer is to be made, the amount of money involved and the time when objections to the proposed transfer shall be filed. Proof of publication shall be made as for the publication of original notices, and the order of the judge approving or disapproving of the transfer, shall be indorsed on the original resolution and entered in the record book of the county auditor as a part of said resolution, and a copy of said order shall be transmitted to the Director of the Budget."

The amendment was adopted.

The bill was read for information.

Senator Fackler moved 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	Dotts	Kern	Shaff
Beatty	Ellis	Kimberly	Shane
Bergman	Fackler	Klemme	Skromme
Booth	Frailey	Lange	Slemmons
Breakenridge	Fulton	Langfitt	Stanley
Browne	Gilchrist	McFarlane	Stoddard
Brush	Gunderson	Merritt	Topping
Carden	Hartman	Mills	Ulstad
Clark	Haskell	Rigby	Wilson of Page
Clearman	Johnston	Roberts	Wilson of Polk
Darting			

Nays, none.

Absent or not voting, 8.

Benson	Campbell	Dean	Ramsey
Brookins	Cavanaugh	McLeland	Shinn

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Fackler 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 Frailey Senate File No. 208, a bill for an act to repeal section eighty-six hundred eight (8608) of the code of 1924, relating to a deputy commissioner of insurance and to enact a substitute in lieu thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frailey moved that the bill be read a third 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.

Baird	Darting	Kern	Rigby
Beatty	Dotts	Kimberly	Roberts
Bergman	Fackler	Klemme	Shaff
Breakenridge	Frailey	Lange	Shane
Browne	Gilchrist	Langfitt	Slemmons
Brush	Gunderson	McFarlane	Stanley
Carden	Hartman	Merritt	Topping
Cavanaugh	Haskell	Mills	Wilson of Page
Clark	Johnston	Ramsey	Wilson of Polk
Clearman			

Nays, 2.

Booth	Fulton
-------	--------

Absent or not voting, 10.

Benson	Dean	Shinn	Stoddard
Brookins	Ellis	Skromme	Ulstad
Campbell	McLeland		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Frailey 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 Frailey Senate File No. 231, a bill for an act to amend section six thousand two hundred fifteen (6215) of the code of 1924, relating to the transfer of funds in certain cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Frailey moved 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.**

Baird	Dean	Kimberly	Shaff
Beatty	Dotts	Klemme	Shane
Benson	Ellis	Lange	Skromme
Bergman	Frailey	Langfitt	Slemmons
Booth	Fulton	McFarlane	Stanley
Breakenridge	Gilchrist	McLeland	Stoddard
Brush	Gunderson	Merritt	Topping
Carden	Hartman	Mills	Ulstad
Cavanaugh	Haskell	Ramsey	Wilson of Page
Clearman	Johnston	Rigby	Wilson of Polk
Darting	Kern		

**Nays, none.**

**Absent or not voting, 7.**

Brookins	Campbell	Fackler	Shinn
Browne	Clark	Roberts	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Frailey moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate resumed consideration of Senate File No. 262, a bill for an act to amend section eight thousand six hundred seventy-one (8671) of the code, relating to approval of life insurance policies by the commissioner of insurance and the requirement of medical examination of applicants for life insurance.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section eight thousand six hundred seventy-one (8671) of the code is hereby amended as follows:

By striking out all of said section after the word "state" in line five (5) thereof and inserting in lieu thereof the following:

" and require a medical examination of the applicant by a physician duly authorized to practice medicine, except that no such examination may be required when the amount of the policy does not exceed twenty-five hundred dollars (\$2500.00), and in no event shall policies by any one company on the life of any one person aggregating more than ten thousand dollars (\$10,000.00) and in no one year aggregating more than twenty-five hundred dollars (\$2500.00) be approved without medical examination.

The amendment was adopted.

Senator Shane moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

**Ayes, 43.**

Baird	Clearman	Johnston	Rigby
Beatty	Darting	Kern	Roberts
Benson	Dean	Kimberly	hane
Bergman	Dotts	Klemme	Shinn
Booth	Ellis	Lange	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Brush	Frailey	McFarlane	Stanley
Carden	Fulton	McLeland	Stoddard
Cavanaugh	Gilchrist	Merritt	Topping
Clark	Hartman	Mills	Wilson of Page
	Haskell	Ramsey	Wilson of Polk

**Nays, 3.**

Browne	Campbell	Gunderson
--------	----------	-----------

Absent or not voting, 3.

Brookins	Shaff	Ulstad
----------	-------	--------

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 Kimberly Senate File No. 109, a bill for act act to amend chapter one hundred eighty-six (186) of the code, to provide for the transfer to the state hospitals for the insane of insane inmates of the women's reformatory and to provide for their retransfer and the expense attending such



action, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 46.

Baird	Darting	Kern	Shaff
Benson	Dean	Kimberly	Shane
Bergman	Dotts	Lange	Shinn
Booth	Ellis	Langfitt	Skromme
Breakenridge	Fackler	McFarlane	Slemmons
Brookins	Frailey	McLeland	Stanley
Browne	Fulton	Merritt	Stoddard
Campbell	Gilchrist	Mills	Topping
Carden	Gunderson	Ramsey	Ulstad
Cavanaugh	Hartman	Rigby	Wilson of Page
Clark	Haskell	Roberts	Wilson of Polk
Clearman	Johnston		

Nays, none.

Absent or not voting, 3.

Beatty                      Brush                      Klemme

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 Clearman Senate File No. 99, a bill for an act to make an appropriation to pay a claim of the city of Iowa City, Iowa, for interest due said city under the caption of chapter two hundred and forty-nine, acts of the forty-first general assembly, and erroneously computed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clearman moved 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.

Baird	Clark	Hartman	Rigby
Beatty	Clearman	Haskell	Shaff
Benson	Darting	Johnston	Shane
Bergman	Dean	Kern	Shinn
Booth	Dotts	Kimberly	Skromme
Breakenridge	Ellis	Klemme	Slemmons
Brookins	Fackler	Lange	Stanley
Browne	Frailey	Langfitt	Stoddard
Brush	Fulton	McLeland	Topping
Carden	Gilchrist	Merritt	Ulstad
Cavanaugh	Gunderson	Ramsey	Wilson of Page
			Wilson of Polk

Nays, none.

Absent or not voting, 4.

Campbell	Mills	Roberts	McFarlane
----------	-------	---------	-----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clearman 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. 187 MADE SPECIAL ORDER

On motion of Senator Bergman Senate File No. 187 was made a special order for 10:30 a. m. Thursday.

Ex-Senator W. T. Evans, of Butler county, was introduced and addressed the Senate briefly.

#### HOUSE MESSAGES CONSIDERED

House File No. 173, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1924, relating to levy of taxes by cities and towns.

Read first and second time and referred to committee on cities and towns.

House File No. 319, a bill for an act to legalize deed from the city of Iowa City, Iowa, to Roy L. Chopek Post No. 17, Department of Iowa, American Legion.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 315, a bill for an act to amend section three hundred seventy-five (375) of the code, 1924, as amended by section three (3) of chapter eighty-six (86), acts of the extra session of the fortieth (40) general assembly, relating to the local budget.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 57, a bill for an act requiring loaves of bread to conform to certain standards as to weight and requiring the branding of bread; providing for penalties for violation and authorizing the Secretary of Agriculture to make rules and regulations for the enforcement of the act.

Read first and second time and referred to committee on dairy and food.

#### RESIGNATION OF COMMITTEE CLERK

March 15, 1927.

MR. PRESIDENT: I hereby tender my resignation as committee clerk, same to take effect immediately.

MINETTA FURBUSH.

#### REPORT OF COMMITTEE ON CLERKS

March 15, 1927.

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of candidates for committee clerks, begs leave to report that it has made investigation and examination and finds the following person competent for the position to which she has been appointed to fill the vacancy caused by the resignation of Minetta B. Furbush. Appointment has been made as follows: Martha Coffin, assigned to Senator Brookins.

D. L. WILSON,  
F. C. STANLEY,  
F. M. BEATTY.

The report was adopted.

#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to House amendment to Senate Concurrent Resolution No. 14, providing for an investigation of the complaints by certain bridge contractors, relative to the plans and specifications of the State Highway Commission for bridges on secondary roads.

A. C. GUSTAFSON, *Chief Clerk.*

## SENATE MEMBERS OF COMMITTEE

The President appointed on the part of the Senate, as members of the committee required under Senate Concurrent Resolution No. 14, Senators Shaff, Cavanaugh, McFarlane, Beatty and McLeland.

## AMENDMENTS FILED

I move to amend Senate File No. 10 as follows:

After line 15, of section 43, insert the following: "15a Contingent fund, 250.00".

Further amend section 43 by inserting after the word "appropriations" in line 16, the following: "except as provided by section 177 of the code".

B. M. STODDARD.

I move to amend Senate File No. 10, as follows: In section 9, line 14, strike the figures "1,740.00" and insert in lieu thereof the figures "1,800.00".

In section 42, line 10, strike the figures "1,500.00" and insert in lieu thereof the figures "1,800.00".

A. H. BERGMAN.

I move to amend Senate File No. 10 by inserting immediately after line 29 of section 29, the following: "29a Stenographer, \$1,200.00."

J. N. LANGFITT.

The journals of March 12th and 14th were corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 16, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Chas. S. Macy, pastor of the Christian Church of Bloomfield, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Browne, from members of the W. C. T. U. of Maquoketa, opposing bill legalizing boxing. Police regulations.

By Senator Ulstad, from voters of Hardin county, opposing a bill taxing tobaccos. Dairy and food.

By Senator Breakenridge, from voters of Kossuth county, opposing taking of county roads from county control. Highways.

By Senator Breakenridge, from voters of Clay county, opposing any move which seems to take county charges from county to state institutions. Judiciary No. 1.

By Senator Breakenridge, from taxpayers of Armstrong, opposing bill on school taxation. Public schools.

By Senator Ramsey, from voters of Butler county, opposing a bill taxing tobaccos. Dairy and food.

By Senator McFarlane, from voters of Black Hawk county, opposing a bill taxing tobaccos. Dairy and food.

By Senator Baird, from voters of Pottawattamie county, opposing a bill taxing tobaccos. Dairy and food.

Martha Coffin appeared at the desk, was sworn in as committee clerk, and assigned to Senator Brookins.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 193, 142, 81, 56, 24.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 193, 142, 81, 56, and 24.

## INTRODUCTION OF BILLS

Senate File No. 358, by Senator Lange, a bill for and act to amend the law as it appears in sections fifty-five hundred eighty-three (5583) and fifty-five hundred eighty-six (5586) of the code, 1924, relating to the licensing by township trustees of certain places of amusement.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 359, by Senator Fulton, a bill for an act to repeal section sixty-two hundred forty-six (6246), of the 1924 code relating to the vote required to contract indebtedness by counties or other political or municipal corporations, and enacting in lieu thereof the following.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 360, by committee on appropriations, a bill for an act to amend the law as it appears in section 2894 and 2902 of the code, relating to state aid to county and district fairs or agricultural societies.

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. 177, a bill for an act relating to the larceny of domestic fowls and animals.

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 permit the drainage board to advertise its proceedings, the expense of such advertisement to be collected from the district affected.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 247, a bill for an act to empower the Executive Council to adopt and enforce rules regulating the use by the public of the capitol buildings and grounds and providing punishment for violations thereof.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 105, a bill for an act relative to the protection of junior liens.

Also: That the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 14, providing for a Joint Convention to be held Wednesday morning, March 16th, at 11:30 o'clock and that Prince William be invited to address the Joint Convention.

Also: That the House has passed the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 13, relative to claims for injury caused by the negligence on the part of the employees of the State Highway Commission.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION NO. 13

*Whereas*, It has come to the attention of the claims committee of both the House and Senate of the Forty-second General Assembly that the state of Iowa is called upon to settle claims for injury caused by negligence on the part of employees of the state highway commission, and

*Whereas*, There is danger in loss of life and destruction of property if proper precautions are not taken by the highway commission to make our primary roads safe to travel both by day and at night, and,

*Whereas*, The state of Iowa is now called upon to settle injury claims that amount to approximately seventeen thousand dollars (\$17,000.00) with an added life of distress and suffering that has already resulted to one, Murphy, who was seriously injured by a car accident while he was riding on primary road between Orient and Greenfield in Adair county, said car running into a truck and road drag which was left standing in the road late in the day and with no danger signals or red lights thereon to protect these men who were riding in this car as well as all of the traveling public,

*Be It Therefore Resolved by the House, the Senate concurring*, That the highway commission use more precautions and adopt and enforce a more specific set of rules regarding all their employees who handle road machinery that obstruct the right of way, guarding with red lights by night and other danger signals by day time. Such rules should be posted in all engineering offices and brought to the attention of all employees. Said rules designed to prevent any recurrence of such serious and regrettable accidents, and,

*Be It Further Resolved*, That a copy of these resolutions be mailed to each member of the highway commission, to the chief engineer and to all county engineers.

#### HOUSE CONCURRENT RESOLUTION NO. 14

*Resolved by the House, the Senate concurring*, That a joint convention be held Wednesday morning, March 16, at 11:30 and that Prince William of Sweden be invited to address the Joint Convention.

*Be It Further Resolved*, That the Chief Clerk of the House be directed to extend the invitation.

#### HOUSE CONCURRENT RESOLUTION NO. 14 CONSIDERED

Senator Shane called up for consideration House Concurrent Resolution No. 14 and moved its adoption.

The resolution was adopted.

#### REPORTS OF COMMITTEES

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 138, a bill for an act to authorize each examining board connected with the state department of health to maintain memberships in the respective national organizations of such boards, and making an appropriation to pay the membership fees therein, 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 2 thereof, and insert in lieu thereof the following :



"Sec. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Sioux City Journal, a newspaper published in Sioux City, Iowa, and the Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa."

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 117, a bill for an act to make an appropriation for the payment of the expenses incurred in the election contest of Nagle vs. Whiting, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 341, a bill for an act to reimburse Hardin County, Iowa, for money expended for the care of a state patient at the state hospital for the insane at Independence, Iowa, and making appropriation to pay the same, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Senator Shaff submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 163, a bill for an act to repeal chapters 244 and 245 of the code, relating to township roads and road poll taxes, and to enact a substitute therefor; also to amend section 9 of chapter 6, Acts of the 41st General Assembly, relating to the gasoline license fees going to township roads, begs leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Senator Gilchrist submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 89, a bill for an act to amend section 13631 and to repeal sections 13632, 13633, 13635, and 13636 of the code relating to forfeiture of bail, 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 first six lines which comprise the title and substitute therefor the following:

"An Act to amend section 13632 of the code relating to the notice to show cause why judgment should not be entered upon forfeiture of bail or money deposited instead of bail."

Also amend by striking the last four lines of section 1 and all of sections 2 and 3 and substitute therefor the following:

"Amend section 13632 of the code by striking from lines four and five, the following: 'or otherwise, as directed by the court,' and substitute in lieu thereof the following: 'or such other notice of such kind and for such time as the court may prescribe and direct,'"

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1, to which was referred Senate File No. 329, a bill for an act relating to the transfer of Hamilton County Bridge fund to the Hamilton County Road fund, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 116, a bill for an act legalizing the transfer by the County of Monroe to the County Fund of \$14,000.00 from the State Insane Fund, and County Insane Fund, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 141, a bill for an act to amend section 11490 of the Code relating to the restriction of argument by attorneys in the trial of cases, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 222, a bill for an act to amend section 9693 of the Code, 1924, relating to sales to satisfy warehouseman's lien, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was referred Senate File No. 242, a bill for an act to amend sections 10859, 10860, 10863, 10865, and 10872 of the Code, relating to the preparation, selection and return of jury lists, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking therefrom all of section one and all of section four, and renumbering the remaining sections accordingly.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Haskell submitted the following reports:

**MR. PRESIDENT:** Your committee on cities and towns to which was referred House File No. 43, a bill for an act to amend Sections fifty-six hundred twelve (5612) and fifty-six hundred thirteen (5613) of the Code, 1924, relating to the annexation of territory to cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on cities and towns to which was referred Senate File No. 287, a bill for an act to amend section five thousand nine hundred eighty-four (5984) of the Code, 1924, relating to the construction of sewers, 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. 234, a bill for an act to amend Chapter one hundred eighteen (118) of the acts of the forty-first general assembly, relating to the extension of water mains and the levying of special assessments therefor against privately owned 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.

Also:

**MR. PRESIDENT:** Your committee on cities and towns to which was referred Senate File No. 213, a bill for an act to amend section six thou-

sand one hundred thirteen (6113) of the 1924 Code, relating to bonds and certificates for street improvements and sewers, 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. 212, a bill for an act to amend section six thousand eleven (6011) of the Code, relating to street improvements, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 212 by adding thereto the following:

"Sec. 2. This act being deemed of immediate importance, shall take effect from and after its publication in the Sioux City Journal, a newspaper published in Sioux City, Iowa, and The Merville Mail, a newspaper published in Merville, Iowa."

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 192, a bill for an act to repeal section sixty-six hundred ninety-seven (6697) of the code and to enact a substitute therefor, relating to special elections in special charter cities to fill vacancies, 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 Johnston submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 102, a bill for an act to require operators of all motor vehicles to stop said motor vehicles before crossing railroad track, 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 inserting in lieu thereof the following:

Section 1. The state highway commission shall determine whether traffic upon primary roads shall be required to slow down before crossing any railroad track at grade. The board of supervisors of a county shall determine such matters on any other highway in the county which

crosses a railroad track at grade, and in cities and towns the city council shall determine.

Sec. 2. The highway commission or the board of supervisors, as the case may be, shall erect suitable standard signs on the highways near railroad crossings at grade, directing traffic thereon to stop or proceed cautiously in such manner as the highway commission may by rule prescribe. The cost of such signs shall be paid out of the primary road fund, except that the cost of signs for railroad crossings on roads other than primary roads shall be paid out of the county road funds.

Sec. 3. When any motor vehicle is required to stop before entering upon an arterial highway or before crossing a railroad track, the operator thereof shall not proceed until he has placed the vehicle in low speed or gear.

Sec. 4. The state highway commission shall determine whether railroads which operate not more than two regularly scheduled trains daily, and interurban cars, shall be required to reduce speed before crossing primary roads.

Sec. 5. Any person operating or driving a motor vehicle on highways, any railroad company, or any individual or company who fails to comply with the regulations prescribed in the preceding sections, or who fails to comply with the regulations or orders printed upon any sign erected under the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction may be punished by a fine of not to exceed twenty-five dollars or imprisonment in the county jail for not to exceed five days.

C. F. JOHNSTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 343, a bill for an act to amend section forty-nine hundred twenty-seven (4927) of the code, relating to registration fees upon motor vehicles, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. F. JOHNSTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 201, a bill for an act to repeal section nine (9), chapter four (4), Acts of the 41st General Assembly, relating to the motor carrier tax, 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:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. All money received under the provisions of this act shall be paid into the state treasury and distributed as follows:

(a) For the administration and enforcement of the provisions of this act and the regulation of motor carriers one-fifth (1/5), or as much thereof as may be necessary, shall be paid to the commission by warrants drawn from time to time by the auditor of state upon the treasurer of state.

(b) The remainder of said funds shall be credited at the end of each month, to the state primary road fund.

C. F. JOHNSTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 270, a bill for an act to amend Section 5, chapter 5, Acts of the 41st General Assembly relating to transportation of persons or property for hire by motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 233, a bill for an act to amend Section 8, Chapter 6, Acts of the 41st General Assembly, relating to gasoline license fee, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 149, a bill for an act relating to the licensing of motor vehicle operators and chauffeurs, liability of certain persons, uniform law relating thereto, and to repeal Sections 4943 to 4960 inclusive of the Code, 1924, 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 Senate File No. 149 by striking from subsection one (1) of section five (5) the following: "An operator's license shall not be issued to any person under the age of sixteen years, and"

Insert a comma (,) after the word "insane" in line two (2) of subsection three (3) of section five (5), and by inserting the word "to" between the words "or" and "an" in line two (2) of subsection three (3) of section five (5).

Strike the words "over the age of sixteen years" from lines one (1) and two (2) of section seven (7).

Strike subsection one (1) of section ten (10) and insert in lieu thereof the following:

"Except as otherwise provided in subdivisions two (2) and three (3) of this section the department before issuing either an operator's or a chauffeur's license shall examine the applicant therefor as to his physical and mental qualifications to operate a motor vehicle in such manner as not to jeopardize the safety of persons or property and as to whether any facts exist which would bar the issuance of a license under section five (5) of this chapter, but such examination shall not include investigations of any facts other than those directly pertaining to the ability of the applicant to operate a motor vehicle with safety, or other than those facts declared to be prerequisite to the issuance of a license under this chapter."

Amend section fifteen (15), paragraph two (2) by striking the period in line four (4) and inserting the following:

"or be able to establish the fact that he has such license within twenty-four (24) hours if so requested."

Amend paragraph one (1) of section sixteen (16) by adding thereto the following:

"An operator's license shall be issued gratis to the owner of each registered motor vehicle, but additional operator's licenses to operate the same motor vehicle shall be issued only upon application and payment of a fee of twenty-five (25) cents for each such additional operator's license so issued."

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

### THIRD READING OF BILLS

On motion of Senator Stoddard Senate File No. 247, a bill for an act to amend section forty-three hundred forty-five (4345) of the code, 1924, relative to pension and annuity retirement system for public school teachers, 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 the word "ten" in the 4th line and inserting the word "fifty".

Senator Shane offered the following amendment to the committee amendment and moved its adoption:

Amend by striking the word "fifty" from the last line and inserting the word "twenty-five" in lieu thereof.

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend by striking from the last line the word "twenty-five" and inserting in lieu thereof the word "ten".

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 Lange invoked rule 8.

On the question "Shall the bill pass?" the vote was:

**Ayes, 29.**

Baird	Cavanaugh	Klemme	Rigby
Benson	Clark	Lange	Shaff
Bergman	Clearman	McFarlane	Shane
Breakenridge	Parting	McLeland	Stoddard
Brookins	Gilchrist	Merritt	Topping
Brush	Haskell	Mills	Wilson of Page
Campbell	Kimberly	Ramsey	Wilson of Polk
Carden			

**Nays, 13.**

Booth	Fulton	Kern	Shinn
Browne	Gundersen	Langfitt	Slemmons
Dotts	Hartman	Roberts	Stanley
Ellis			

**Absent or not voting, 7.**

Beatty	Fackler	Johnston	Ulstad
Dean	Frailey	Skromme	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stodard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.



Senator Stoddard moved that the Senate floor be cleared of all persons except members, employees and relatives of the members, during the consideration of Senate File No. 10, which motion prevailed.

On motion of Senator Stoddard Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1927, and ending June 30, 1929, and to appropriate therefrom for all departments, and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium, 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:

Amendments to section 2, (page 2):

1. After line 24, insert the following:  
     "24a Inspector ..... 1,800.00".
2. In line 28, change "112,500.00" to "117,500.00".
3. In line 39, change "1,500.00" to "1,800.00".
4. After line 52, insert the following:  
     "52a Superintendent of Camp Grounds..... 1,500.00".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

The following committee amendments were considered.

Amendments to section 4, (page 9):

1. In line 7, insert after the word "Chief" the word "Voucher" and change "2,400.00" to "1,500.00".
2. In line 8, insert after the word "Clerk" the words "and Stenographer", and change "1,200.00" to "1,400.00".
3. In line 9, insert before the word "Clerk" the word "Voucher".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

The following committee amendments were considered.

Amendments to section 5, (page 10):

1. In line 8, change "4,500.00" to "4,000.00".
2. In line 9, change "3,000.00" to "2,700.00".
3. In line 18, change "1,800.00" to "2,000.00".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking from line 14 of section 5 the figures "\$1400.00" and inserting in lieu thereof the figures "\$1500.00".

The amendment was adopted.

The following committee amendment was considered:

Amendment to section 7, (page 12):

1. In line 8, change "4,500.00" to "5,000.00".

The amendment was adopted.

Further action was deferred temporarily.

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate formed under direction of the sergeant-at-arms and proceeded to the House Chamber.

### JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant-Governor Kimball, President of the Senate, presiding.

President Kimball announced a quorum present and the joint convention duly organized.

Senator Skromme of Story moved that a committee of three be appointed, one from the Senate and two from the House, to notify His Royal Highness, Prince Wilhelm of Sweden, that the joint convention was ready to receive him.

Motion prevailed the President appointed as such committee:

Senator Skromme of Story, Representatives Anderson of Montgomery and Hagglund of Page.

Senator Skromme from the committee appointed to notify His Royal Highness, Prince Wilhelm of Sweden that the joint convention was ready to receive him, appeared with the visiting guest, accompanied by Governor Hammill, and Hon. A. C. Gustafson, chief clerk of the House.

President Kimball then introduced Hon. A. C. Gustafson, who in turn introduced His Royal Highness, Prince Wilhelm of Sweden, who addressed the joint convention.

Senator Benson of Clayton moved that the remarks of Hon. A. C. Gustafson and His Royal Highness, Prince Wilhelm of Sweden be printed in the journal.

Motion prevailed.

#### ADDRESS OF INTRODUCTION BY HON. A. C. GUSTAFSON, CHIEF CLERK OF THE HOUSE

LADIES AND GENTLEMEN: It is not alone a distinction and an honor for which I am truly grateful, but is indeed a genuine, and I am sure, an unconcealed pleasure to be accorded this privilege of introducing to you today Iowa's distinguished guest. A member of the royal family of the land of my forefathers, born of royalty, Prince Wilhelm is a true son of democracy. In the brief hours it has been my privilege to know him I have had ample opportunity to give testimony to the description given him by eastern newspaper men, that "Bill is a regular guy." In common with many of the royalty of Europe since the war, Prince William works for a living, but in his case it is purely voluntary.

It may be of interest to the farmers of the General Assembly to know that the Prince is a farmer. He lives on and operates his own farm, and true to type, drives his own flivver, a flivver constructed, I assume, as you may readily observe to be necessary, with extended leg room.

To the newspaper men permit me to say that the Prince has been active in journalistic work in his homeland, that he has contributed to the current literature of the day, which contributions have crept into the press of our own land.

He is a playwright of no mean ability, and several of his productions have been successfully produced not only in his own land, but in other countries of Europe. He is an ardent devotee of the sports of his land, and as you may easily assume, is a champion at tennis.

Fearful lest his inherent modesty might threaten me, should I continue to further recount his accomplishments, let me say, with humble apol-

ogies to His Highness, that he is a Jack of many trades and master of them all.

A crowning achievement, however, of an extremely busy life, is his hunting expeditions and explorations into the dark fastness of the jungles of Africa, a land of little people and big beasts, and he comes to America today to recount to us a story of his thrilling experiences in that land so far flung from civilization. A story not only by word of mouth, but in order that we might visualize what his eyes saw, is supplemented by motion pictures of his actual experiences in Africa.

And now, ladies and gentlemen, may I present to you a prince of a man, His Royal Highness, Prince Wilhelm of Sweden.

ADDRESS BY HIS ROYAL HIGHNESS, PRINCE WILLIAM OF SWEDEN. BEFORE THE JOINT ASSEMBLY, MARCH 16, 1927.

YOUR EXCELLENCY, THE GOVERNOR OF IOWA, LADIES AND GENTLEMEN: I am indeed happy to receive your kind invitation to be with you today. I feel it a real privilege and a distinguished honor which I thoroughly enjoy and appreciate more than I can tell you.

I have heard much about Iowa during the last few weeks of an exceedingly busy speaking tour. It so happens that a friend of mine, Mr. Burke, was born in this state in a town called Oskaloosa. Now, this is his statement, remember, not my own. He has boasted that this is a state where the tall corn grows. He has claimed the enormous proportions of Iowa hogs in no uncertain language. He has told me of nature's generous cows that simply insist upon being milked three and even four times a day, and this must really be the state of the contented cow. I have an ulterior motive in being here today. I might as well confess it. I want to check up on some of his statements.

But, seriously, I am nearing the end of a tour of fifty American cities and some things stand out vividly, and of these I would speak briefly to you today. I enjoy in a great degree the fine, open-hearted friendliness which has been accorded me in America, and particularly in your central western states. I know that when I sail from New York next week I shall take with me many cherished memories of my visit to Iowa and America. I have heard much about your midwestern hospitality, and it has fulfilled in every way the advance notice. This is one of your very fine traditions. I have seen it everywhere during the past few days, in Minneapolis, St. Paul, Omaha, Kansas City, and so on, and today at Des Moines. I have been wonderfully impressed with this vast country of yours. It is beautiful, a veritable wonderland. Your people are kind and hospitable, and we in Sweden are proud that we have had even in a small measure perhaps, the privilege of contributing to its historical development, proud, indeed, to know that on the scroll of that immortal document, The Declaration of Independence, there appears the names of men of Swedish descent. We are proud to know that in the history of your nation my countryman, Captain John Ericson, played a part with his

invention. That the sixty-fifth anniversary of his battle of the Merri-mac was celebrated only a few weeks ago in many parts of the United States, as in Sweden. But proud and happy as we are to know of the contribution of our country towards the building of your nation, we are indeed in an equal degree appreciative of the many contributions which your America has made, not only to my country, but to the world as a whole. We appreciate your efforts to lighten the burdens of humanity. It stands forever on the side of righteousness, with its inherent characteristic sense of fair play, and we are thankful that there exists between this country and our own the strong ties of friendship and mutual understanding. It is our fond hope and belief that these bonds will continue to bring us together for all time to come.

In conclusion, let me say that while I am not here officially, permit me to extend the greetings of my father, the King of Sweden, and my brother, the Crown Prince of Sweden, who are mindful and appreciative of the kind and friendly relationship which exists between our country and your own great, good nation, the United States of America. I thank you.

Senator Fulton of Jefferson moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate Chamber and resumed regular session.

On motion of Senator Wilson of Page the Senate recessed until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate reconvened, President Kimball presiding.

#### INTRODUCTION OF BILLS

Senate File No. 361, by Senator Clearman, a bill for an act to provide for the organization of township high school boards and for the levying of a tax for maintenance of township high schools.

Read first and second times and referred to committee on public schools.

Senate File No. 362, by Senator Brush, a bill for an act to amend section five (5) of chapter one hundred seventy-three (173) of the Acts of the Forty-first General Assembly, relating to actions on bonds given to secure the deposit of public funds.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 363, by Senator Roberts, a bill for an act to amend section three hundred ninety-three (393) of the code, relative to the audit of claims against the state and certain agencies thereof, and to repeal section three hundred ninety-seven (397) of the code.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 364, by Senator Frailey, a bill for an act to legalize the corporate acts and proceedings of the Frankel Clothing Company of Des Moines, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 365, by committee on fish and game, a bill for an act to create a State Fish and Game Commission; to prescribe its duties and powers; to provide penalties for violation; to provide for the removal of rough fish from the inland waters of the state; and to amend sections seventeen hundred eight (1708), seventeen hundred forty-five (1745) and seventeen hundred forty-six (1746) of the code.

Read first and second times and placed on the calendar.

Senate File No. 366, by Senator Kimberly, a bill for an act to create at each of the state penal institutions at Fort Madison and Anamosa, establishing and maintaining industries revolving funds for the use of said institutions in supporting and maintaining the respective industries at each of said institutions.

Read first and second times and referred to committee on board of control.

Senate Joint Resolution No. 4, by Senator Ellis, a joint resolution ratifying a proposed amendment to the constitution of the United States of America, relative to the labor of persons under eighteen (18) years of age.

Read first and second times and referred to committee on constitutional amendments.

Senate File No. 367, by committee on appropriations, a bill for an act to define a county or district fair or agricultural society, to prescribe the conditions under which such society shall be entitled to state aid under biennial state appropriations therefor, and to regulate the distribution of such appropriations.

Read first and second times and placed on the calendar.

#### HOUSE MESSAGES CONSIDERED

House File No. 247, a bill for an act to empower the executive council to adopt and enforce rules regulating the use by the public of the capitol buildings and grounds, and providing punishment for violations thereof.

Read first and second time and referred to committee on departmental affairs.

House File No. 4, a bill for an act to permit the drainage board to advertise its proceedings, the expense of such advertisement to be collected from the district affected.

Read first and second time and referred to committee on drainage.

House File No. 177, a bill for an act to amend, revise, and codify section thirteen thousand fifteen (13015) of the code, relating to the larceny of domestic fowls and animals.

Read first and second time and referred to committee on judiciary No. 1.

#### REPORTS OF COMMITTEES

Senator McLeland submitted the following reports:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 304, a bill for an act to authorize the maintenance and upkeep of law libraries belonging to the county, the cost thereof to be paid from the general fund, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 284, a bill for an act to repeal section

twenty-nine hundred and five (2905) of the code, and to enact a substitute therefor, relating to aid for county and district fairs and the levying of a tax therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. McLELAND, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10.

The following committee amendments were considered:

Amendments to section 9, (page 13):

- 1. In line 15, change "2,500.00" to "2,750.00".
- 2. In line 23, change "(6)" to "(7)", and change "7,920.00" to "9,-420.00'."
- 3. After line 25, insert the following:  
"25a Supervising Engineer..... 1,000.00".
- 4. After line 34, insert the following:  
"34a Investigation of T. B..... 5,000.00".
- 5. After line 35, insert the following:  
"35-a Aid to Friendless Children..... 2,500.00".

Senator Lange offered the following amendment to amendment No. 1 and moved its adoption:

Amend by striking out the figures "2,750.00" and inserting in lieu thereof the figures "3,000.00".

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 12.

Baird	Darting	Lange	Ramsey
Bergman	Johnston	McFarlane	Topping
Clearman	Kimberly	Merritt	Wilson of Polk

Nays, 34.

Beatty	Clark	Kern	Shane
Benson	Dean	Klemme	Shinn
Breakenridge	Dotts	Langfitt	Skromme
Brookins	Ellis	McLeland	Slemmons
Browne	Fackler	Mills	Stanley
Brush	Fulton	Rigby	Stoddard
Campbell	Gilchrist	Roberts	Ulstad
Carden	Gunderson	Shaff	Wilson of Page
Cavanaugh	Haskell		

Absent or not voting, 3.

Booth	Frailey	Hartman
-------	---------	---------



The amendment to the amendment was lost.

Amendment No. 1 was adopted.

Senator Stoddard offered the following amendment to amendment No. 2 and moved its adoption:

Amend by striking the figures "9,420.00" and inserting in lieu thereof the figures "9,240.00".

The amendment to the amendment was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

Senator Stoddard offered the following amendment to amendment No. 5 and moved its adoption:

Amend by striking the word "Children" and inserting in lieu thereof the word "Girls".

The amendment to the amendment was adopted.

Amendment No. 5 was adopted.

Senator Kimberly offered the following amendment and moved its adoption:

Amend section nine (9) by striking out the figures "2,100.00" as the same appear in line thirteen (13) thereof and inserting in lieu thereof the figures "2,200.00".

The amendment was adopted.

Senator Bergman offered the following amendment and moved its adoption:

Amend as follows: In section 9, line 14, strike the figures "1,740.00" and insert in lieu thereof the figures "1,800.00".

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking from line 31 the figures "10,000.00" and inserting in lieu thereof the figures "11,200.00".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 12 the figures "2500.00" and inserting in lieu thereof the figures "2400.00".

The amendment was adopted.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by changing the figures in line 17 of section 9 from "\$1500.00" to "\$1740.00".

The amendment was adopted.

The following amendments were considered:

Amendments to section 3, (page 4):

1. In line 9, change "4,500.00" to "4,000.00".
2. In line 15, change "2,400.00" to "2,500.00".
3. In line 17, change "2,400.00" to "2,300.00".
4. In line 18, change "1,500.00" to "1,600.00".
5. In line 19, change "1,800.00" to "2,000.00".
6. In line 25, change "75,000.00" to "75,900.00".
7. Strike lines 29 and 30, and insert in lieu thereof; as line 29:  
"Traveling, Contingent and Replacement of Cars.....\$42,000.00".
8. In line 41, change "175,000.00" to "250,000.00".
9. In line 59, change "1,000.00" to "1,500.00".
10. In line 73, change "250.00" to "360.00".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

Amendment No. 5 was adopted.

On the question "Shall amendment No. 6 be adopted?" the vote was:

Ayes, 32.

Baird	Carden	Haskell	Roberts
Benson	Cavanaugh	Johnston	Shaff
Bergman	Clark	Lange	Shane
Booth	Clearman	Langfitt	Stanley
Breakenridge	Darting	McLeland	Stoddard
Brookins	Dean	Mills	Topping
Brush	Frailey	Ramsey	Wilson of Page
Campbell	Gilchrist	Rigby	Wilson of Polk

## Nays, 11.

Browne	Fulton	Kern	Slemmons
Dotts	Gunderson	Klemme	Ulstaad
Fackler	Hartman	Shinn	

## Absent or not voting, 6.

Beatty	Kimberly	Merritt	Skromme
Ellis	McFarlane		

Amendment No. 6 was adopted.

Amendment No. 7 was adopted.

On the question "Shall amendment No. 8 be adopted?" the vote was:

## Ayes, 35.

Baird	Carden	Haskell	Rigby
Beatty	Cavanaugh	Johnston	Shaff
Benson	Clark	Kimberly	Shane
Bergman	Clearman	Lange	Stanley
Booth	Darting	Langfitt	Stoddard
Breakenridge	Dean	McLeland	Topping
Brookins	Ellis	Merritt	Wilson of Page
Brush	Fackler	Mills	Wilson of Polk
Campbell	Frailey	Ramsey	

## Nays, 10.

Browne	Gunderson	Roberts	Slemmons
Dotts	Hartman	Shinn	Ulstaad
Fulton	Kern		

## Absent or not voting, 4.

Gilchrist	Klemme	McFarlane	Skromme
-----------	--------	-----------	---------

Amendment No. 8 was adopted.

Amendment No. 9 was adopted.

Amendment No. 10 was adopted.

Senator Rigby offered the following amendment and moved its adoption:

Amend section 8 by striking out all of lines eight (8) and nine (9) and inserting in lieu thereof the following: "Land improvements and maintenance for roads \$110,000.00."

Senator Lange moved the previous question on the amendment, which motion prevailed.

The amendment was adopted.

The following committee amendments were considered:

Amendments to section 10, (page 16):

1. After line 16, insert the following:

"16a Boiler Inspector..... 1,500.00".

2. In line 17, change "(4)" to "(3)", and change "6,000.00" to "4,500.00".

3. In line 19, change "(7)" to "(5)", and change "8,400.00" to "6,000.00".

4. In line 20, change "1,300.00" to "1,360.00".

5. In line 21, change "(14)" to "(10)", and change "16,800.00" to "12,000.00".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Senator Roberts offered the following amendment to amendment No. 3 and moved its adoption.

Amend by striking the figure "(5)" and inserting in lieu thereof the figure "(6)" and by striking the figures "6000.00" and inserting "7200.00" in lieu thereof.

The amendment to the amendment was adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

Senator Roberts offered the following amendment to amendment No. 5 and moved its adoption:

Amend the amendment by striking the figure "(10)" and inserting in lieu thereof the figures "(12)" and by striking the figures "12,000.00" and inserting the figures "14,400.00".

The amendment to the amendment was adopted.

Amendment No. 5 was adopted.

The following committee amendment was considered:

Amendment to section 12, (page 18):

1. In line 23, change "600.00" to "400.00".

The amendment was adopted.

The following committee amendment was considered:

Amendment to section 14, (page 20):

1. In line 17, change "1,200.00" to "1,400.00".

The amendment was adopted.

Senator Bergman offered the following amendment and moved its adoption:

Amend section 14 by changing the figures "1400.00" in line 19 to "1500.00".

The amendment was adopted.

Senator Breakenridge offered the following amendment and moved its adoption:

Amend section 14a, by inserting as line 15a "For Great Lakes and St. Lawrence Waterway Project, under the direction of and with the approval of the Executive Council, \$5,000.00".

Senator Haskell invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 41.

Baird	Clark	Johnston	Rigby
Beatty	Clearman	Kern	Roberts
Benson	Darting	Kimberly	Shaff
Bergman	Dean	Klemme	Shane
Booth	Dotts	Lange	Slemmons
Breakenridge	Ellis	Langfitt	Stanley
Brookins	Fackler	McFarlane	Stoddard
Brush	Frailey	McLeland	Topping
Campbell	Fulton	Merritt	Wilson of Page
Carden	Haskell	Mills	Wilson of Polk
Cavanaugh			

Nays, 6.

Browne	Gunderson	Shinn	Ulstad
Gilchrist	Hartman		

Absent or not voting, 2.

Ramsey	Skromme
--------	---------

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by inserting after line 15a of section 14a, the following:

"15b For the improvement of the Missouri and Mississippi Rivers (subject to the direction and approval of the Executive Council) \$5,000.00."

Senator Brown offered the following amendment to the amendment and moved its adoption :

Amend by striking the figures "\$5,000.00" and inserting in lieu thereof the figures "\$10,000.00".

On the question "Shall the amendment to the amendment be adopted?" the vote was :

Ayes, 2.

Browne                      Lange

Nays, 42.

Baird	Clearman	Johnston	Roberts
Benson	Darting	Kern	Shaff
Bergman	Dean	Kimberly	Shane
Booth	Dotts	Klemme	Shinn
Breakenridge	Ellis	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stanley
Brush	Fraily	McLeland	Stoddard
Campbell	Gilchrist	Merritt	Topping
Carden	Gundersen	Mills	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark	Haskell		

Absent or not voting, 5.

Beatty	Ramsey	Skromme	Ulstad
Fulton			

Amendment to the amendment lost.

The amendment was adopted.

The following committee amendments were considered :

Amendments to section 16, (page 23):

1. In line 7, change "160,000.00" to "170,000.00".
2. Strike lines 8 to 20, inclusive and insert in lieu thereof the following:

"The foregoing appropriation for state aid to county fairs shall be deemed conditioned on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable."

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Senator Merritt offered the following amendment and moved its adoption :

Amend section 17 as follows: Strike figures "2700.00" in line 8 and insert in lieu thereof the figures "3000.00".

Senator Fulton offered the following amendment to the amendment and moved its adoption:

Amend by striking the figures "3000.00" and inserting in lieu thereof the figures "2500.00".

The amendment to the amendment was lost.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 8.**

Brookins	Lange	Merritt	Topping
Clearman	McFarlane	Ramsey	Wilson of Polk

**Nays, 32.**

Baird	Cavanaugh	Gunderson	Rigby
Benson	Clark	Haskell	Roberts
Bergman	Darting	Johnston	Shane
Booth	Dotts	Kern	Shinn
Breakenridge	Ellis	Kimberly	Slemmons
Browne	Fackler	Niemme	Stanley
Brush	Fulton	McLeland	Stoddard
Carden	Gilchrist	Mills	Ulstad

**Absent or not voting, 9.**

Beatty	Frailey	Langfitt	Skromme
Campbell	Hartman	Shaff	Wilson of Page
Dean			

The amendment was lost.

Senator Merritt offered the following amendment and moved its adoption:

Strike the words "Assistant Deputy" in line 10 and insert in lieu thereof the words "Chief Inspector". Also strike the figures "1800.00" in line 10 and insert in lieu thereof the figures "2000.00".

The amendment was lost.

By unanimous consent further action was deferred.

On motion of Senator Johnston the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

## AMENDMENTS FILED

I move to amend Senate File No. 68 by striking out Section three (3) of the bill and substitute in lieu thereof the following:

"This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Clarksville Star, a newspaper published in Clarksville, and The Pioneer, a newspaper published in Cascade, Iowa."

OTTO F. LANGE.

I move to amend Senate File 269 by striking from the title the word "coal".

Strike from line three (3) of Section 1 the word "coal".

Strike from line four (4) of Section 2 the words "to the coal".

E. E. CAVANAUGH.

I move to amend Senate File No. 352 by inserting after the comma following the word "members" in line 7 of Section 1 the following: "not more than three of whom shall be from the same political party."

LLOYD ELLIS.

## AMENDMENTS FILED TO S. F. 10

Amend by striking from lines 3 and 4 the words and figures thirteen thousand sixty dollars (\$13,060.00) and substituting in lieu thereof the words and figures thirteen thousand nine hundred sixty dollars (\$13,960.00) and further amend by striking from line 7 of section 31 the figures \$8,100.00 and substituting in lieu thereof \$9,000.00 and further amend by striking from line 18 of Section 31 the figures \$13,060.00 and substituting in lieu thereof the figures \$13,960.00.

LLOYD ELLIS.

Amend Sec. 29 as follows: Strike from line 52 the figures "900.00" and insert in lieu thereof the figures "1,200.00".

A. T. BROOKINS.

I move to amend Senate File No. 10 by striking therefrom line 77 of page 72.

LLOYD ELLIS.

The journal of March 15th was corrected and approved.

Senator Breakenridge moved that the Senate adjourn until 9:30 a. m. Thursday.

Senator Stoddard moved to amend the motion by making the hour 9:00 a. m.

The amendment was accepted.

The motion prevailed and the Senate adjourned until 9:00 a. m. Thursday.



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 17, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Geo. E. Purdy, pastor of the Christian church, of Oskaloosa, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Ulstad, from voters of Hardin county, opposing a bill taxing tobaccos. Dairy and food.

By Senator Stanley, from druggists of Oskaloosa, favoring the personal exemption bill. Judiciary No. 1.

## INTRODUCTION OF BILLS

Senate File No. 368, by Senator Shinn, a bill for an act to legalize certain transfer of funds by the town of Manilla, Iowa.

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. 9, a bill for an act providing for an income tax to raise revenue with which to reduce the general property tax levy, and to equalize the burdens of taxation.

A. C. GUSTAFSON, *Chief Clerk.*

## REPORTS OF COMMITTEES

Senator Baird submitted the following reports:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 279, a bill for an act amending section 6041 of the code, relating to the assignment of tax sale certificates, begs leave to report it has had the same under consideration and returns the bill without recommendation.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 266, a bill for an act to repeal section three hundred seventy-three (373) of the code, 1924, and to enact a substitute therefor, relating to the levying of a tax for an emergency fund providing for the transfer thereof to any other fund of the municipality, begs leave to report it has had the same under consideration and recommends the same do pass.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 160, a bill for an act to repeal section 7103 and to enact a substitute therefor, relating to the assessment of electric transmission lines, begs leave to report it has had the same under consideration and recommends the same do pass.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 275, a bill for an act to amend section 6946 of the code relating to exemptions from taxation, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 276, a bill for an act to amend sections 7211 and 7214 of the code, 1924, relating to the payment 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 the title to read as follows: "An act to repeal sections seventy-

two hundred eleven (7211) and seventy-two hundred fourteen (7214) of the code relative to the payment of taxes and to enact substitutes therefor."

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section seventy-two hundred eleven (7211) of the code is repealed and the following enacted in lieu thereof:

"Section 7211. In all cases where the half of any taxes has not been paid before the first day of April succeeding the levy, the amount thereof shall become delinquent from the first day of April after due; and in case the second installment is not paid before the first day of October succeeding its maturity, it shall become delinquent from the first day of October after due."

Sec. 2. Section seventy-two hundred fourteen (7214) of the code is repealed and the following enacted in lieu thereof:

"Section 7214. If the first installment of taxes shall not be paid by April first, said installment shall become due and draw interest, as a penalty, of one per cent per month until paid, from the first day of April following the levy; and if the last half shall not be paid by October first following such levy, then a like interest shall be charged from the date such last half became delinquent."

W. S. BAIRD, *Chairman.*

Ordered passed on file.

Senator Mills submitted the following reports:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 290, a bill for an act authorizing and directing the Curator of the Historical and Art Department of Iowa to collect and preserve the materials of suspending and disbanding posts of the grand army and similar records and materials and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

REDFIELD C. MILLS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 308, a bill for an act to amend section 5387 of the code, relating to the membership of the soldiers' relief commission, begs leave to report it has had the same under consideration and recommends the same do pass.

REDFIELD C. MILLS, *Chairman.*

Ordered passed on file.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10, the budget bill.

Senator Fulton moved that the vote by which the following amendment was adopted be reconsidered.

Amend by striking from line 12 the figures "2500.00" and inserting in lieu thereof the figures "2400.00".

The motion prevailed.

Senator Fulton withdrew the amendment.

Senator Stoddard offered the following amendment and moved its adoption :

Amend by inserting after the word "mapping" in line 13, of section 18, the words "and traveling expenses"; and by changing the figures "2,000.00" to "3,500.00"; further to amend section 18, by striking out line 14.

The amendment was adopted.

The following committee amendments were considered :

Amendments to section 19, (page 26) :

1. In line 8, change "6,300.00" to "7,500.00".
2. Strike line 9.
3. In line 10, change "3,000.00" to "2,700.00".
4. In line 14, change "1,200.00" to "1,500.00".
5. Strike line 19.

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

Amendment No. 5 was adopted.

The following committee amendments were considered :

Amendments to section 21, (page 27) :

1. In line 10, change "Director" to "Registrar".
2. After line 10, insert the following:  
 "10a Deputy Commissioner.....2,000.00."

3. After line 10a, insert the following:

"10b Stenographer .....1,200.00."

4. In line 11, change "1,800.00" to "2,000.00".

5. In line 18, change "1,800.00" to "2,000.00".

6. In line 19, change "2,400.00" to "3,000.00".

7. In line 20, change "1,800.00" to "2,400.00".

8. After line 20, insert the following:

"20a Stenographer .....\$1,200.00."

9. In line 24, change "3,000.00" to "4,000.00".

10. In line 36, change "1,800.00" to "2,000.00".

11. After line 37, insert the following:

"37a Assistant Junior Engineer.....1,600.00."

12. After line 37a, insert the following:

"37b Stenographer .....1,200.00."

13. In line 42, change "4,000.00" to "5,000.00".

14. After line 42, insert the following:

"42a Equipment and Laboratory..... 1,000.00."

Amendment No. 1 was adopted.

President Pro Tem Shane took the chair at 9:55 a. m.

On the question "Shall amendment No. 2 be adopted?" the vote was:

**Ayes, 22.**

Baird	Carden	Kimberly	Rigby
Benson	Clearman	Lange	Shane
Bergman	Darting	Langfitt	Stanley
Breakenridge	Dean	Merritt	Stoddard
Brookins	Frailey	Ramsey	Topping
Campbell	Johnston		

**Nays, 14.**

Booth -	Fulton	Mills	Skromme
Browne	Gunderson	Roberts	Slemmons
Dotts	Hariman	Shinn	Wilson of Page
Ellis	Klemme		

**Absent or not voting, 13.**

Beatty	Clark	Haskell	McLeland
Brush	Fackler	Kern	Shaff
Cavanaugh	Gilechrist	McFarlane	Ulstad
			Wilson of Polk

Amendment No. 2 was adopted.

Further action was deferred temporarily.

It being the thirty-eighth wedding anniversary of Senator and Mrs. Shinn the Senate presented them with a bouquet.

Attention was called to the fact that the day was also the birthday of Senator Wilson of Page, and he was later presented with a bouquet.

Senator Benson moved that ex-Senator Newberry of Clayton county be invited to address the Senate.

The motion prevailed and the President Pro Tem Shane appointed Senator Benson as a committee of one to escort Senator Newberry to the desk.

Senator Newberry addressed the Senate briefly.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10.

Amendment No. 3 to section 21 was adopted.

President Kimball resumed the chair at 10:15 a. m.

Amendment No. 4 was adopted.

Amendment No. 5 was adopted.

Amendment No. 6 was adopted.

Amendment No. 7 was adopted.

On the question "Shall amendment No. 8 be adopted?" the vote was:

Ayes, 27.

Baird	Carden	Haskell	Rigby
Beatty	Cavanaugh	Johnston	Shaff
Benson	Clark	Kimberly	Shane
Bergman	Clearman	Lange	Slemmons
Breakenridge	Darting	McFarlane	Stoddard
Brookins	Dean	Ramsey	Topping
Brush	Frailey		

Nays, 14.

Booth	Fulton	McLeland	Roberts
Browne	Gilchrist	Merritt	Shinn
Campbell	Hartman	Mills	Skromme
Dotts	Klemme		

Absent or not voting, 8.

Ellis  
Fackler

Gunderson  
Kern

Langfitt  
Stanley

Ulstad  
Wilson of Page  
Wilson of Polk

Amendment No. 8 was adopted.

Amendment No. 9 was adopted.

Amendment No. 10 was adopted.

Amendment No. 11 was adopted.

Amendment No. 12 was adopted.

Amendment No. 13 was adopted.

Amendment No. 14 was adopted.

The following committee amendment was considered:

Amendment to section 22, (page 29):

1. In line 31, change "250.00" to "625.00".

The amendment was adopted.

Senator Baird offered the following amendment and moved its adoption:

Amend section 22 by striking from line 24 the figures "\$250.00" and inserting in lieu thereof the figures "\$1250.00".

The amendment was adopted.

On motion of Senator Johnston the Senate went into executive session.

#### EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of George Norman Clark, of Mason City, Cerro Gordo county, Iowa, as a member of the Board of Control of State Institutions for the term of six years beginning July 1, 1927.

The Senate arose from executive session and resumed regular session.

On motion of Senator Stoddard the Senate adjourned until 1:45 p. m. today.

## AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Baird, from voters of Pottawattamie county, opposing a bill taxing tobaccos. Dairy and food.

By Senator Roberts, from voters of Ringgold county, opposing a bill taxing tobaccos. Dairy and food.

## REPORTS OF COMMITTEES

Senator Breakenridge submitted the following reports:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 357, a bill for an act to prohibit the selling of certain wares, merchandise and service and the operation of any temporary business or place of amusement upon any public highway or the street of any city or town near any state, county or district fair grounds, or on ground adjacent thereto, during the time a state, county or district fair is being held, and to provide a punishment for violators, begs leave to report it has had the same under consideration and recommends the same do pass.

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 154, a bill for an act to provide for the licensing of all places of business, filling stations or pump stations where gasoline or gasoline compounds are sold at retail, to provide for the regulation thereof and to provide penalties for violation, 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 be reported out without recommendation:

Amend as follows:

Strike from line 8, Section 1, the following:

“five (\$5.00)” and insert in lieu thereof “two (\$2.00)”.

Further amend Section 3 by striking from lines one and two the words “, vending apparatus and all containers of gas compounds” and inserting in lieu thereof the words “and meters”.



Amend Section 6 by striking the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on agriculture to which was referred House File No. 12, a bill for an act to repeal Chapter Sixty (60) of the laws of the Forty-first General Assembly, and to enact a substitute therefor, relating to the delivery of skimmed milk, ice cream, or buttermilk, to require the pasteurization of skimmed milk, cream and all milk or cream from which ice cream or buttermilk is derived, to define pasteurization, to require a record thereof, and to authorize an injunction to restrain violations of this act, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, and substituting in lieu thereof the following:

"3076. Pasteurization of skimmed milk, and the cream or milk from which ice cream or buttermilk is derived. Every owner, manager, or operator of a creamery or ice cream factory shall before delivering to any person any skimmed milk, ice cream or buttermilk, cause such skimmed milk and the cream or milk from which such ice cream or buttermilk is derived to be pasteurized except that pasteurization shall not be required when ice cream is made from cream or milk procured from cows that have been tuberculin tested at least once a year and found free from tuberculosis and the production of which milk and cream has been supervised and certified to by the Iowa Department of Agriculture as having been produced and handled under proper sanitary conditions."

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following report:

**MR. PRESIDENT:** Your committee on compensation of public officers to which was referred Senate File No. 333, a bill for an act to amend section fifty-two hundred twenty-seven (5227) of the code, 1924, relating to the compensation of deputy sheriffs, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Senator Dean submitted the following report:

**MR. PRESIDENT:** Your committee on fish and game to which was referred Senate File No. 291, a bill for an act to amend Section one thou-

sand seven hundred sixty-six (1766) of the code of 1924, relating to a closed season on fur-bearing animals, begs leave to report it has had the same under consideration and recommends the same do pass.

H. E. DEAN, *Chairman.*

Ordered passed on file.

#### HOUSE MESSAGES CONSIDERED

House File No. 9, a bill for an act providing for an income tax to raise revenue with which to reduce the general property tax levy, and to equalize the burdens of taxation.

Read first and second times and referred to committee on ways and means.

#### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10.

The following committee amendments were considered:

Amendments to section 26, (page 36):

1. In line 11, change "4,000.00" to "3,600.00".

2. After line 12, insert the following:

"12a Assistant .....3,000.00."

3. In line 13, change "1,620.00" to "1,800.00".

4. In line 19, change "35,000.00" to "50,000.00".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

The following committee amendments were considered:

Amendments to section 24, (page 33):

1. In line 14, change "1,200.00" to "1,500.00".

2. In line 28, change "5,000.00" to "8,000.00".

3. In line 29, change "10,500.00" to "12,000.00".

4. In line 30, change "2,000.00" to "2,500.00".

Amendment No. 1 was adopted.

Amendments Nos. 2, 3 and 4 were adopted.

Senator Bergman offered the following amendments and moved their adoption:

Amend section 24 by changing the figures "2850.00" in line 10 to "3000.00".

Also amend by changing the figures "2200.00" in line 11 to "2400.00".

The amendments were lost.

Senator Bergman moved that the vote by which the amendments were lost be reconsidered, which motion prevailed.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 18.

Baird	Brush	Langfitt	Shane
Beatty	Clearman	Ramsey	Topping
Benson	Johnston	Rigby	Wilson of Page
Bergman	Kimberly	Shaff	Wilson of Polk
Breakenridge	Lange		

Nays, 21.

Booth	Dotts	Klemme	Skromme
Brookins	Fackler	McFarlane	Slemmons
Browne	Fulton	Mills	Stanley
Campbell	Haskell	Roberts	Stoddard
Cavanaugh	Kern	Shinn	Ulstad
Clark			

Absent or not voting, 10.

Carden	Ellis	Gunderson	McLeland
Darting	Frailey	Hartman	Merritt
Dean	Gilchrist		

The amendments were lost.

The following committee amendments were considered:

Amendments to section 25, (page 34):

1. In line 9, change "3,000.00" to "3,600.00".

2. After line 9, insert the following:

"9a Second Deputy .....2,700.00."

3. In line 28, change "4,000.00" to "1,000.00".

The amendments were adopted.

Senator Brookins offered the following amendments and moved their adoption :

Amend section 50 by inserting after the word "examiners" in line three of section fifty the words: "Of which examiners the commissioner may designate two examiners in charge at per diem not to exceed \$15.00 each and expenses as herein provided, all other examiners at per diem not exceeding \$12.50 each"; also amend by striking from lines three and four of said section fifty, the words and figures "at per diem not exceeding \$10.00."

The amendments were adopted.

By unanimous consent on request of Senator Brookins the word "each" following the figures "\$12.50" was stricken.

The following committee amendments were considered :

Amendments to section 27, (page 37) :

1. After line 14, insert the following:

"14a Factory Inspector .....1,500.00."

2. In line 18, change "3,000.00" to "4,000.00".

The amendments were adopted.

The following committee amendment was considered :

Amendment to section 29, (page 39) :

1. In line 15, change "1,200.00" to "1,800.00".

The amendment was adopted.

Senator Langfitt offered the following amendment and moved its adoption :

Amend Senate File No. 10 by inserting immediately after line 29 of section 29, the following: "29a Stenographer, \$1,200.00."

The amendment was adopted.

Senator Brookins offered the following amendment and moved its adoption :

Amend section 29 as follows: Strike from line 52 the figures "900.00" and insert in lieu thereof the figures "1,200.00".

The amendment was adopted.

The following committee amendment was considered :

Amendment to section 31, (page 42) :

1. In line 13, after the word "Rent", insert the words "and office expense".

The amendment was adopted.

Further action was deferred.

Senator Stoddard moved that the Senate adjourn until 4:00 p. m. today.

The motion was withheld temporarily.

On motion of Senator Lange, Senate File No. 68, a bill for an act to amend the provisions of sections thirty-two hundred seventy-five, (3275) and thirty-two hundred seventy-six (3276) of the Code, 1924, relating to the appointment and qualifications of members of the board of control of state institutions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lange moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking out Section three (3) of the bill and substitute in lieu thereof the following:

"This act being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Clarksville Star, a newspaper published in Clarksville, and The Pioneer, a newspaper published in Cascade, Iowa".

The amendment was adopted.

Senator Ellis raised the point of order that the amendment had been adopted after the bill had passed to its third reading and was therefore out of order.

The President held the point well taken.

The vote by which the bill passed to its third reading was reconsidered.

Senator Fulton raised the point of order that Senator Stoddard had the floor and had made a motion to adjourn, but on request of the chair had withheld the motion temporarily, and that it should now be put.

The President held the point not well taken.

Senator Ellis moved that further action be deferred, and that the bill take its regular place on the calendar, which motion was lost.

Senator Clark offered the following amendment as a substitute for the amendment filed by Senator Lange and moved its adoption:

Amend by striking out section 3.

The amendment was adopted.

Senator Stoddard moved the previous question, which motion prevailed.

Senator Lange moved that the reading just had be considered the third reading, which motion prevailed.

Senator Lange invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 20.

Baird	Dotts	Kimberly	Stanley
Campbell	Hartman	McFarlane	Stoddard
Clark	Haskell	Mills	Topping
Darting	Johnston	Shaff	Wilson of Page
Dean	Kern	Shane	Wilson of Polk

Nays, 20.

Beatty	Browne	Fackler	Langftt
Benson	Brush	Fulton	Ramsey
Booth	Cavanaugh	Gilchrist	Rigby
Breakenridge	Clearman	Klemme	Slemmons
Brookins	Ellis	Lange	Ulstad

Absent or not voting, 9.

Bergman	Gunderson	Merritt	Shinn
Carden	McLeland	Roberts	Skromme
Frailey			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Ellis 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 Campbell asked for a division of the question.

The motion to table was lost.

The motion to reconsider the vote by which the bill failed to pass the Senate prevailed.

#### INTRODUCTION OF BILLS

Senate File No. 369, by committee on pharmacy, a bill for an act to amend Chapter one hundred fifty-six (156) of the Code, 1924, by adding a section thereto relating to the sale and distribution of sodium fluoride.

Read first and second times and placed on the calendar.

Senate File No. 370, by Senator Wilson of Polk, a bill for an act to amend Section Three Thousand Six Hundred Forty-one (3641) of the Code, 1924, relating to levy of tax to provide for aid to widow in care of child.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 371, by Senator Wilson of Page, a bill for an act to encourage the erection and operation of factories within the state of Iowa.

Read first and second times and referred to committee on manufactures.

Senate File No. 372, by Senator Dean, a bill for an act to amend section eighty-five hundred twenty-six (8526), paragraph nine (9) of the Code, 1924, relating to regulations of the sale of securities of public utilities in this state.

Read first and second times and referred to committee on departmental affairs.

#### SENATE FILE 349 REREFERRED

On motion of Senator Gilchrist Senate File No. 349 was withdrawn from the committee on judiciary No. 1 and referred to the committee on public health.

#### AMENDMENTS TO SENATE FILE NO. 10 FILED

Amend section 46, paragraph 14, by inserting after line 168 the following:

"168a. New cottage building and equipment, \$50,000.00".

OTTO F. LANGE.

Amend section 41 by striking the figures \$3300.00 in line 7 as amended, and inserting the figures \$4000.00; also by striking line 11a.

J. O. SHAFF.

The journal of March 16th was corrected and approved.

Senator Stoddard moved the Senate adjourn until 4 p. m. today.

Senator McFarlane moved to amend the motion by making the time 9 a. m. Friday.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 9 a. m. Friday.



# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 18, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. J. R. Parks, pastor of the First Presbyterian Church, of LeRoy, Minnesota.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Frailey for the day, on request of Senator Ellis.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Topping, from alumni of the State University of Iowa of Des Moines county, opposing the Wamstad bill, relative to state support of hospital. Public health.

By Senator Hartman, from voters of Fayette county opposing control of highway commission over primary road system. Highways.

By Senator Hartman, from voters of Fayette county, favoring a bank guarantee act. Banks and banking.

By Senator Brush, from voters of Benton county, favoring a bank guarantee act. Banks and banking.

By Senator Ramsey, from Shell Rock commercial club, favoring the gasoline tax distribution. Motor vehicles.

By Senator Baird, from civil service board of Council Bluffs, favoring bills relating to fire departments. Judiciary No. 1.

By Senator Carden, from citizens of Riverside, opposing a bill taxing tobaccos. Dairy and food.

## SENATE FILE NO. 69 ON THE CALENDAR

By unanimous consent on request of Senator Brookins Senate File No. 69 was withdrawn from the committee on motor vehicles and placed on the calendar.

## SENATE FILE NO. 228 WITHDRAWN

By unanimous consent on request of Senator Skromme Senate File No. 228 was withdrawn from further consideration.

## HOUSE AMENDMENTS CONSIDERED

Senator Clark called up for consideration Senate File No. 123, amended by the House, and moved that the Senate concur in the following amendment:

Amend by adding at the end thereof the following: "also amend by striking from line three the following: 'or which provide for a receivership'".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Benson	Clark	Johnston	Rigby
Bergman	Clearman	Kern	Roberts
Booth	Darting	Klemme	Shane
Brookins	Ellis	Langfitt	Slemmons
Browne	Fackler	McFarlane	Stanley
Brush	Fulton	Merritt	Stoddard
Campbell	Gilchrist	Mills	Topping
Carden	Hartman	Ramsey	Ulstad

Nays, none.

Absent or not voting, 17.

Baird	Dotts	Kimberly	Shinn
Beatty	Frailey	Lange	Skromme
Breakenridge	Gunderson	McLeland	Wilson of Page
Cavanaugh	Haskell	Shaff	Wilson of Polk
Dean			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator McFarlane called up for consideration Senate File No. 105 amended by the House and moved that the Senate concur in the following amendment:

Amend Senate File No. 105 as follows:

Insert at the end of line four (4) section one (1) the following:

"Payments advanced after execution has been issued upon the junior lien, shall be added to the execution upon receipt, by the sheriff, of a verified statement of such advancements".

On the question "Shall the Senate concur?" the vote was:

**Ayes, 34.**

Benson	Clearman	Lange	Shane
Bergman	Darting	Langfitt	Shinn
Booth	Ellis	McFarlane	Slemmons
Brookins	Fulton	Merritt	Stanley
Browne	Gilchrist	Mills	Stoddard
Brush	Hartman	Ramsey	Topping
Campbell	Johnston	Rigby	Ulstad
Carden	Kern	Roberts	Wilson of Page
Clark	Klemme		

**Nays, none.**

**Absent or not voting, 15.**

Baird	Dean	Gundersor.	Shaff
Beatty	Dotts	Haskell	Skromme
Breakenridge	Fackler	Kimberly	Wilson of Polk
Cavanaugh	Frailey	McLeland	

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 House was asked:

Senate File No. 159, a bill for an act to make an appropriation to pay the expenses of the boundary commission appointed under chapter three hundred thirteen (313), acts fortieth (40) general assembly.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 144, a bill for an act relating to the collection of delinquent motor vehicle license fees.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 118, a bill for an act to prevent the introduction into and dissemination within this state of insect pests and diseases injurious to plants and plant products of this state, to create the office of state entomologist within the state department of agriculture, and to prescribe its powers and duties, and to provide penalties for a violation thereof and to repeal chapter two hundred one (201) of the Code relating to the state entomologist.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 123, a bill for an act relating to the powers and duties of school directors.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 203, a bill for an act to authorize certain townships to levy an additional drainage tax for the purpose of paying excess costs assessed against the township by reason of the construction of drainage districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 222, a bill for an act relating to the levy of a tax for an emergency, and providing for the transfer thereof to any other fund of the municipality.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 118, a bill for an act relating to the appointment of overseers of the poor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 226, a bill for an act to provide for the transfer of surplus earnings of municipal utilities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 210, a bill for an act relating to the compensation of deputy county auditors, treasurers and clerks of the district court.

A. C. GUSTAFSON, *Chief Clerk.*

## REPORTS OF COMMITTEES

Senator Stanley submitted the following reports:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 297, a bill for an act to repeal section 4349 of the

code as amended by chapter 92, acts 41st General Assembly, and to enact a substitute therefor, relating to the education of deaf children, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 328, a bill for an act to amend section four thousand one hundred thirty-one (4131) of the code relating to attaching territory to adjoining school corporation, and designating the parties before whom controversy shall be determined, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 115, a bill for an act to amend section forty-two hundred eleven (4211) and forty-two hundred twelve (4212) of the code, 1924, relative to the election of school directors in school townships, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 361, a bill for an act to provide for the organization of township high school boards and for the levying of a tax for maintenance of township high schools, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Senator Campbell submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 320, a bill for an act regulating bail bonds, the amounts thereof, the approval thereof, the conditions attending such approval, and amending section thirteen thousand six hundred nineteen (13619) of the code relating to the qualifications of sureties on bail bonds, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED H. CAMPBELL, *Vice Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 306, a bill for an act to repeal section ten thousand eight hundred forty-eight (10,848) and to amend section ten thousand eight hundred forty-nine (10,849) of the Code, relative to jury commissions, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED H. CAMPBELL, *Vice Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 185, a bill for an act to amend Chapter 566 of the Code, 1924, relating to certain cases in rape, begs leave to report it has had the same under consideration and recommends the same do pass.

ED H. CAMPBELL, *Vice Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 335, a bill for an act to amend Section 10849 of the Code, relating to appointment of jury commissioners, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED H. CAMPBELL, *Vice Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 302, a bill for an act to amend section nine thousand three hundred forty (9340) of the Code, 1924, relating to building and loan associations, their organization and regulation and the examination thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

ED H. CAMPBELL, *Vice Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 303, a bill for an act to repeal section nine thousand three hundred forty-six (9346) of the Code, 1924, and to enact a substitute therefor, relating to building and loan associations, their organization and regulation and the examination thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

ED H. CAMPBELL, *Vice Chairman.*

Ordered passed on file.

## - THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10, the budget bill.

Senator Ellis offered the following amendment and moved its adoption:

Amend by striking from lines 3 and 4 the words and figures thirteen thousand sixty dollars (\$13,060.00) and substituting in lieu thereof the words and figures thirteen thousand nine hundred sixty dollars (\$13,960.00) and further amend by striking from line 7 of section 31 the figures \$8,100.00 and substituting in lieu thereof \$9,000.00 and further amend by striking from line 18 of Section 31 the figures \$13,060.00 and substituting in lieu thereof the figures \$13,960.00.

The amendment was adopted.

Senator Bergman offered the following amendment and moved its adoption:

Change line 25a, section 9, to read

"Assistant Architect .....\$2,000.00".

The amendment was adopted.

Senator Brookins offered the following amendment and moved its adoption:

Amend section 32 by striking from line 7 the figures "\$9,000.00" and inserting in lieu thereof the figures "\$10,800.00".

Senator Stoddard moved the previous question, which motion prevailed.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 7.

Breakenridge	Clearman	Ellis	Wilson of Polk
Brookins	Dean	Hartman	

Nays, 31.

Baird	Clark	Johnston	Shinn
Bergman	Darting	Kern	Skromme
Booth	Dotts	Kimberly	Slemmons
Browne	Fackler	Klemme	Stanley
Brush	Fulton	Mills	Stoddard
Campbell	Gilchrist	Rigby	Topping
Carden	Gunderson	Roberts	Ulstad
	Haskell	Shane	Wilson of Page

Absent or not voting, 11.

Beatty	Frailey	McFarlane	Ramsey
Benson	Lange	McLeland	Shaff
Cavanaugh	Langfitt	Merritt	

The amendment was lost.

The following committee amendments were considered :

Amendments to section 34, (page 45) :

1. In line 12, change "1,200.00" to "1,300.00".
2. In line 13, change "1,500.00" to "1,600.00".

The amendments were adopted.

The following committee amendments were considered :

Amendments to section 35, (page 46) :

1. At the end of line 28, add the following :

"Provided that funds appropriated by this section, in the discretion of the Printing Board, may be used in supplying paper stock for any of the foregoing departments, bureaus' associations and institutions. Any sum so used to be refunded to the printing board and returned to the credit of the appropriation made by this section. When paper stock is so furnished, payment shall be made to the printing board in the same manner as other claims against such departments are paid, and the printing board shall remit the proceeds to the treasurer of state on the first secular day of each calendar month, taking the treasurer's receipt therefor, showing the same properly credited to the appropriation authorized by this section. Such funds so handled shall be exempt from the provisions of sections 143 and 144 of the Code, 1924."

2. After line 31, insert the following :

"31a Apiarist Report .....\$250.00".

Amendment No. 1 was adopted.

Senator Roberts offered the following amendments and moved their adoption :

Amend by striking out committee amendment No. 2. Also amend by striking from lines 12 and 32 of section 35 of the bill the figures "\$140,820.00" and inserting in lieu thereof the figures "\$143,820.00".

The amendments were adopted.

The following committee amendments were considered :

Amendments to section 36, (page 48) :

1. In line 9, change "4,500.00" to "4,000.00".
2. In line 10, change "3,000.00" to "2,700.00".

Amendment No. 1 was adopted.



Senator Roberts offered the following amendment to amendment No. 2 and moved its adoption:

Amend by striking out the figures "2,700.00" and inserting in lieu thereof the figures "2,850.00".

The amendment to the amendment was adopted.

Amendment No. 2 was adopted.

The following committee amendments were considered:

Amendments to section 37, (page 49):

1. In line 11, after the word "Schools", insert the following:  
" (for use of rural schools only) ".

2. After line 15, insert the following:

"The appropriation for mining camp schools shall be disbursed by the superintendent of public instruction as follows:

(a) There is hereby set aside five thousand dollars (\$5,000.00) per year as an emergency fund to be disbursed by the superintendent of public instruction by and with the consent of the executive council and upon the application of mining camp schools wherein an emergency arises requiring an expenditure greater than that provided for in paragraph (b) hereof.

Any unexpended portion remaining in the emergency fund after April 1st, of each year shall be allocated by the superintendent of public instruction as provided in paragraph (b) hereof.

(b) The remainder of the fund, after deducting the sum provided for in paragraph (a) hereof, shall be distributed by the superintendent of public instruction as follows:

All school districts wherein the population is less than five thousand (5,000) and wherein fifty per cent (50%) of the children of school age are the children of men regularly engaged in mining, as shown by the school enumeration, shall be considered to be mining camp schools, and the superintendent of public instruction shall allocate to said school districts the mining camp school fund on the per capita basis, as shown in said enumeration.

(c) The superintendent of public instruction is hereby authorized to adopt such regulations as shall be found necessary in carrying out the provisions of paragraph (b) hereof."

Amendment No. 1 was adopted.

Senator Ellis offered the following amendment as a substitute for amendment No. 2 and moved its adoption:

The appropriation for mining camp schools shall be used by the state superintendent of public instruction, with the approval of the executive council and under its direction, but not until there is submitted to the

executive council by the state superintendent of public instruction a comprehensive program showing the entire proposed expenditure of the appropriation for the year under consideration, and not until all of the mining camp schools applying for funds from said appropriation have been notified of said contemplated division and of the time and place when the proposed division of such funds is to be passed upon by the executive council. Notice of the hearing by the executive council shall be given by registered mail addressed to the secretary of said mining camp school boards and mailed at least ten (10) days prior to the time fixed for the hearing.

The substitution was made.

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking from line 18, section 36, the figures "4,000.00" and inserting in lieu thereof the figures "5,000.00".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 25.

Baird	Clark	Johnston	Shane
Benson	Clearman	McFarlane	Stanley
Bergman	Darting	Mills	Stoddard
Breakenridge	Dean	Ramsey	Topping
Brookins	Ellis	Rigby	Wilson of Page
Brush	Haskell	Shaff	Wilson of Polk
Carden			

Nays, 22.

Beatty	Fackler	Klemme	Roberts
Booth	Fulton	Lange	Shinn
Browne	Gilchrist	Langfitt	Skromme
Campbell	Gunderson	McLeland	Slemmons
Cavanaugh	Hartman	Merritt	Ulstad
Dotts	Kern		

Absent or not voting, 2.

Frailey                      Kimberly

The amendment was adopted.

The following committee amendments were considered:

Amendments to section 39, (page 50):

1. In line 10, change "2,820.00" to "3,000.00".
2. In line 21, change "(3)" to "(2)", and change "3,600.00" to "2,400.00".

3. In line 22, change "1,500.00" to "1,800.00".
4. In line 23, change "1,500.00" to "1,800.00".
5. After line 25, insert the following:  
     "25a Assistant Reporter .....1,800.00"
6. After line 39, insert the following:  
     "39a Counsel Fees and other Contingencies (under super-  
     vision of Director of Budget).....\$5,000.00"
7. In line 47, change "4,500.00" to "5,000.00".
8. Strike line 66.
9. After line 84, insert the following:  
     "84a Inspectors (2) ..... 3,600.00"
10. After line 84a, insert the following:  
     "84b Tax Auditor .....1,800.00"
11. In line 93, change "500.00" to "3,000.00".
12. After line 93, insert the following:  
     "93a Miscellaneous .....1,000.00"
13. In line 95, change "10,400.00" to "19,300.00".

Senator Brookins offered the following amendment to amendment No. 1 and moved its adoption:

Amend by striking the figures "3,000.00" and inserting in lieu thereof the figures "2,850.00".

The amendment to the amendment was adopted.

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendments Nos. 3 and 4 were lost.

On the question "Shall amendment No. 5 be adopted?" the vote was:

Ayes, 19.

Benson	Darting	Kimberly	Stoddard
Bergman	Gilchrist	Lange	Topping
Brush	Hartman	Ramsey	Wilson of Page
Clark	Haskell	Rigby	Wilson of Polk
Clearman	Johnston	Shane	

Nays, 25.

Beatty	Cavanaugh	Kern	Roberts
Boothe	Dotts	Klemme	Shinn
Breakenridge	Ellis	Langfitt	Skromme
Brookins	Fackler	McLeland	Slemmons
Browne	Fulton	Meritt	Stanley
Campbell	Gunderson	Mills	Ulstad
Carden			

Absent or not voting, 5.

Baird	Frailey	McFarlane	Shaff
Dean			

Amendment No. 5 was lost.

Action on amendments Nos. 6 and 7 was deferred temporarily.

On the question "Shall amendment No. 8 be adopted?" the vote was:

Ayes, 3.

Breakenridge	Brookins	Rigby
--------------	----------	-------

Nays, 39.

Baird	Darting	Kern	Roberts
Beatty	Dotts	Kimberly	Shane
Benson	Ellis	Klemme	Skromme
Booth	Fackler	Lange	Slemmons
Browne	Fulton	Langfitt	Stanley
Brush	Gilchrist	McFarlane	Stoddard
Campbell	Gunderson	McLeland	Topping
Carden	Hartman	Merritt	Wilson of Page
Clark	Haskell	Mills	Wilson of Polk
Clearman	Johnston	Ramsey	

Absent or not voting, 7.

Bergman	Dean	Shaff	Ulstad
Cavanaugh	Frailey	Shinn	

Amendment No. 8 was lost.

By unanimous consent on request of Senator Brookins amendment No. 6 was withdrawn.

Amendment No. 7 was adopted.

Senator Brookins offered the following amendment to amendment No. 12 and moved its adoption:

Amend amendment No. 12 by striking out the figures "1,000.00" and inserting in lieu thereof the figures "3,000.00".

The amendment to the amendment was adopted.

Amendments Nos. 9, 10, 11 and 12 were adopted.

By unanimous consent amendment No. 13 was withdrawn.

Senator Stoddard moved that the vote by which amendment No. 5 was lost be reconsidered, which motion prevailed.

Amendment No. 5 was adopted.

The following committee amendments were considered:

Amendments to section 40, (page 54):

1. In line 7, change "4,500.00" to "4,000.00".
2. In line 8, change "3,000.00" to "2,700.00".

Amendment No. 1 was adopted.

Senator Roberts offered the following amendment to amendment No. 2 and moved its adoption:

Amend amendment No. 2 by striking out the figures "2,700.00" and inserting the figures "2,850.00" in lieu thereof.

The amendment to the amendment was adopted.

Amendment No. 2 was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend section 41 by striking the figures "\$3,300.00" from line 7 and inserting the figures "\$4,000.00" in lieu thereof.

The amendment was adopted.

The following committee amendments were considered:

Amendments to section 41, (page 55):

1. After line 11, insert the following:

"11a Stenographer ..... 1,200.00"

2. Strike line 15.

By unanimous consent on request of Senator Stoddard amendment No. 1 was withdrawn.

Amendment No. 2 was adopted.

On motion of Senator Shinn the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator McFarlane for the afternoon, on request of Wilson of Polk; Senator Shaff for the afternoon, on request of Senator Haskell; Senator Cavanaugh for the afternoon, on request of Senator Rigby; Senator Booth for the afternoon, on request of Senator Shane,

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Topping, from voters of Des Moines county, opposing a bill taxing tobaccos. Dairy and food.

By Senator Clearman, from voters of Johnson county, favoring income tax. Ways and means.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that on March 15, 1927, he had approved of the following bill:

Senate File No. 248, an act to amend section 6621 and section 6622 of the code.

## HOUSE MESSAGES CONSIDERED

House File No. 123, a bill for an act to amend section four thousand two hundred thirty-one (4231), of the code, 1924, relating to the powers and duties of school directors.

Read first and second time and referred to committee on public schools.

House File No. 203, a bill for an act to authorize certain townships to levy an additional drainage tax for the purpose of paying excess costs assessed against the township by reason of the construction of drainage districts.

Read first and second time and referred to committee on drainage.

House File No. 222, a bill for an act to repeal section three hundred seventy-three (373) of the code, 1924, and to enact a substitute therefor, relating to the levy of tax for an emergency, and providing for the transfer thereof to any other fund of the municipality.

Read first and second time and referred to committee on cities and towns.

House File No. 118, a bill for an act to repeal section fifty-three hundred twenty-one (5321) of the code and to enact a substitute therefor, relating to the appointment of overseers of the poor.

Read first and second time and referred to committee on county and township affairs.

House File No. 226, a bill for an act to provide for the transfer of surplus earnings of municipal utilities.

Read first and second time and referred to committee on cities and towns.

House File No. 210, a bill for an act to amend sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223) and fifty-two hundred thirty-one (5231) of the code, 1924, relating to the compensation of deputy county auditors, treasurers and clerks of the district court.

Read first and second time and referred to committee on compensation of public officers.

#### INTRODUCTION OF BILLS

Senate File No. 373, by Senator Ellis, a bill for an act to amend chapter two hundred eleven (211) acts of the forty-first general assembly relating to the erection of monuments at the graves of soldiers of the Revolutionary War.

Read first and second times and referred to committee on military affairs.

Senate File No. 374, by Senator Lange, a bill for an act to repeal section sixty-six hundred seventy-six (6676) of the code, 1924, relating to political activity on the part of the manager of a city under the city manager plan of government.

Read first and second times and referred to committee on cities and towns.

Senate File No. 375, by Senator Lange, a bill for an act to repeal sections eighty-three hundred fifty-one (8351) and eighty-three hundred fifty-two (8352) of the code, 1924, relating to the limit of indebtedness of Iowa corporations.

Read first and second times and referred to committee on corporations.

Senate File No. 376, by Senator Skromme, a bill for an act requiring every person, firm, partnership, association, organization, or corporation owning, holding in trust, or otherwise controlling, or having custody of any securities, bonds, debentures, notes,

mortgages, real estate contracts, conditional bills of sale, corporation shares and stocks, warehouse and storage receipts, certificates of deposit, and other evidences of property or indebtedness, taxable under the laws of the state of Iowa, to report and present the same to the assessor for taxation, which assessor shall list same for taxation; and the making of all such evidences of property or indebtedness unenforceable by the owner thereof in the courts, unless the same are shown to have been previously reported and presented to the proper assessor for listing and taxation.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 377, by Senator Skromme, a bill for an act to amend section seven thousand one hundred thirty-five (7135) of the code of nineteen hundred twenty-four (1924 relating to appeals from the action of the board of review in fixing the amount of assessment of any property concerning which complaint is made so as to give the right of appeal from the decision of the board of review to any taxpayer who has made complaint as to such assessment before the board of review.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 378, by Senator Skromme, a bill for an act to tax real estate mortgages and land contracts in the taxing district where the land so mortgaged or sold is located; and the making of such mortgages and contracts unenforceable by the owner thereof in the courts, unless the same has been listed for taxation.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 379, by Senator Skromme, a bill for an act to amend section six thousand nine hundred forty-four (6944) of the code, 1924, to provide for the partial exemption from taxation of homesteads.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 380, by sub-committee of committee on motor vehicles, a bill for an act to amend sections five thousand forty-



five (5045) and five thousand sixty-five (5065) of the code, 1924, to repeal section thirteen (13) of chapter five (5) of the acts of the forty-first general assembly, to repeal section five thousand sixty-six (5066) of the code, 1924, and to enact a substitute therefor, relating to the laws of the road, and to authorize the state highway commission to enforce the law with reference to the use of primary roads.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 381, by sub-committee of committee on motor vehicles, a bill for an act to amend section fifteen (15) of chapter five (5) of the acts of the forty-first general assembly, relating to the speed of passenger carrying motor busses.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 382, by Senator Breakenridge, a bill for an act to authorize the transfer of \$25,000.00 (twentyfive thousand dollars) from the electric fund to the general fund of the city of Algona, Kossuth county, Iowa.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 383, by Senator Fulton, a bill for an act to promote thrift and savings, to provide for loans and a general banking business on the cooperative plan under the provisions of the cooperative laws of the state, to provide for the organization of such banks, manner of conducting the business, the scope of business and the control and operation of the same.

Read first and second times and referred to committee on banks and banking.

Senate File No. 384, by Senator McLeland, a bill for an act to amend sections five thousand four hundred thirteen (5413), five thousand four hundred seventeen (5417), five thousand four hundred eighteen (5418), and five thousand four hundred fifty-two (5452) of the code, relating to bounties on wild animals and to damages done by such animals.

Read first and second times and referred to committee on agriculture.

Senate File No. 385, by committee on appropriations, a bill for an act to make an appropriation for the prevention, control and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith.

Read first and second times and placed on the calendar.

Senate File No. 386, by Senator Bergman, a bill for an act to amend section eight (8), chapter six (6), of the acts of the forty-first general assembly, relating to refunds of gasoline tax.

Read first and second times and referred to committee on motor vehicles.

#### QUIGLEY MEMORIAL RESOLUTION

Senator Benson offered the following resolution and moved its adoption:

*Whereas*, Honorable Robert Quigley, a member of the Senate in the Thirty-third (33rd), Thirty-fourth (34th), Thirty-fifth (35th) and Thirty-sixth (36th) General Assemblies of Iowa died at McGregor, Iowa,

*Now, Therefore, Be It Resolved*, That the President of the Senate appoint a committee of three to draft and present proper and suitable resolutions to commemorate his life and service to the state.

The resolution was adopted and the President appointed as such committee Senators Benson, Frailey and Cavanaugh.

#### BROOKHART MEMORIAL RESOLUTION

Senator Carden offered the following resolution and moved its adoption:

*Whereas*, Honorable James L. Brookhart, a member of the Senate in the Thirty-eighth, Thirty-ninth, Fortieth, Fortieth extra and Forty-first General Assemblies, died at his home in Washington, Iowa,

*Therefore, Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and services to the state.

The resolution was adopted and the President appointed as such committee Senators Carden, Shinn and Clearman.

#### REPORTS OF COMMITTEES

Senator Dean submitted the following reports:

**MR. PRESIDENT:** Your committee on fish and game, to which was referred House File No. 40, a bill for an act to amend section seventeen

hundred twenty-seven (1727) of the code, 1924, relating to the expiration of resident licenses for fishing and hunting, begs leave to report it has had the same under consideration and recommends the same do pass.

H. E. DEAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game to which was referred House File No. 18, a bill for an act to repeal section seventeen hundred twenty-five (1725) of the code, 1924, and enacting a substitute therefor, relating to the issuances of fishing and hunting licenses and duplicates therefor, fixing fees and providing for the accounting of such fees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. E. DEAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on fish and game to which was referred Senate File No. 106, a bill for an act to amend sections 1725 (seventeen hundred twenty-five) and 1726 (seventeen hundred twenty-six) of the code relating to the accounting of fees collected for hunting and fishing license, and providing for issuance of duplicate license in certain cases, 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 sections one (1) and three (3).

H. E. DEAN, *Chairman*.

Ordered passed on file.

Senator Baird submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred House File No. 9, a bill for an act providing for an income to raise revenue with which to reduce the general property tax levy, and to equalize the burdens of taxation, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. S. BAIRD, *Chairman*.

Ordered passed on file.

Senator Baird moved that the committee report on House File No. 9, recommending indefinite postponement, be adopted:

Senator Breakenridge moved that action on the committee report on House File No. 9 be deferred until Tuesday at 10 a. m.

Senator Breakenridge invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

## Ayes, 19.

Brookins	Ellis	Klemme	Skromme
Browne	Fackler	Langfitt	Slemmons
Campbell	Gilchrist	McLeland	Stanley
Dean	Gunderson	Mills	Ulstaad
Dotts	Kern	Shinn	

## Nays, 25.

Baird	Carden	Haskell	Rigby
Beatty	Clark	Johnston	Roberts
Benson	Clearman	Kimberly	Shane
Bergman	Darting	Lange	Stoddard
Breakenridge	Fulton	Merritt	Topping
Brush	Hartman	Ramsey	Wilson of Page
			Wilson of Polk

## Absent or not voting, 5.

Booth	Frailey	McFarlane	Shaff
Cavanaugh			

The motion was lost.

Senator Breakenridge moved that the vote by which the motion was lost be reconsidered.

Senator Wilson of Page moved to lay the motion to reconsider on the table.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

## Ayes, 23.

Baird	Darting	Lange	Shane
Benson	Fulton	Merritt	Stanley
Bergman	Hartman	Ramsey	Stoddard
Carden	Haskell	Rigby	Topping
Clark	Johnston	Roberts	Wilson of Page
Clearman	Kimberly		Wilson of Polk

## Nays, 20.

Breakenridge	Dean	Gunderson	Mills
Brookins	Dotts	Kern	Shinn
Browne	Ellis	Klemme	Skromme
Brush	Fackler	Langfitt	Slemmons
Campbell	Gilchrist	McLeland	Ulstaad

## Absent or not voting, 6.

Beatty	Cavanaugh	McFarlane	Shaff
Booth	Frailey		

The motion to lay on the table prevailed.

Senator Breakenridge invoked rule 8.

On the question "Shall the report be adopted and the bill indefinitely postponed?" the vote was:

**Ayes, 24.**

Baird	Clearman	Kimberly	Shane
Beatty	Darting	Lange	Stanley
Benson	Fulton	Merritt	Stoddard
Bergman	Hartman	Ramsey	Topping
Carden	Haskell	Rigby	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk

**Nays, 20.**

Breakenridge	Dean	Gunderson	Mills
Brookins	Dotts	Kern	Shinn
Browne	Ellis	Klemme	Skromme
Brush	Fackler	Langfitt	Slemmons
Campbell	Gilchrist	McLeland	Ulstad

**Absent or not voting, 5.**

Booth	Frailey	McFarlane	Shaff
Cavanaugh			

The motion carried and the bill was indefinitely postponed.

Senator Shane moved that the vote by which the report was adopted and the bill indefinitely postponed be reconsidered and that the motion to reconsider be laid on the table.

Senator Browne asked for a division of the question.

The motion to lay on the table prevailed.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10.

Senator Bergman offered the following amendment and moved its adoption:

In section 42, line 10, strike the figures "1,500.00" and insert in lieu thereof the figures "1,800.00".

On request of Senator Brookins Senator Shane was excused for the rest of the day.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 22.**

Baird	Carden	Hartman	Langfitt
Benson	Clark	Haskell	Ramsey
Bergman	Clearman	Johnston	Stoddard
Breakenridge	Darting	Kimberly	Topping
Brush	Dean	Lange	Wilson of Polk
Campbell	Gilchrist		

**Nays, 15.**

Brookins	Fulton	McLeland	Slemmons
Browne	Gunderson	Merritt	Stanley
Dotts	Kern	Mills	Ulstad
Fackler	Klemme	Shinn	

**Absent or not voting, 12.**

Beatty	Ellis	Rigby	Shane
Booth	Frailey	Roberts	Skromme
Cavanaugh	McFarlane	Shaff	Wilson of Page

The amendment was adopted.

On request of Senator Stoddard Senator Wilson of Page was excused for the rest of the day.

The following committee amendment was considered:

Amendment to section 43, (page 56):

1. In line 12, change "1,500.00" to "1,800.00".

The amendment was adopted.

Senator Stoddard offered the following amendments and moved their adoption:

Amend as follows:

After line 15, of section 43, insert the following: "15a Contingent fund, 250.00".

Further amend section 43 by inserting after the word "appropriations" in line 16, the following: "except as provided by section 177 of the code".

The first amendment was adopted.

The second amendment was adopted.

The following committee amendments were considered:

Amendments to section 44, (page 57):

1. In line 8, change "4,500.00" to "4,000.00".

2. In line 9, change "3,000.00" to "2,700.00".
3. In line 17, change "1,320.00" to "1,500.00".

Amendment No. 1 was adopted.

Senator Roberts offered the following amendment to amendment No. 2 and moved its adoption:

Amend by striking the figures "2,700.00" in amendment No. 2 and inserting in lieu thereof the figures "2,850.00".

The amendment to the amendment was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

The following committee amendments were considered:

Amendments to section 46, (page 61):

1. In line 48, change "742,750.00" to "757,750.00".
2. After line 48, insert the following:
 

"48a New Store House and Converting Old Store House into Cottage .....	\$40,000.00".
---	---------------
3. In line 69, change "4,000.00" to "2,000.00".
4. In line 90, change "640,950.00" to "650,950.00".
5. After line 101, insert the following:
 

"101a Hospital Building and Equipment.....	\$50,000.00".
--	---------------
6. In line 164, change "341,100.00" to "371,100.00".
7. In line 183, change "(\$60,000.00)" to "(\$100,000.00)".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

Amendment No. 5 was adopted.

Amendment No. 6 was adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend section 46, paragraph 14, by inserting after line 168 the following:

"168a. New cottage building and equipment, \$50,000.00".

The amendment was adopted.

Committee amendment No. 7 was adopted.

By unanimous consent on request of Senator Stoddard the bill was amended by striking from line 188 of section 46 the figures "\$60,000.00" and by inserting in lieu thereof the figures "\$100,000.00."

The following committee amendments were considered:

Amendments to section 47, (page 69):

1. In line 49, change "120,000.00" to "140,000.00".
2. After line 56, insert the following:  
     "56a Additional for Truck and Horticultural Crop Experimentation ..... 20,000.00"
3. In line 58, change "44,000.00" to "80,000.00".
4. In line 60, after the word "Marketing" insert the words  
     "In Extension Department".
5. In line 88, change "400,600.00" to "412,600.00".
6. After line 90, insert the following:  
     "90a Water Softener ..... 5,000.00"
7. After line 106, insert the following:  
     "106a Capital Expenditures Childrens' Cottage..... 50,000.00"

On the question "Shall amendment No. 1 be adopted?" the vote was:

Ayes, 24.

Benson	Campbell	Gilchrist	Mills
Bergman	Carden	Haskell	Ramsey
Booth	Clark	Johnston	Rigby
Breakenridge	Clearman	Kimberly	Stanley
Brookins	Darting	Lange	Topping
Brush	Dean	Langfitt	Wilson of Polk

Nays, 14.

Beatty	Fackler	Kern	Slemmons
Browne	Fulton	Klemme	Stoddard
Dotts	Gunderson	Shinn	Ulstad
Ellis	Hartman		

Absent or not voting, 11.

Baird	McFarlane	Roberts	Skromme
Cavanaugh	McLeland	Shaff	Wilson of Page
Frailey	Merritt	Shane	

Amendment No. 1 was adopted.

On motion of Senator Breakenridge further action on the bill was deferred until 1:30 p. m. Monday.



## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 144, 159, 105, and 123.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 144, 159, 105 and 123.

## SIFTING COMMITTEE APPOINTED

I hereby appoint on the sifting committee, as per the resolution, the following Senators: Roberts, Chairman; Shane, Fulton, Bergman, Johnston, Stoddard and Haskell.

CLEM F. KIMBALL, *President of the Senate.*

The journal of March 17th 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, MARCH 19, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. E. W. Curtis, pastor of the United Brethren Church, of Des Moines.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Johnston for the day on request of Senator Langfitt; Senator Darting for the day on request of Senator Wilson of Polk; Senator Haskell for the day on request of Senator Wilson of Polk; Senator McFarlane for the day on request of Senator Wilson of Polk; Senator Wilson of Page for the day on request of Senator Stoddard; Senator Ellis for the day on request of Senator Stoddard; Senator Skromme for the day on request of Senator Stoddard; Senator Frailey for the day on request of Senator Stoddard; Senator Booth for the day on request of Senator Fulton; Senator Cavanaugh for the day on request of Senator Fulton; Senator Baird for the day on request of Senator Fulton; Senator Benson for the day on request of Senator Fackler.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hartman, from voters of Fayette county, opposing control of highway commission over primary road system. Highways.

By Senator Hartman, from voters of Fayette county, favoring a bank guarantee act. Banks and banking.

By Senator Brookins, from voters of Floyd county, opposing a bill taxing tobaccos. Dairy and food.

By Senator Campbell, from residents of Galva, favoring abolishment of office of game warden. Fish and game.

By Senator Kimberly, from residents of Davenport, favoring passage of school text book bill. Public schools.

#### INTRODUCTION OF BILLS

Senate File No. 387, by Senator Merritt, a bill for an act to establish a department of state police to create the office of superintendent of state police, to provide for the appointment of such superintendent, together with the officers and men who shall constitute the force, to define the powers and duties of said department and superintendent, to make an appropriation therefor, to amend sections 251 and 1063 of the code, 1924, and to repeal all laws in conflict therewith.

Read first and second times and referred to committee on police regulations.

Senate File No. 388, by Senator Wilson of Polk, a bill for an act to amend section five thousand six hundred sixty-nine (5669) of the Code of Iowa, 1924, relating to the compensation of assessors and deputies.

Read first and second times and referred to committee on cities and towns.

Senate File No. 389, by Senator Stoddard, by request, a bill for an act to prevent the sale of stolen motor vehicles, to facilitate the recovery thereof, and providing penalties.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 390, by Senator Wilson of Polk, a bill for an act to amend section 4657 (four thousand six hundred fifty-seven) of the code relative to the acquisition of gravel pits by counties.

Read first and second times and referred to committee on highways.

Senate Joint Resolution No. 5, by Senators Frailey and McFarlane, a joint resolution for the appointment of a committee to be appointed by the Governor for the purpose of making a thorough and complete investigation of the question of employment of convict labor in the state penitentiary and state reformatory.

Read first and second times and referred to committee on board of control.

Senate File No. 391, by Senator Fulton, by request, a bill for an act amending section seven hundred ninety-six (796) of the code, 1924, relating to the right to receive a ballot from the judges of election, and repealing section five hundred seventy-two (572) of the code, 1924, relating to challenge.

Read first and second times and referred to committee on elections.

Senate File No. 392, by Senator Brookins, a bill for an act to amend section four thousand eight hundred sixty-nine (4869) of the code, regarding the filing of applications for registration of motor vehicles.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 393, by Senator Wilson of Polk, a bill for an act to amend section ten thousand six hundred forty-nine (10649) of the code relating to appointment of deputy bailiffs in the municipal court, and empowering the judges to appoint court room bailiffs.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 394, by committee on appropriations, a bill for an act making an appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses of the general assembly.

Read first and second times and placed on the calendar.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 268, a bill for an act relating to public school libraries.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked;

House File No. 267, a bill for an act relating to state aid for standard schools.

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 the expenses of the county superintendent of schools.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 265, a bill for an act relating to the making of a financial statement by school districts.

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 relating to insurance upon lives of directors, officers, agents, and employees of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 219, a bill for an act relating to organizations soliciting public donations.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORTS OF COMMITTEES

Senator Shinn submitted the following report:

MR. PRESIDENT: Your committee on dairy and food to which was referred Senate File No. 249, a bill for an act to amend Chapter 151 of the code relating to the production and sale of eggs, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. J. SHINN, *Chairman.*

Ordered passed on file.

Senator Gilchrist submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 321, a bill for an act to amend, revise, and codify section 13824 of the Code relating to the trial of defendants jointly in-

dicted, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 370, a bill for an act to amend Section 3641 of the Code, 1924, relating to the levy of tax to provide for aid to widow in care of child, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 368, a bill for an act to legalize certain transfer of funds by the town of Manilla, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 336, a bill for an act to amend chapter 251 of the Title XIII of the code, 1924, so as to provide for the detection, seizure and disposition of motor vehicles, the serial or engine number of which has been unlawfully effaced, altered or tampered with, 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 subsection 5083-a of section 1 by inserting before the word "to" in line 3 of said subsection, the following:

"and who has reasonable cause to believe that the possessor of such motor vehicle wrongfully holds the same,"

Also amend subsection 5083-b of section 1 by striking all that part of the subsection following the semicolon in the second line thereof; and further amend said subsection by substituting a comma for the semicolon in the second line thereof, and adding after the comma so substituted the following:

"unless the vehicle shall be released as provided in the following section. Provided, however, that the sheriff may at any time without resort being had to such proceeding release such motor vehicle to the person from whom it was taken, should the sheriff be satisfied that such person is rightfully entitled to the same."

Also amend subsection 5083-c of section 1 by adding thereto the following:

"In the event that such motor vehicle is not returned within six months to the possession of the person from whom it was taken, the sheriff shall sell the same at public auction upon giving such notice as the district court or a judge thereof may prescribe, and shall turn over to the county treasurer the proceeds of such sale after deducting the costs and expense of the seizure, retention and sale, and the county treasurer shall dispose of such proceeds in the same manner as is provided by law relative to the proceeds of fines."

Also amend by renumbering the subsections of section 1 of the bill as 5083-b1, 5083-b2, 5083-b3, 5083-b4, 5083-b5, 5083-b6.

F. C. GILCHRIST, *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 to provide for increased sentences in prosecutions for felonies or for attempts to commit felonies when the accused is armed with firearms, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 319, a bill for an act to require physicians and certain hospital authorities to make report of injuries arising from the discharge of firearms, and to provide penalties consequent on a failure to make such report, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 346, a bill for an act to legalize the levying of a tax on all taxable property in Clayton County, Iowa, for the erection of a soldiers' monument and authorizing the Board of Supervisors to expend the money raised by such taxation for the purchase of a soldiers' monument to be erected in what is known as Brown's cemetery in Mallory township, Clayton county, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 300, a bill for an act to amend section 7255 of the 1924 Code of Iowa, relating to notice and sale of prior advertised property for taxes, and to allow the county to become a purchaser at such tax sale, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 245, a bill for an act to enable mechanics to acquire liens for the security of evidences of indebtedness which have been taken in return for furnishing materials or performing labor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 327, a bill for an act to repeal sections 13960 and 13961 of the Code, 1924, relating to indeterminate sentences in criminal cases, 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 the bill all of Section Two.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report :

MR. PRESIDENT: Your committee on board of control to which was referred Senate File No. 366, a bill for an act to create at each of the state penal institutions at Fort Madison and Anamosa, establishing and maintaining industries revolving funds for the use of said institutions in supporting and maintaining the respective industries at each of each institutions, 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.

#### HOUSE MESSAGES CONSIDERED

House File No. 268, a bill for an act to repeal sections forty-three hundred twenty-two (4322), forty-three hundred twenty-



three (4323), and forty-three hundred twenty-four (4324) of the code, 1924, and to enact substitutes therefor, relating to public school libraries.

Read first and second time and referred to committee on public schools.

House File No. 267, a bill for an act to amend section forty-three hundred thirty-five (4335) of the code, 1924, relating to state aid for standard schools.

Read first and second time and referred to committee on public schools.

House File No. 266, a bill for an act to repeal section fifty-two hundred thirty-three (5233) of the code, 1924, and to enact a substitute therefor, relating to the expenses of the county superintendent of schools.

Read first and second time and referred to committee on public schools.

House File No. 265, a bill for an act to amend section forty-two hundred forty-two (4242), and to repeal sections forty-two hundred forty-three (4243) and forty-two hundred forty-four (4244) of the code, 1924, relating to the making of a financial statement by school districts.

Read first and second time and referred to committee on public schools.

House File No. 258, a bill for an act relating to insurance upon lives of directors, officers, agents, and employees of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto.

Read first and second time and referred to committee on insurance.

#### COMMUNICATION FROM MRS. S. F. WILSON

Mrs. S. F. Wilson and family gratefully acknowledge your kind expression of sympathy.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the governor announcing that on March 17, he had approved of the following bill:

Senate File No. 104, an act to amend, revise and codify sections 4622, 4623, 4687, 4806, 4708, 4712, 4718, 4719, 4727, 4738, 4741, 4743, 4744, 4755, and 5001 of the code, 1924, relating to highways.

The Senate took a recess.

The Senate reconvened.

The roll was called to ascertain if there was a quorum present.

The roll call revealed the presence of a quorum.

#### BILLS WITHDRAWN FROM COMMITTEE

By unanimous consent on request of Senator Carden, Senate File No. 345 was withdrawn from the committee on judiciary No. 2 and placed on the calendar.

By unanimous consent on request of Senator Roberts Senate Files Nos. 264 and 132 were withdrawn from the committee on banks and banking and placed on the calendar.

By unanimous consent on request of Senator Fackler the secretary was directed to draft a duplicate bill for Senate File No. 82, same having been lost, and the bill was ordered on the calendar.

#### S. F. 335 WITHDRAWN

By unanimous consent on request of Senator Lange Senate File No. 335 was withdrawn from further consideration.

#### PROOF OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of Senate File No. 345, a proposed bill for the legalization of the proceedings of the council of the town of New London, Iowa, in the handling of the general fund and various other funds of said town.

WALTER H. BEAM, *Secretary.*

#### THIRD READING OF BILLS

On motion of Senator Carden, the rules were suspended and Senate File No. 345, a bill for an act to legalize the proceedings of the council of the town of New London in Henry County, Iowa, in

the handling of the general fund and various other funds of said town, having been withdrawn from the committee, was taken up and considered.

The bill was read for information.

Senator Carden moved 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.

Beatty	Dotts	Lange	Slemmons
Breakenridge	Fackler	McLeland	Stanley
Brookins	Fulton	Merritt	Stoddard
Browne	Gilchrist	Mills	Topping
Campbell	Gunderson	Ramsey	Ulstad
Carden	Hartman	Rigby	Wilson of Polk
Clark	Kern	Roberts	
Clearman	Kimberly	Shane	
Dean	Klemme	Shinn	

Nays, none.

Absent or not voting, 16.

Baird	Brush	Frailey	McFarlane
Benson	Cavanaugh	Haskell	Shaff
Bergman	Darting	Johnston	Skromme
Booth	Ellis	Langfitt	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title agreed to.

Senator Carden 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 Wilson of Polk, Senate File No. 260, a bill for an act to repeal section fifty-seven hundred twelve (5712) of the code and to enact a substitute therefor relating to the diminution in the number of employees under Civil Service when public interest requires, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Wilson of Polk the words "said eligible" were stricken from lines 14 and 15 and the word "this" inserted in lieu thereof.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Dean	Kimberly	Shinn
Breakenridge	Dotts	Klemme	Slemmons
Brookins	Fackler	Merritt	Stanley
Browne	Fulton	Mills	Stoddard
Campbell	Gilchrist	Ramsey	Topping
Carden	Gunderson	Rigby	Ulstad
Clark	Hartman	Roberts	Wilson of Polk
Clearman	Kern	Shane	

Nays, 1.

Lange

Absent or not voting, 17.

Baird	Cavanaugh	Haskell	McLeland
Benson	Darting	Johnston	Shaff
Bergman	Ellis	Langfitt	Skromme
Booth	Frailey	McFarlane	Wilson of Page
Brush			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Mills, Senate File No. 308, a bill for an act to amend section fifty-three hundred eighty-seven (5387) of the code, relating to the membership of the soldiers' relief commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mills moved 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.

Beatty	Clark	Gilchrist	Lange
Breakenridge	Clearman	Gunderson	McLeland
Brookins	Dean	Hartman	Merritt
Browne	Dotts	Kern	Mills
Campbell	Fackler	Kimberly	Ramsey
Carden	Fulton	Klemme	Rigby

Roberts  
Shane  
Shinn

Slemmons  
Stanley  
Stoddard

Topping  
Ulstad

Wilson of Polk

Nays, none.

Absent or not voting, 16.

Baird  
Benson  
Bergman  
Booth

Brush  
Cavanaugh  
Darting  
Ellis

Frailey  
Haskell  
Johnston  
Langfitt

McFarlane  
Shaff  
Skromme  
Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mills 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 Mills, Senate File No. 290, a bill for an act authorizing and directing the curator of the Historical Memorial and Art Department of Iowa to collect, and preserve the materials of suspending and disbanding posts of the Grand Army of the Republic in Iowa, and similar records and materials, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Rigby the word "as" was stricken from line 8 of section 1 and the word "and" inserted in lieu thereof.

The bill was read for information.

Senator Mills moved 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.

Beatty  
Breakenridge  
Browne  
Campbell  
Carden  
Clark  
Clearman  
Dean

Dotts  
Fackler  
Fulton  
Gilchrist  
Gunderson  
Hartman  
Kern  
Kimberly

Klemme  
Lange  
McLeland  
Merritt  
Mills  
Ramsey  
Rigby  
Roberts

Shane  
Shinn  
Slemmons  
Stanley  
Stoddard  
Topping  
Ulstad  
Wilson of Polk

Nays, none.

Absent or not voting, 17.

Baird	Brookins	Ellis	Langfitt
Benson	Brush	Frailey	McFarlane
Bergman	Cavanaugh	Haskell	Shaff
Booth	Darting	Johnston	Skromme
			Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson of Polk, House File No. 111, a bill for an act to amend section 10441 (ten thousand four hundred forty-one) of the code relating to returns of marriage, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Dean	Klemme	Shane
Breakenridge	Dotts	Lange	Shinn
Brookins	Fackler	McLeland	Slemmons
Browne	Fulton	Merritt	Stanley
Campbell	Gunderson	Mills	Stoddard
Carden	Hartman	Ramsey	Topping
Clark	Kern	Rigby	Ulstad
Clearman	Kimberly	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 17.

Baird	Cavanaugh	Gilchrist	McFarlane
Benson	Darting	Haskell	Shaff
Bergman	Ellis	Johnston	Skromme
Booth	Frailey	Langfitt	Wilson of Page
Brush			

The bill having received a constitutional majority was declared to have passed the Senate and the title agreed to.

On motion of Senator Wilson of Polk, House File No. 109, a bill for an act to amend section 4536 (forty-five hundred thirty-six) of the code relating to the state library commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Dotts	Klemme	Shane
Breakenridge	Fackler	Lange	Shinn
Brookins	Fulton	McLeland	Slemmons
Browne	Gilchrist	Merritt	Stanley
Campbell	Gunderson	Mills	Stoddard
Carden	Hartman	Ramsey	Topping
Clark	Kern	Rigby	Ulstad
Clearman	Kimberly	Roberts	Wilson of Polk
Dean			

Nays, none.

Absent or not voting, 16.

Baird	Brush	Frailey	McFarlane
Benson	Cavanaugh	Haskell	Shaff
Bergman	Darting	Johnston	Skromme
Booth	Ellis	Langfitt	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Beatty, House File No. 82, a bill for an act to amend section 10220 (ten thousand two hundred twenty) of the code relative to escheated lands, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Beatty moved 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.

Beatty	Dean	Kimberly	Roberts
Breakenridge	Dotts	Klemme	Shane
Brookins	Fackler	Lange	Slemmons
Browne	Fulton	McLeland	Stanley
Campbell	Gilchrist	Merritt	Stoddard
Carden	Gunderson	Mills	Topping
Clark	Hartman	Ramsey	Ulstad
Clearman	Kern	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 17.

Baird	Brush	Frailey	McFarlane
Benson	Cavanaugh	Haskell	Shaff
Bergman	Darting	Johnston	Shinn
Booth	Ellis	Langfitt	Skromme
			Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Clark, Senate File No. 293, a bill for an act to amend section 6949 (six thousand nine hundred and forty-nine) of the code relating to exemptions by board of supervisors for military services, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark moved 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.

Beatty	Dean	Klemme	Shane
Breakenridge	Dotts	Lange	Slemmons
Brookins	Fackler	McLeland	Stanley
Browne	Gilchrist	Merritt	Stoddard
Campbell	Gunderson	Mills	Topping
Carden	Hartman	Ramsey	Ulstad
Clark	Kern	Rigby	Wilson of Polk
Clearman	Kimberly	Roberts	

Nays, none.

Absent or not voting, 18.

Baird	Cavanaugh	Fulton	McFarlane
Benson	Darting	Haskell	Shaff
Bergman	Ellis	Johnston	Shinn
Booth	Frailey	Langfitt	Skromme
Brush			Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark 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.



## S. F. 316 MADE SPECIAL ORDER

On motion of Senator Fackler Senate File No. 316 was made a special order for 10 a. m. Tuesday.

## THIRD READING OF BILLS

On motion of Senator Roberts, House File No. 73, a bill for an act to amend section seventeen hundred sixty-seven (1767) of the code, 1924, relative to closed season for pinnated grouse or prairie chicken, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Roberts moved 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.

Beatty	Dotts	Klemme	Shane
Breakenridge	Fackler	Lange	Shinn
Brookins	Fulton	McLeland	Slemmons
Browne	Gilchrist	Merritt	Stanley
Campbell	Gunderson	Mills	Stoddard
Carden	Hartman	Ramsey	Topping
Clark	Kern	Rigby	Ulstad
Clearman	Kimberly	Roberts	Wilson of Polk
Dean			

## Nays, none.

## Absent or not voting, 16.

Baird	Brush	Frailey	McFarlane
Benson	Cavanaugh	Haskell	Shaff
Bergman	Darting	Johnston	Skromme
Booth	Ellis	Langfitt	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson of Polk, Senate File No. 174, a bill for an act to amend sections thirty-eight hundred eight (3808) and thirty-eight hundred nine (3809) of the code, relating to annual reports to the board of parole, and to repeal section thirty-eight hundred ten (3810) relating to duties of the county auditor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Breakenridge	Fackler	Lange	Slemmons
Brookins	Fulton	McLeland	Stanley
Browne	Gilchrist	Mills	Stoddard
Campbell	Hartman	Ramsey	Topping
Clark	Kern	Rigby	Ulstad
Dean	Kimberly	Shane	Wilson of Polk
Dotts	Klemme	Shinn	

Nays, none.

Absent or not voting, 22.

Baird	Carden	Frailey	McFarlane
Beatty	Cavanaugh	Gunderson	Merritt
Benson	Clearman	Haskell	Roberts
Bergman	Darting	Johnston	Shaff
Booth	Ellis	Langfitt	Skromme
Brush			Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson of Polk, Senate File No. 164, a bill for an act to repeal Sections Thirteen Thousand Forty-seven (13047) of the Code, and to enact a substitute therefor, and providing for penalty for violation thereof, and to repeal Section Thirteen Thousand Forty-nine (13049) of the Code, relating to false drawing or uttering of checks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend by striking from line 8 and also lines 10 and 11 of section 2 the following: "Fifty (\$50.00)" and inserting in lieu thereof in each instance the following: "Twenty (\$20.00)".

The amendment was adopted.

Further action was deferred.

On motion of Senator Clearman, House File No. 319, a bill for an act to legalize deed from the city of Iowa City, Iowa, to Roy L. Chopek Post No. 17, Department of Iowa, American Legion, was substituted for Senate File No. 289, taken up and considered.

The bill was read for information.

Senator Clearman moved 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.

Breakenridge	Dotts	Klemme	Shane
Browne	Fackler	Lange	Shinn
Campbell	Fulton	McLeland	Slemmons
Carden	Gilchrist	Mills	Stanley
Clark	Hartman	Ramsey	Stoddard
Clearman	Kern	Rigby	Topping
Dean	Kimberly	Roberts	Ulstad
			Wilson of Polk

Nays, none.

Absent or not voting, 20.

Baird	Brookins	Frailey	McFarlane
Beatty	Brush	Gunderson	Merritt
Benson	Cavanaugh	Haskell	Shaff
Bergman	Darting	Johnston	Skromme
Booth	Ellis	Langfitt	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clearman 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.

#### S. F. 289 WITHDRAWN

By unanimous consent on request of Senator Clearman, Senate File No. 289 was withdrawn from further consideration.

#### AMENDMENTS FILED

I move to amend Senate File No. 10 by inserting after section fifty-four (54) the following section:

##### "Pioneer Law Makers.

Sec. 54-a. For the pioneer law makers of Iowa there is hereby appropriated for the biennium beginning July 1, 1927, and ending June 30, 1929, the sum of one hundred dollars (\$100.00), or so much thereof as may be necessary, to be available as required during the biennium."

B. M. STODDARD.

I move to amend Rule 40 of the Forty-second General Assembly by

striking the word "constitutional" as it occurs in second line of said rule and substitute in lieu thereof the words "two thirds".

FRANK SHANE.

I move to amend Senate File No. 82 as follows:

Amend by striking out the title and inserting in lieu thereof the following:

"An act to amend sections ten thousand fifteen (10015) and ten thousand sixteen (10016) of the code, 1924, relating to the recording of chattel mortgages and conditional bills of sale."

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That the law as it appears in section ten thousand fifteen (10015) of the code, 1924, be and the same is hereby amended by changing the period (.) at the end of said section to a comma (,) and by adding immediately thereafter the following:

"and unless the correct amount for which said instrument is given as security is stated therein."

Sec. 2. That the law as it appears in section ten thousand sixteen (10016) of the code, 1924, be and the same is hereby amended by changing the period (.) at the end thereof to a comma (,), and by adding immediately thereafter the following:

"and unless the correct amount for which said instrument is given as security is stated therein." S. E. FACKLER.

The journal of March 18th was corrected and approved.

Senator Slemmons moved that the Senate adjourn until 1:30 p. m. Monday.

Senator Stoddard moved to amend the motion by making the time 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, MARCH 21, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Edward Duea, pastor of the Evangelical Lutheran Church, of Dows, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Booth, from voters of Shelby county, opposing a tax on tobaccos. Dairy and food.

By Senator Lange, from voters of Dubuque county, opposing a bill taxing near beer. Dairy and food.

By Senator Rigby, from citizens of Mechanicsville, favoring school text law. Public schools.

## PROOFS OF PUBLICATION

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 45, a proposed bill for the legalization of proceedings of the town councils of the towns of Center Point, Central City, Walker, Alburnett, Prairieburg, Quasqueton and Ryan, Iowa.

WALTER H. BEAM, *Secretary*.

I hereby certify that, as Secretary of the Senate, I have received the proof of publication of House File No. 238, a proposed bill for an act to legalize and make permanent a transfer of funds from the light fund to the general fund of the incorporated town of Sergeant Bluff, Iowa.

WALTER H. BEAM, *Secretary*.

Senator Haskell announced to the Senate that he had just received word of the death of Ex-Senator James H. Trewin, of Cedar Rapids.

## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 21st day of March, 1927, sent to the governor for his approval, Senate Files Nos. 144, 159, 105 and 123.

D. L. WILSON, *Chairman.*

The report was adopted.

## INTRODUCTION OF BILLS

Senate File No. 395, by committee on judiciary No. 1, a bill for an act to amend section 13851 of the code, 1924, relating to the introduction of additional testimony on criminal trials.

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. 150, a bill for an act relating to the attendance of pupils in high schools outside the state.

Also: 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 relating to indebtedness that cities and towns may incur for certain public utilities and other improvements.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 21, a bill for an act relative to the payment of school tuition of children in charitable institutions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 206, a bill for an act relating to the levy of a tax for parks and cemeteries by cities under commission form of government.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 128, a bill for an act relating to compensation of officers in cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 166, a bill for an act relating to contracts for street improvements and sewers.

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 relating to compensation of county treasurers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 29, a bill for an act providing a basis for establishing a taxable value to public utility properties.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 208, a bill for an act relating to a Deputy Commissioner of Insurance and to enact a substitute in lieu thereof.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 124, a bill for an act relating to additional tax authorized to be levied for park purposes in cities having a population of over twenty-five hundred (2,500), and to the anticipation of taxes levied for park purposes, and the issuing of park certificates or bonds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 217, a bill for an act relating to the powers and duties of the board of conservation and public parks, and providing penalties for the violation of the provisions thereof.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 62, a bill for an act to require sales or shipments of lime for agricultural purposes to be accompanied by an analysis which shall show in separate percentages the quantity of calcium carbonates and magnesium carbonates therein, to provide for the making and certification of analyses of such lime, to declare the probative force of such certificates, and to prescribe the penalty for violations.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 12 requesting the Governor to appoint a Commission to arrange for the observance of the Blackhawk Centennial by the people of Iowa under direction of the State Historical Department.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE NO. 217

Amend Senate File No. 217 by inserting the following as section three (3) thereof:

"Sec. 3. No person, firm, association or corporation shall cry, hawk, sell or expose for sale upon any public highway or the street of any city or town, within six hundred feet of any state park, any wares, merchandise or parking or storage space for vehicles, nor offer for sale refreshments or merchandise of any kind, nor conduct a show, riding device, shooting gallery, or game of any kind, in a temporary place of business within four hundred feet of any state park except upon privately owned property. Any violation of the provisions hereof shall constitute a misdemeanor, and upon conviction any such violator shall be fined not less than ten dollars nor more than one hundred dollars for each such offense."

Further amend by renumbering section three (3) of the bill as section four (4).

## HOUSE AMENDMENT TO SENATE FILE NO. 62

Amend by adding as Section (2a) two-a, thereof the following:

"Vendor defined. For the purpose of this act the term 'vendor' shall mean any person, firm, association or corporation who produces, manufactures or imports into this state for sale or use within this state, lime for agricultural purposes."

## HOUSE CONCURRENT RESOLUTION NO. 12

*Whereas*, September, 1932, will mark the centennial anniversary of the Blackhawk Purchase whereby about 7500 square miles of what is now the state of Iowa was acquired from the Indians for legal settlement by the whites at a cost of about fourteen cents an acre, and

*Whereas*, The proper observance of this occasion will be attended with great educational value to the school children of Iowa, and to other generations of Iowans who thereby will acquire a more intimate knowledge of the history of this state, and of progress in every department of human endeavor the past century,

*Therefore, Be It Resolved by the House, the Senate concurring*, That His Excellency, John Hammill, Governor of Iowa, is hereby requested to appoint a commission to arrange for the observance of the Blackhawk Centennial by the people of Iowa under the direction of the State Historical Department .

This commission shall consist of the Curator of the State Historical Department, the Superintendent of the State Historical Society, the County Superintendent of Schools in each county wholly or partly included in the Blackhawk Purchase, the City Superintendent of Schools in each city of 3,000 (three thousand) population or over in each city within the Blackhawk Purchase, and such citizens interested in the history of Iowa as it may please His Excellency to appoint.



This commission shall serve without compensation.

The original counties of Iowa are Dubuque and Des Moines.

The other counties included within the Blackhawk Purchase are as follows: Cedar, Clinton, Delaware, Henry, Jackson, Jones, Muscatine, Scott, Van Buren, Allamakee, Buchanan, Clayton, Davis, Fayette, Jefferson, Johnson, Lee, Linn, Louisa and Washington.

### REPORTS OF COMMITTEES

Senator Gilchrist submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 378, a bill for an act to tax real estate mortgages and land contracts in the taxing district where the land so mortgaged or sold is located; and the making of such mortgages and contracts unenforceable by the owner thereof in the Courts, unless the same has been listed for taxation, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred Senate Joint Resolution No. 5, providing for the appointment of a committee to be appointed by the Governor for the purpose of making a thorough and complete investigation of the question of employment of convict labor in the state penitentiary and state reformatory, begs leave to report it has had the same under consideration and recommends the same be referred to the committee on appropriations.

D. W. KIMBERLY, *Chairman.*

The report was adopted and the bill referred to committee on appropriations.

### HOUSE MESSAGES CONSIDERED

House File No. 150, a bill for an act to amend section four thousand two hundred seventy-five (4275) of the code, 1924, relating to the attendance of pupils in high schools outside the state.

Read first and second time and referred to committee on public schools.

House File No. 286, a bill for an act to amend section sixty-two hundred thirty-nine (6239) and chapter three hundred sixty-three (363) of the code, 1924, relating to dams and races, and to provide that cities and towns may construct dams for recreational purposes

and acquire lands in connection therewith, and to incur indebtedness for such improvements.

Read first and second time and referred to committee on cities and towns.

House File No. 21, a bill for an act to amend the law as it appears in section forty-two hundred eighty-three (4283) of the code, 1924, relative to the payment of school tuition of children in charitable institutions.

Read first and second time and referred to committee on child welfare.

House File No. 206, a bill for an act to repeal section sixty-five hundred seventy-eight (6578) of the code, 1924, and to enact a substitute therefor, relating to the levy of a tax for parks and cemeteries by cities under commission form of government.

Read first and second time and referred to committee on cities and towns.

House File No. 128, a bill for an act to amend section fifty-six hundred seventy-one (5671) of the code, 1924, relating to compensation of officers in cities and towns.

Read first and second time and referred to committee on cities and towns.

House File No. 166, a bill for an act to amend section six thousand four (6004) of the code, 1924, relating to contracts for street improvements and sewers.

Read first and second time and referred to committee on cities and towns.

#### SENATE CONCURRENT RESOLUTION NO. 25

Senator Clark offered the following resolution :

*Be It Resolved by the Senate, the House concurring, That the Forty-second General Assembly adjourn, sine die, at twelve o'clock noon, Friday, April 8, 1927.*

The resolution was laid over under the rules.

#### TREWIN MEMORIAL RESOLUTION

Senator Haskell offered the following resolution and moved its adoption :

*Whereas*, Honorable James H. Trewin, a member of this Senate in the Twenty-sixth, Twenty-sixth extra, Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, died at his home in Cedar Rapids, Iowa, on the 21st day of March, 1927, therefore.

*Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and services to the state.

The resolution was adopted and the President appointed as such committee Senators Haskell, Gilchrist and Frailey.

### THIRD READING OF BILLS

On motion of Senator Mills, Senate File No. 310, a bill for an act to authorize the executive council to transfer funds and to use certain funds for preservation of Iowa war flags, a committee bill, was taken up and considered.

Senator Wilson of Polk offered the following amendment and moved its adoption :

Amend by inserting after the word "of" in line 5 of section 1 the words "the War of the Rebellion,".

The amendment was adopted.

The bill was read for information.

Senator Frailey moved 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.

Beatty	Darting	Klemme	Shane
Benson	Dotts	Lange	Shinn
Bergman	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Breakenridge	Frailey	McLeland	Stanley
Brookins	Fulton	Mills	Stoddard
Carden	Gilchrist	Rigby	Topping
Cavanaugh	Gunderson	Roberts	Ulstad
Clark	Hartman	Shaff	Wilson of Polk
Clearman	Haskell		

Nays, none.

Absent or not voting, 11.

Baird	Campbell	Kern	Ramsey
Browne	Dean	Kimberly	Wilson of Page
Brush	Johnston	Merritt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson of Polk, Senate File No. 259, a bill for an act to repeal subdivision nine (9) of section sixty-two hundred eleven (6211) of the Code, 1924, and to enact a substitute therefor, relating to the tax levy for fire department maintenance fund in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Beatty	Darting	Haskell	Rigby
Benson	Dotts	Kern	Roberts
Bergman	Ellis	Kimberly	Shaff
Booth	Fackler	Klemme	Stanley
Breakenridge	Frailey	Lange	Stoddard
Cavanaugh	Gilchrist	Langfitt	Topping
Clark	Gunderson	McFarlane	Wilson of Polk
Clearman	Hartman	Mills	

Nays, none.

Absent or not voting, 18.

Baird	Carden	Merritt	Skromme
Brookins	Dean	Ramsey	Slemmons
Browne	Fulton	Shane	Ulstad
Brush	Johnston	Shinn	Wilson of Page
Campbell	McLeland		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Clark, Senate File No. 269, a bill for an act to amend the law as it appears in chapter sixty-eight (68) of the code, 1924, relating to the sinking of shafts to be used in the operation of a coal mine, with report of committee recommending

passage, was taken up, considered, and the report of the committee adopted.

Senator Cavanaugh offered the following amendments and moved their adoption:

Strike from the title the word "coal".

Strike from line three (3) of Section 1 the word "coal".

Strike from line four (4) of Section 2 the words "to the coal".

The amendment was adopted.

The bill was read for information.

Senator Clark moved 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.

Beatty	Darting	Kimberly	Shaff
Benson	Dotts	Klemme	Shane
Bergman	Ellis	Lange	Shinn
Booth	Fackler	Langfitt	Slemmons
Brookins	Frailey	McFarlane	Stanley
Browne	Fulton	McLeland	Stoddard
Carden	Gunderson	Mills	Topping
Cavanaugh	Hartman	Rigby	Ulstad
Clark	Haskell	Roberts	Wilson of Polk
Clearman	Kern		

Nays, none.

Absent or not voting, 11.

Baird	Campbell	Johnston	Skromme
Breakenridge	Dean	Merritt	Wilson of Page
Brush	Gilchrist	Ramsey	

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 Lange, Senate File No. 255, a bill for an act to provide the time in which escape shafts in mines shall be made, and to fix the number of persons who may be employed in

such mine until such shafts or exits shall be completed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lange moved 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.

Beatty	Darting	Kern	Roberts
Benson	Dotts	Kimberly	Shane
Bergman	Ellis	Klemme	Shinn
Booth	Fackler	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stanley
Browne	Fulton	McFarlane	Stoddard
Carden	Gilchrist	McLeland	Topping
Cavanaugh	Gunderson	Mills	Ulstad
Clark	Haskell	Rigby	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 12.

Baird	Campbell	Johnston	Shaff
Brookins	Dean	Merritt	Skromme
Brush	Hartman	Ramsey	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 Ulstad Senate File No. 232, a bill for an act to amend the law as the same appears in chapter sixty-eight (68) of the code of 1924, relating to shot firemen who fire shots in coal mines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ulstad moved 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.

Beatty	Clearman	Haskell	Rigby
Benson	Darting	Kern	Roberts
Bergman	Dotts	Kimberly	Shane
Booth	Ellis	Klemme	Shinn
Breakenridge	Fackler	Lange	Slemmons
Browne	Frailey	Langfitt	Stanley
Carden	Gilchrist	McFarlane	Topping
Cavanaugh	Gunderson	McLeland	Ulstad
Clark	Hartman	Mills	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Baird	Dean	Merritt	Skromme
Brookins	Fulton	Ramsey	Stoddard
Brush	Johnston	Shaff	Wilson of Page
Campbell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ulstad 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 McFarlane Senate File No. 285, a bill for an act to amend section forty-two hundred sixty-eight (4268) of the code, 1924, relating to school age, and section forty-two hundred seventy-three (4273) of the code, 1924, relating to the payment of tuition in public schools, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator McFarlane moved 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.

Beatty	Clearman	Hartman	Mills
Benson	Darting	Haskell	Rigby
Bergman	Dotts	Kern	Roberts
Booth	Ellis	Kimberly	Shane
Breakenridge	Fackler	Klemme	Slemmons
Browne	Frailey	Lange	Stanley
Carden	Fulton	Langfitt	Topping
Cavanaugh	Gilchrist	McFarlane	Ulstad
Clark	Gunderson	McLeland	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Baird	Dean	Ramsey	Skromme
Brookins	Johnston	Shaff	Stoddard
Brush	Merritt	Shinn	Wilson of Page
Campbell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane 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 McFarlane Senate File No. 280, a bill for an act amending sections fifty-one hundred seventy-seven (5177) and ten thousand one hundred fifteen of the code of 1924, relating to marginal assignments or releases of mortgages, contracts or other instruments constituting encumbrances on real estate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking the word "ten" from line 4 and inserting in lieu thereof the word "twenty-five".

The amendment was adopted.

The bill was read for information.

Senator Beatty moved 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.

Beatty	Darting	Lange	Slemmons
Benson	Dotts	Langfitt	Stanley
Bergman	Ellis	McFarlane	Stoddard
Breakenridge	Fackler	McLeland	Topping
Browne	Frailey	Mills	Ulstad
Cavanaugh	Gilchrist	Shane	Wilson of Polk
Clark	Kern	Shinn	
Clearman	Kimberly		

Nays, 8.

Booth	Fulton	Hartman	Rigby
Carden	Gunderson	Klemme	Shaff



Absent or not voting, 12.

Baird	Campbell	Johnston	Roberts
Brookins	Dean	Merritt	Skromme
Brush	Haskell	Ramsey	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On the motion of Senator McFarlane Senate File No. 278, a bill for an act amending section five hundred two (502) of the code, 1924, relative 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.

By unanimous consent the bill was amended by striking "(a)" from line 3 and inserting in lieu thereof "(b1)".

The bill was read for information.

Senator McFarlane moved 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.

Beatty	Clearman	Kern	Shaff
Benson	Darting	Kimberly	Shane
Bergman	Dotts	Lange	Stemmons
Booth	Ellis	Langfitt	Stanley
Breakeuridge	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Topping
Carden	Gilchrist	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Polk
Clark	Haskell	Rigby	

Nays, none.

Absent or not voting, 14.

Baird	Dean	Klemme	Shinn
Brookins	Fulton	Ramsey	Skromme
Brush	Gunderson	Roberts	Wilson of Page
Campbell	Johnston		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane 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 Topping, Senate File No. 128, a bill for an act to compensate Jonah Smith for service as chaplain at Camp McKinley for the period from June 24, 1896 to September 5, 1898, and to make appropriation therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the bill was amended by striking the words "Des Moines Capital, published in Des Moines," from line 4 of section 2 and inserting in lieu thereof the following "Burlington Gazette, published in Burlington,"

The following committee amendment was adopted:

Amend by striking out the figures "1896", wherever they appear in the title and in the bill, and inserting in lieu thereof the figures "1898".

The bill was read for information.

Senator Topping moved 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.

Beatty	Darting	Kern	Roberts
Benson	Dotts	Kimberly	Shane
Bergman	Ellis	Klemme	Shinn
Booth	Fackler	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stanley
Browne	Fulton	McFarlane	Stoddard
Carden	Gilchrist	McLeland	Topping
Cavanaugh	Gunderson	Merritt	Ulstad
Clark	Hartman	Mills	Wilson of Polk
Clearman	Haskell	Rigby	

Nays, none.

Absent or not voting, 10.

Baird	Campbell	Ramsey	Skromme
Brookins	Dean	Shaff	Wilson of Page
Brush	Johnston		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Topping 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 Topping, the rules were suspended and House File No. 206, a bill for an act to repeal section sixty-five hundred seventy-eight (6578) of the code, 1924, and to enact a substitute therefor, relating to the levy of a tax for parks and cemeteries by cities under commission form of government, was substituted for Senate File No. 206, taken up and considered.

The bill was read for information.

Senator Topping moved 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.

Benson	Clearman	Kimberly	Shaff
Bergman	Darting	Lange	Shane
Booth	Ellis	Langfitt	Stemmons
Breakenridge	Frailey	McFarlane	Stanley
Carden	Gilchrist	McLeland	Topping
Cavanaugh	Hartman	Merritt	Wilson of Polk
Clark	Haskell	Rigby	

Nays, 6.

Browne	Fulton	Shinn	Stoddard
Dotts	Klemme		

Absent or not voting, 16.

Baird	Campbell	Johnston	Roberts
Beatty	Dean	Kern	Skromme
Brookins	Fackler	Mills	Ulstad
Brush	Gunderson	Ramsey	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Topping 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.

#### S. F. 206 WITHDRAWN

By unanimous consent on request of Senator Topping, Senate File No. 206, was withdrawn from further consideration.

On motion of Senator Clark, Senate File No. 268, a bill for an act to amend section 5125 (fifty-one hundred twenty-five) of the code relating to the compensation of members of the Board of Supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out all of section 1 and inserting in lieu thereof the following:

Section 1. Section 5125 (fifty-one hundred twenty-five) of the Code is amended by inserting at the end of line ten the following: "The members of the board shall be paid per diem and mileage out of the county fund, the county road fund, or the county road building fund for committee work on roads."

The amendment was adopted.

The bill was read for information.

Senator Clark moved 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.

Benson	Ellis	Klemme	Shaff
Bergman	Fackler	Lange	Shane
Booth	Frailey	Langfitt	Shinn
Breakenridge	Gilchrist	McFarlane	Slemmons
Carden	Gunderson	McLeland	Stanley
Cavanaugh	Hartman	Merritt	Stoddard
Clark	Haskell	Mills	Topping
Clearman	Kern	Rigby	Ulstad
Dotts	Kimberly	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Baird	Brush	Dean	Ramsey
Beatty	Campbell	Fulton	Skromme
Brookins	Darting	Johnston	Wilson of Page
Browne			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark 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 Clark, Senate File No. 267, a bill for an act to amend section 4641 (forty-six hundred forty-one) of the code relating to the compensation of the county engineer and his assistants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out all of section 1 and inserting in lieu thereof the following:

Section 1. Section 4641 (forty-six hundred forty-one) of the Code, is amended by striking out the period at the end of the first sentence and inserting in lieu thereof a comma, and by adding thereto the following: "the county road fund, or the county road building fund."

Senator McLeland offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "following" the words "the county bridge fund,".

The amendment to the amendment was adopted.

The amendment was adopted.

The bill was read for information.

Senator Clark moved 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.

Beatty	Dotts	Kern	Rigby
Benson	Ellis	Kimberly	Shaff
Bergman	Fackler	Klemme	Shane
Booth	Frailey	Lange	Shinn
Breakenridge	Fulton	Langfitt	Slemmons
Carden	Gilchrist	McFarlane	Stoddard
Cavanaugh	Gunderson	McLeland	Topping
Clark	Hartman	Merritt	Ulstad
Clearman	Haskell	Mills	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Baird	Campbell	Johnston	Skromme
Brookins	Darting	Ramsey	Stanley
Browne	Dean	Roberts	Wilson of Page
Brush			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark 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 Clark, Senate File No. 265, a bill for an act to amend sections 5235 (fifty-two hundred thirty-five) and 7172 (seventy-one hundred seventy-two) of the code relating to the compensation of the clerk of courts and his assistants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking the word "shall" from line 6 of section 1 and inserting in lieu thereof the word "may".

The amendment was adopted.

The bill was read for information.

Senator Clark moved 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.

Beatty	Dotts	Kimberly	Roberts
Benson	Ellis	Klemme	Shaff
Berginan	Fackler	Lange	Shane
Booth	Frailey	Langfitt	Shinn
Breakenridge	Fulton	McFarlane	Slemmons
Carden	Gunderson	McLeland	Stoddard
Cavanaugh	Hartman	Merritt	Topping
Clark	Haskell	Mills	Ulstad
Clearman	Kern	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 13.

Baird	Campbell	Gilchrist	Skromme
Brookins	Darting	Johnston	Stanley
Browne	Dean	Ramsey	Wilson of Page
Brush			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark 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. 45, a bill for an act legalizing certain franchises of Iowa Railway and Light Corporation, in the Towns of Central City, Center Point, Walker, Alburnett, Prairieburg, Quasqueton and Ryan, in the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking from lines 12 and 13 the words "and to condemn private property therein for such purposes".

Senator Shinn withdrew his amendment.

The bill was read for information.

Senator Frailey moved 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.**

Beatty	Dotts	Klemme	Shaff
Benson	Ellis	Lange	Shane
Bergman	Fackler	McFarlane	Shinn
Breakenridge	Frailey	McLeland	Slemmons
Browne	Gilchrist	Merritt	Stanley
Carden	Hartman	Mills	Stoddard
Cavanaugh	Haskell	Rigby	Topping
Clark	Kern	Roberts	Ulstad
Clearman	Kimberly		Wilson of Polk

**Nays, none.**

**Absent or not voting, 14.**

Baird	Campbell	Gunderson	Ramsey
Booth	Darting	Johnston	Skromme
Brookins	Dean	Langfitt	Wilson of Page
Brush	Fulton		

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.

By unanimous consent on request of Senator Cavanaugh Senate File No. 236 was withdrawn from the committee on appropriations and ordered placed on the calendar.

#### S. F. 187 MADE SPECIAL ORDER

On motion of Senator Bergman Senate File No. 187 was made a special order for 2:30 p. m. Tuesday.

The journal of March 19th was corrected and approved.

On motion of Senator Shinn the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### THIRD READING OF BILLS

On motion of Senator Ellis, House File No. 83, a bill for an act to prohibit the possession or control of machine guns, to prohibit any person from assisting another in obtaining possession of such gun, to determine and fix the punishment for a violation of such prohibition; to declare certain exceptions, to authorize the destruction of such guns, and to prescribe in part the substance of the indictment or information in such cases and the evidence by which it may be sustained, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent further action was deferred.

The Senate resumed consideration of Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1927, and ending June 30, 1929, and to appropriate therefrom for all departments, and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.



The second committee amendment to section 47 was considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend the bill by striking the figures "470,000.00" from line 56 of section 47 and inserting in lieu thereof the figures "450,000.00".

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 12.**

Brookins	Fackler	Hartman	Shinn
Browne	Fulton	Lange	Slemmons
Dotts	Gunderson	Langfitt	Stoddard

**Nays, 19.**

Benson	Clearman	Klemme	Stanley
Bergman	Frailey	Mills	Topping
Booth	Gilchrist	Rigby	Wilson of Page
Breakeuridge	Haskell	Shane	Wilson of Polk
Clark	Kimberly	Skromme	

**Absent or not voting, 18.**

Baird	Cavanaugh	Kern	Ramsey
Beatty	Darting	McFarlane	Roberts
Brush	Dean	McLeland	Shaff
Campbell	Ellis	Merritt	Ulstad
Carden	Johnston		

The amendment was lost.

Amendment No. 2 was adopted.

Amendment No. 3 was adopted.

Senator Lange offered the following amendment as a substitute for committee amendment No. 4 and moved its adoption:

Amend by striking out line 60 of section 47.

Senator Klemme moved the previous question, which motion prevailed.

On the question "shall the substitution be made?" the vote was:

**Ayes, 6.**

Brush	Dotts	Lange	Shinn
Carden	Gunderson		

## Nays, 29.

Benson	Clearman	Kimberly	Skromme
Bergman	Darting	Klemme	Slemmons
Booth	Fackler	Langfitt	Stanley
Breakenridge	Frailey	Merritt	Stoddard
Brookins	Gilchrist	Mills	Topping
Browne	Hartman	Rigby	Ulstad
Clark	Haskell	Shane	Wilson of Page
			Wilson of Polk

## Absent or not voting, 14.

Baird	Dean	Kern	Ramsey
Beatty	Ellis	McFarlane	Roberts
Campbell	Fulton	McLeland	Shaff
Cavanaugh	Johnston		

The substitute was lost.

Senator Stoddard offered the following amendment to amendment No. 4 and moved its adoption:

Amend by adding the following: "Also strike the word 'cooperative'."

Senator Gilchrist raised the point of order that as the previous question had been ordered the amendment to the amendment was out of order.

The president held the point well taken.

Amendment No. 4 was adopted.

Amendment No. 5 was adopted.

Amendment No. 6 was adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by inserting immediately following line 69 of section 46 which is entitled "Board of Control of State Institutions (B)" the following:

"69-A. For purchase of farm lands out of industrial funds, \$40,000".

The amendment was adopted:

Committee amendment No. 7 to section 47 was adopted.

## AMENDMENTS FILED

I move to amend Senate File No. 154 as follows:

Insert after the word "retail" and before the word "gasoline" in line 2 the following: "except from tank wagon or tank truck,".

GEO. F. SLEMMONS.

I move to amend Section 1 of Senate File No. 224 by striking the word "floor" from the first line thereof and inserting in lieu thereof the word "story." Also by striking the words "escaping from" from lines four and five thereof and by inserting in lieu thereof the word "jumping."

F. C. GILCHRIST.

Amend Senate File 154 as follows:

No. 1. Strike from lines 2, 3 and 4 of Section 1, the following: (or conduct any place of business, filling station or pump station where gasoline or gasoline compounds are sold at retail) and insert in lieu thereof the following: (any pump or meter through which gasoline is sold or offered for sale).

No. 2. Strike from lines 1, 2 and 3 of Section 2, the following: (of any place of business, filling station or pump station where gasoline or any gasoline product is kept for sale or sold at retail,) and insert (pump or meter through which gasoline is sold or offered for sale).

No. 3. Strike from lines 1, 2 and 3 of Section 5, the following: (or employee of any place of business, filling station or pump station where gasoline or any gasoline product is kept for sale at retail,) and insert (of any pump or meter through which gasoline is sold or offered for sale).

No. 4. Strike from lines 1, 2 and 3 of Section 7, the following: (any place of business, filling station or pump station where gasoline or gasoline compounds are sold at retail and) and insert in lieu thereof (the owner of any pump or meter through which gasoline is sold or offered for sale).

Amend title of Senate File No. 154 to read as follows: An Act to provide for the licensing of all pumps and meters through which gasoline is sold or offered for sale, to provide for the regulation thereof and to provide penalties for violations.

A. T. BROOKINS.

I move to amend Senate File No. 10, section 19, line 10, as amended, by changing the figures "\$2,700.00" to "\$2,850.00".

A. H. BERGMAN.

I move to amend Senate File No. 10 by striking out lines 62 and 63 of section 47 and inserting in lieu thereof the following: "Dairy Building 250,000.00".

A. T. BROOKINS.

I move to amend line eight of section forty-one of Senate File No. 10 by striking therefrom the figures "2,200.00" and inserting in lieu thereof the figures "2,850.00".

F. C. GILCHRIST.

Senator Haskell moved that the Senate adjourn.

Senator Fulton raised the point of order that as a motion to adjourn had been made, debate was out of order.

The President held the point well taken.

Senator Lange moved to amend the motion by setting the time to reconvene at 9:30 a. m. Tuesday.

The amendment was accepted.

Senator Stoddard moved to amend the motion by setting the time to adjourn at 5 p. m. until 9:30 a. m. Tuesday.

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, MARCH 22, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Roy B. Weaklend, pastor of the New Virginia Christian Church, of Woodburn, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Hartman, from voters of Fayette county, opposing control of state highway commission over primary road system. Highways.

By Senator Hartman, from voters of Fayette county, favoring bank guarantee act. Banks and banking.

By Senator McFarlane, from voters of Black Hawk county, opposing bill for tax on near beer. Dairy and food.

By Senator Hartman, from voters of Waukon, opposing bill licensing veterinarians. Judiciary No. 1.

## INTRODUCTION OF BILLS

Senate File No. 396, by committee on county and township affairs, a bill for an act to amend the law as it appears in section forty-eight hundred nine (4809) of the code, relating to compensation of township trustees.

Read first and second times and placed on the calendar.

Senate File No. 397, by committee on cities and towns, a bill for an act relating to the platting of land in and adjacent to certain cities having a population of 25,000 or over and to require approval thereof by the city council and authorizing cities to maintain suits in equity in certain cases to declare plats, when filed and recorded

in violation hereof, to be void and to expunge the same from the records, and to provide for appeal from action of council to the district court in certain cases.

Read first and second times and placed on the calendar.

Senate File No. 398, by committee on cities and towns, a bill for an act to amend the law as it appears in chapter one hundred seventeen (117) of the acts of the forty-first general assembly relating to the creation of city plan commissions, and to the powers and duties thereof and to provide for the adoption by the commission of a comprehensive city plan, the approval thereof by the council of the municipality and for modifications and amendments thereof.

Read first and second times and placed on the calendar.

Senate File No. 399, by committee on cities and towns, a bill for an act to repeal section five thousand nine hundred forty-two (5942) code of 1924, relating to streets and public grounds, and to enact a substitute therefor.

Read first and second times and placed on calendar.

#### HOUSE MESSAGES CONSIDERED

House File No. 29, a bill for an act providing a basis for establishing a taxable value to public utility properties.

Read first and second time and referred to committee on public utilities.

House File No. 208, a bill for an act to amend section five thousand two hundred twenty-two (5222) of the code, 1924, relating to compensation of county treasurers.

Read first and second time and referred to committee on compensation of public officers.

#### REPORTS OF COMMITTEES

Senator Haskell submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 166, a bill for an act to amend section six thousand four (6004) of the code, relating to contracts for street improvements and sewers, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 334, a bill for an act to amend section five thousand eight hundred seven of the Code, 1924, relating to the powers of park commissioners, 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. 197, a bill for an act to repeal section fifty-six hundred eighty-three (5683) and to enact a substitute therefor, relating to authority of cities and towns to appropriate funds to pay dues in municipal leagues, and to pay expenses of delegates attending the meetings of the league, 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 Bergman submitted the following report:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File No. 340, a bill for an act to amend the law as it appears in section eighty-five hundred twenty-six (8526) and subdivisions three (3), eight (8), ten (10) and eleven (11) thereof; Section eighty-five hundred fifty-four (8554) and eighty-five hundred sixty-six (8566) and Chapter three hundred ninety-three (393) of Title XIX of the Code of Iowa, 1924, relating to investment companies and regulations in regard to the sale of certain securities, 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 paragraph (b) of Section 1 by inserting between the word "business" and the quotation marks (") the words "or those secured by mortgage on personal property".

A. H. BERGMAN, *Chairman.*

Ordered passed on file.

Senator Gilchrist submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 299, a bill for an act to repeal section 7284 of the code, 1924, and to enact a substitute therefor, relating to the issuance of tax deeds, and requiring the payment of all unpaid taxes including special assessments due and unpaid and requiring the redemption from any subsequent tax sale before issuance of a tax deed, beg leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate J. R. No. 5, providing for the appointment of a committee to be appointed by the governor for the purpose of making a thorough and complete investigation of the question of employment of convict labor in the state penitentiary and the state reformatory, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 70, a bill for an act providing that boards of supervisors may contract with free public libraries to establish county libraries.

Also: 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 the library building fund.

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 relating to levy of taxes by cities and towns.

A. G. GUSTAFSON, *Chief Clerk.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 219 and 118.

D. L. WILSON,  
*Chairman Senate Committee.*

E. J. COLE,  
*Vice 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. 219 and 118.

## BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills, submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 22nd day of March, 1927, sent to the governor for his approval, Senate Files Nos. 219 and 118.

D. L. WILSON, *Chairman.*

The report was adopted.

## HOUSE MESSAGES CONSIDERED

House File No. 172, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1924, relating to levy of taxes by cities and towns.

Read first and second time and referred to committee on cities and towns.

House File No. 71, a bill for an act to amend section sixty-two hundred eleven (6211) of the Code, 1924, relating to the library building fund.

Read first and second time and referred to committee on public libraries.

House File No. 70, a bill for an act to repeal section five thousand eight hundred fifty-nine (5859) of the Code, 1924, and to enact a substitute therefor, and to amend section fifty-eight hundred sixty-three (5863) of the code, 1924, providing that boards of supervisors may contract with free public libraries to establish county libraries.

Read first and second time and referred to committee on public libraries.

## AMENDMENT TO RULES CONSIDERED

Senator Shane called up for consideration the following proposed amendment to the rules and moved its adoption :

Amend rule 40 of the Forty-second General Assembly by striking the

word "constitutional" in the second line and substituting in lieu thereof the word "two-thirds".

Senator Shane invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 20.

Baird	Clearman	Johnston	Roberts
Benson	Darting	Kimberly	Shaff
Bergman	Dean	Lange	Stanley
Brush	Hartman	McFarlane	Stoddard
Clark	Haskell	Rigby	Topping

Nays, 26.

Beatty	Cavanaugh	Kern	Shane
Booth	Dotts	Klemme	Shinn
Breakenridge	Ellis	Langfitt	Skromme
Brookins	Fackler	McLeland	Slemmons
Browne	Fulton	Merritt	Ulstad
Campbell	Gilchrist	Mills	Wilson of Page
Carden	Gunderson		

Absent or not voting, 3.

Frailey	Ramsey	Wilson of Polk
---------	--------	----------------

The amendment to the rules was lost.

Senator Gilchrist moved that the vote by which the amendment was lost be reconsidered and that the motion to reconsider be laid on the table.

Senator Shane asked for a division of the motion.

The motion to lay on the table prevailed.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10, the budget bill.

Senator Ellis offered the following amendment and moved its adoption:

I move to amend Senate File No. 10 by striking therefrom line 77 of section 47.

Senator Stanley offered the following as a substitute amendment and moved its adoption:

Amend by striking out line 77, Section No. 47, and placing in lieu thereof the following:

"For two summer extension schools located at Creston and Harlan, during the summer of 1927 and at Shenandoah and Council Bluffs during the summer of 1928.....\$24,000.00".

Senator Stoddard moved the previous question on sub-section 3 of section 47 and pending amendments thereto, which motion prevailed.

Senator Stanley invoked rule 8.

On the question "Shall the substitution be made?" the vote was:

Ayes, 20.

Beatty	Gilchrist	McLeland	Shinn
Carden	Gunderson	Mills	Skromme
Dotts	Hartman	Rigby	Stanley
Ellis	Kern	Roberts	Stoddard
Fulton	Lange	Shane	Wilson of Page

Nays, 26.

Baird	Campbell	Johnston	Ramsey
Bergman	Cavanaugh	Kimberly	Shaff
Booth	Clark	Klemme	Slemmons
Breakenridge	Clearman	Langfitt	Topping
Brookins	Dean	McFarlane	Ulstad
Browne	Fackler	Merritt	Wilson of Polk
Brush	Frailay		

Absent or not voting, 3.

Benson	Darting	Haskell
--------	---------	---------

The substitution was lost.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 15.

Browne	Fulton	Kern	Shinn
Carden	Gilchrist	Lange	Skromme
Dotts	Gunderson	McLeland	Stanley
Ellis	Hartman	Mills	

Nays, 29.

Baird	Clark	Klemme	Shaff
Bergman	Clearman	Langfitt	Shane
Booth	Dean	McFarlane	Slemmons
Breakenridge	Fackler	Merritt	Stoddard
Brookins	Frailay	Ramsey	Topping
Brush	Johnston	Rigby	Wilson of Page
Campbell	Kimberly	Roberts	Wilson of Polk
Cavanaugh			

Absent or not voting, 5.

Beatty                      Darting                      Haskell                      Ulstad  
Benson

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 47, paragraph 3, by adding thereto the following:

“No extension summer school shall be established within sixty (60) miles of an accredited college conducting an accredited summer school.”

Senator Ellis raised the point of order that as the previous question had been ordered on this section and all amendments thereto, debate was out of order.

The President held the point well taken.

The amendment was lost.

Senator Brookins offered the following amendment and moved its adoption:

Amend by striking out lines 62 and 63 of section 47 and inserting in lieu thereof the following: “Dairy Building 250,000.00”.

On motion of Senator Shinn the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 73, 109, 82, 111 and 319.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 73, 109, 82, 111, and 319.

## REPORTS OF COMMITTEES

Senator Ellis submitted the following report:

**MR. PRESIDENT:** Your committee on labor to which was referred Senate File No. 175, a bill for an act to amend the law as it appears in Chapter seventy-two (72) of the Code, 1924, relating to Workmen's Compensation Insurance, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and returns the bill without further recommendation.

Amend by striking out all after the enacting clause and substituting the following:

Section 1. An employer engaged in the operation of a coal mine to whom the law applies as provided in Chapters seventy (70), seventy-one (71) and seventy-two (72) of the Code, 1924, and amendments thereto, who fails, omits or neglects to insure his liability as provided in Chapter seventy-two (72) of the Code, 1924, or be relieved therefrom as provided in said Chapter, shall be liable for, and pay a compensation penalty tax of not less than two (\$2.00) dollars per one hundred (\$100.00) dollars pay roll nor more than four (\$4.00) dollars per hundred (\$100.00) dollar pay roll, such rate to be fixed by the Iowa Industrial Commissioner, the Insurance Commissioner and the Attorney General, acting as a compensation penalty tax board.

Sec. 2. Such compensation penalty tax shall be due and payable to the Iowa Industrial Commissioner on or before the fifteenth day in each month for the preceding month pay roll. Such tax may be recovered in a civil action in the name of the Iowa Industrial Commissioner against any employer to whom this act applies who fails or neglects to pay it when due.

Sec. 3. All compensation penalty tax received by the Iowa Industrial Commissioner shall be paid to the State Treasurer when collected, and by the Treasurer credited to a fund to be known as the "Workmen's Compensation Fund." Proper credit shall be given by the Treasurer of State to the employer from whom such tax was collected.

Sec. 4. Interest received from bank deposits or other sources upon such funds shall be credited in favor of such fund and such credit shall be apportioned among the employers who have paid such tax in proportion to the credit balance of each employer at the end of the month in which such interest was received by the Treasurer of State.

Sec. 5. The compensation penalty tax board may from time to time, when deemed best, and the amount of money in such fund warrants, in-

vest such funds in State, County, Municipal, School District and Road Bonds.

Sec. 6. If any employer to whom this act applies quits business for a period of one year, the money in such fund to the credit of such employer remaining after the payment of his compensation claims, shall be credited to other employers having an open account in such fund in proportion to the credit of each employer on the first day of January in each year.

Sec. 7. Every employer to whom this Act applies shall make such report as the Iowa Industrial Commissioner may require, showing the amount of pay roll for each month, together with such other and additional information as the Commissioner may require. Such reports shall be made by the employer upon blanks furnished by the Commissioner for such purpose, and at such times as he may require.

Sec. 8. In case the owner of any coal mining plant in this state shall lease such property to another, and an employee of the lessee sustains a personal injury then, the lessor and lessee shall be regarded as the employers of such injured employee for the purpose of this Act.

Sec. 9. An injured employee of an employer to whom this Act applies, may file with the Iowa Industrial Commissioner an application for compensation, and the procedure thereafter shall be in accordance with the law applicable to other compensation claims.

Sec. 10. In the event that an employee of an employer who pays such tax sustains an injury arising out of and in the course of his employment for which he becomes entitled to the payment of compensation or other benefits according to the terms and provisions of Chapters seventy (70), seventy-one (71) and seventy-two (72) of the Code, 1924, and amendments thereto, then such injured employee shall be entitled to compensation payments from such compensation fund to the extent of the amount of the credit of the employer in said fund, or so much thereof as may be necessary to satisfy any award or order made in the matter by the Iowa Industrial Commissioner.

Sec. 11. If the credits in such fund given to an employer of any injured employee entitled to compensation is insufficient to pay the claim of such injured employee as allowed by the Iowa Industrial Commissioner, the balance may be collected and payment thereof enforced as provided for the collection of other compensation claims.

Sec. 12. All money paid out of the compensation fund shall be by warrant issued upon the Treasurer of State by the Iowa Industrial Commissioner payable to the person entitled thereto.

LLOYD ELLIS, *Chairman.*

Ordered passed on file.

Senator McLeland submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 129, a bill for an act to repeal the law as it appears in section seven thousand two hundred twenty-six (7226) of the code, 1924, relating to the collection of delinquent 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 striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section seven thousand two hundred twenty-six (7226) of the code is hereby amended by adding thereto the following: "Provided, however, that the provisions of this section shall not apply to counties having within its boundaries a city having a population of 100,000 or over."

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 Daily Record, a newspaper published in Des Moines, Iowa, and the Marshalltownian, a newspaper published in the city of Marshalltown, Iowa.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS

Senator File No. 400, by committee on motor vehicles, a bill for an act to repeal chapter four (4), acts of the forty-first (41st) general assembly, and enact a substitute therefor relating to motor vehicles and motor carriers; defining motor vehicles and carriers, highways and commission; providing for the levy and collection of a tax to be paid for the use of the highways to aid in the construction, maintenance and repair of primary highways; empowering the commission to make rules and regulations for the operation of such motor vehicles and carriers to carry out the provisions of the act and enforcement thereof; fixing penalties for the violation of the act and rules and regulations made thereunder.

Read first and second times and placed on the calendar.

#### SENATE FILE NO. 246 WITHDRAWN FROM COMMITTEE

By unanimous consent on request of Senator Browne Senate File No. 246 was withdrawn from the committee on insurance and placed on the calendar.

#### REPORTS OF COMMITTEES

Senator Ramsey submitted the following reports:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 101, a bill for an act to amend section 892 of the code,

1924, relating to double election boards, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. RAMSEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 281, a bill for an act to amend section 860 of the code, relating to certificates of 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 striking the word "peace" in line three (3) and inserting in lieu thereof the word "county".

J. M. RAMSEY, *Chairman*.

Ordered passed on file.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10.

Senator Stoddard moved that on all further amendments to Senate File No. 10 no Senator be allowed more than five minutes debate, except the Senator offering same, who shall have five minutes to close.

The motion was lost.

Senator Campbell offered the following amendment to the amendment by Senator Brookins to section 47 and moved its adoption :

Amend the amendment by inserting after the word "Building" the words "and Equipment for same", and by striking the figures "250,000.00" and inserting in lieu thereof the figures "350,000.00".

Senator Stoddard moved the previous question, which motion prevailed.

On the question "Shall the amendment to the amendment be adopted?" the vote was :

Ayes, 18.

Beatty	Ellis	McFarlane	Shinn
Brush	Fackler	Merritt	Slemmons
Campbell	Fulton	Mills	Stanley
Carden	Gunderson	Roberts	Wilson of Page
Clark	Hartman		



## Nays, 27.

Baird	Darting	Kern	Rigby
Benson	Dean	Kimberly	Shaff
Bergman	Dotts	Klemme	Shane
Breakenridge	Frailey	Lange	Skromme
Brookins	Gilchrist	Langfitt	Stoddard
Browne	Haskell	Ramsey	Topping
Clearman	Johnston		Wilson of Polk

## Absent or not voting, 4.

Booth	Cavanaugh	McLeland	Ulstad
-------	-----------	----------	--------

The amendment to the amendment was lost.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 16.

Beatty	Dotts	Gunderson	Roberts
Brookins	Ellis	Hartman	Shinn
Browne	Fackler	Merritt	Slemmons
Carden	Fulton	Mills	Stanley

## Nays, 28.

Baird	Clark	Kern	Shaff
Benson	Clearman	Kimberly	Shane
Bergman	Dean	Klemme	Skromme
Booth	Frailey	Lange	Stoddard
Breakenridge	Gilchrist	Langfitt	Topping
Brush	Haskell	McFarlane	Wilson of Page
Campbell	Johnston	Ramsey	Wilson of Polk

## Absent or not voting, 5.

Cavanaugh	McLeland	Rigby	Ulstad
Darting			

The amendment was lost.

The following committee amendment was considered:

Amendment to section 49, (page 76):

1. In lines 4, and 5, change the words and figures "Forty Thousand Dollars (\$40,000.00)" to "Twenty Thousand Dollars (\$20,000.00)".

Senator Fulton offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the words and figures "Twenty Thousand Dollars (\$20,000.00)" and substituting "Two Hundred Thousand Dollars (\$200,000.00)".

Senator Fulton withdrew his amendment.

Senator Fulton offered the following amendment as a substitute for the committee amendment and moved its adoption :

Amend by striking out all of section 49.

The substitution was lost.

The committee amendment was adopted.

The following committee amendment was considered :

Amendment to section 52, (page 77) :

1. In line 5, change "3,000.00" to "2,700.00".

The amendment was adopted.

The following committee amendments were considered :

Amendments to section 53, (page 78) :

1. In line 6, change "4,000.00" to "4,400.00".

2. In line 7, change "1,320.00" to "1,500.00".

3. Strike line 11, and insert in lieu thereof the following:

"2 Chief Examiners.....4,400.00 annually."

4. After line 11, insert the following:

"11a 2 Examiners.....4,200.00 annually."

5. After line 11a, insert the following:

"11b 2 Examiners.....4,000.00 annually."

6. After line 11b, insert the following:

"11c Examiner .....2,700.00 annually."

7. In line 12, change the word "Thirty" to "Twenty-four" and "3,800.00" to "4,400.00".

Amendment No. 1 was adopted.

Amendment No. 2 was adopted.

By unanimous consent the word "each" was inserted in amendments Nos. 3, 4, and 5 after the word "Examiners".

Amendment No. 3 was adopted.

Amendment No. 4 was adopted.

Amendment No. 5 was adopted.

Amendment No. 6 was adopted.

Amendment No. 7 was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend Senate File No. 10 by inserting after section fifty-four (54) the following section:

"Pioneer Law Makers.

Sec. 54-a. For the pioneer law makers of Iowa there is hereby appropriated for the biennium beginning July 1, 1927, and ending June 30, 1929, the sum of one hundred dollars (\$100.00), or so much thereof as may be necessary, to be available as required during the biennium."

The amendment was adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking the figures "\$5,000.00" from line 5 of section 53 and inserting in lieu thereof the figures "\$6,000.00".

The amendment was lost.

Senator Roberts offered the following amendment and moved its adoption:

Amend by striking the figures "2700.00" from line 9 of section 5 and inserting the figures "2850.00".

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking out line 107 of section 3.

Senator Stoddard moved the previous question, which motion prevailed.

Senator Shinn invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Booth  
Brookins  
Browne  
Dotts

Fulton  
Gilchrist  
Gunderson  
Hartman

Kern  
Klemme  
McLeland  
Shinn

Skromme  
Slemmons  
Ulstad  
Wilson of Page

## Nays, 32.

Baird	Cavanaugh	Johnston	Rigby
Beatty	Clark	Kimberly	Roberts
Benson	Clearman	Lange	Shaff
Bergman	Dean	Langfitt	Shane
Breakenridge	Ellis	McFarlane	Stanley
Brush	Fackler	Merritt	Stoddard
Campbell	Frailey	Mills	Topping
Carden	Haskell	Ramsey	Wilson of Polk

Absent or not voting, 1.

## Darting

The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption :

Amend Section 4, as amended, by striking from line 7, the figures "1,500.00" and inserting in lieu thereof the figures "1,600.00".

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption :

Amend section 10, as amended, by striking from line 21 the figures "\$14,400.00" and inserting in lieu thereof the figures "\$15,840.00".

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption :

Amend by striking out line 12 of section 15.

By unanimous consent, Senator Shinn withdrew the amendment.

Senator Bergman offered the following amendment and moved its adoption :

Amend section 19, line 10, as amended, by changing the figures "\$2,700.00" to "\$2,850.00".

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption :

Amend section twenty-two (22) of Senate File No. 10 by striking the figures \$1200.00 in line 62, and inserting in lieu thereof the figures "\$1500.00".

The amendment was adopted.

Senator Bergman offered the following amendment and moved its adoption:

Amend section 24 by striking the figures "2,200.00" from line 11 and inserting in lieu thereof the figures "2400.00".

Senator Fulton raised the point of order that this matter had already been acted on.

The President held the point well taken.

Senator Bergman then moved that the vote by which this amendment had been lost be reconsidered.

Senator Fulton raised the point of order that it was now too late to reconsider this vote.

The President held the point well taken.

Senator Bergman then moved to amend section 26 by striking from line 11 the figures "2200.00" and in inserting in lieu thereof the figures "2350.00".

The motion prevailed and the amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend line 8 of section 41 by striking therefrom the figures "2,200.00" and inserting in lieu thereof the figures "\$2,850.00".

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking out line 32 of section 47.

Senator Campbell offered the following amendment as a substitute amendment and moved its adoption:

Amend by striking from line 32 of section 47 the figures "450,000.00" and inserting in lieu thereof the figures "250,000.00".

On the question "Shall the substitution be made?" the vote was:

Ayes, 23.

Booth  
Brookins  
Browne  
Brush  
Campbell  
Carden

Clark  
Dean  
Ellis  
Fackler  
Fulton  
Gunderson

Hartman  
Kern  
Langfitt  
Merritt  
Mills  
Roberts

Shinn  
Skromme  
Slemmons  
Ulstad  
Wilson of Page

Nays, 21.

Baird	Dotts	Kimberly	Rigby
Bergman	Frailey	Klemme	Shane
Breakenridge	Gilchrist	Lange	Stanley
Clearman	Haskell	McFarlane	Stoddard
Darting	Johnston	Ramsey	Topping
			Wilson of Polk

Absent or not voting, 5.

Beatty	Cavanaugh	McLeland	Shaff
Benson			

The substitution was made.

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption :

Amend by striking out line 63 of section 47.

Senator Shinn withdrew the amendment.

Senator Fulton offered the following amendment and moved its adoption :

Amend by adding after line 79 of paragraph 3 of section 47 the following :

"No extension summer school shall be established within forty (40) miles of any accredited college conducting an accredited summer school."

Senator McFarlane raised the point of order that the previous question had been ordered on all of sub-section 3 and this would preclude all amendments not at the desk at the time the previous question was ordered.

The President held the point well taken.

Senator Fulton offered the following amendment and moved its adoption :

Amend section 49, page 76, by striking the words "Retrenchment and Reform Committee" and substituting the words "Budget Director with the approval of the Governor".

Senator Fulton invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was :

## Ayes, 21.

Booth	Ellis	Haskell	Roberts
Brookins	Fackler	Kern	Shinn
Browne	Fulton	Klemme	Skromme
Carden	Gunderson	Lange	Slemmons
Dotts	Hartman	Mills	Stanley
			Ulstad

## Nays, 24.

Baird	Clark	Johnston	Rigby
Benson	Clearman	Kimberly	Shane
Bergman	Darting	Langfitt	Stoddard
Breakenridge	Dean	McFarlane	Topping
Brush	Frailey	Merritt	Wilson of Page
Campbell	Gilchrist	Ramsey	Wilson of Polk

## Absent or not voting, 4.

Beatty	Cavanaugh	McLeland	Shaff
--------	-----------	----------	-------

The amendment was lost.

Senator Mills offered the following amendment and moved its adoption :

Amend section 52, lines 20 and 21, by striking the words and figures "one hundred and eighty thousand dollars (\$180,000.00)" and inserting in lieu thereof the words and figures "two hundred and eighteen thousand four hundred dollars (\$218,400.00) in lieu thereof.

On the question "Shall the amendment be adopted?" the vote was :

## Ayes, 34.

Baird	Carden	Johnston	Shane
Benson	Clearman	Kern	Skromme
Bergman	Darting	Kimberly	Slemmons
Booth	Dean	Lange	Stanley
Breakenridge	Dotts	Langfitt	Stoddard
Brookins	Ellis	McFarlane	Topping
Browne	Fackler	Mills	Ulstad
Brush	Frailey	Ramsey	Wilson of Page
Campbell	Gilchrist		

## Nays, 5.

Clark	Hartman	Merritt	Shinn
Gunderson			

## Absent or not voting, 10.

Beatty	Haskell	Rigby	Shaff
Cavanaugh	Klemme	Roberts	Wilson of Polk
Fulton	McLeland		

The amendment was adopted.

Further action was deferred temporarily.

Senator Breakenridge moved that the rules be suspended and that he be allowed to introduce a bill, which motion prevailed.

#### INTRODUCTION OF BILLS

Senate File No. 401, by Senator Breakenridge, a bill for an act to establish under the direction of the state board of education, at the state school for the blind a department for the amelioration of the condition of the blind residents of the state who are not inmates of said school and to define the duties of said department and to repeal all acts inconsistent therewith.

Read first and second times.

Senator Breakenridge moved that the rules be suspended and Senate File No. 401 be considered at this time.

On the question "Shall the motion prevail?" the vote was:

**Ayes, 27.**

Baird	Campbell	Fackler	McFarlane
Benson	Carden	Frailey	Merritt
Bergman	Clark	Johnston	Ramsey
Booth	Clearman	Kimberly	Shane
Breakenridge	Darting	Klemme	Stanley
Brookins	Dean	Lange	Wilson of Polk
Brush	Ellis	Langfitt	

**Nays, 1.**

Shinn

**Absent or not voting, 21.**

Beatty	Gunderson	Mills	Slemmons
Browne	Hartman	Rigby	Stoddard
Cavanaugh	Haskell	Roberts	Topping
Dotts	Kern	Shaff	Ulstad
Fulton	McLeland	Skromme	Wilson of Page
Gilchrist			

The motion prevailed.

#### THIRD READING OF BILLS

On motion of Senator Breakenridge Senate File No. 401, a bill for an act to establish under the direction of the state board of



education, at the state school for the blind a department for the amelioration of the condition of the blind residents of the state who are not inmates of said school and to define the duties of said department and to repeal all acts inconsistent therewith, was taken up and considered the rules having been suspended.

Senator Kern raised the point of order that under rule 17 no bill can be read the second and third times the same day.

The President held the point not well taken, as the rules had been suspended.

The bill was read for information.

Senator Breakenridge moved 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	Clearman	Haskell	Roberts
Benson	Darting	Johnston	Shane
Bergman	Dean	Kimberly	Skromme
Booth	Ellis	Klemme	Slemmons
Breakenridge	Fackler	Lange	Stanley
Brookins	Frailey	Langfitt	Stoddard
Brush	Fulton	McFarlane	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Gunderson	Ramsey	Wilson of Page
Clark	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 9.

Beatty	Dotts	McLeland	Shaff
Browne	Kern	Merritt	Shinn
Cavanaugh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Breakenridge moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

The Senate resumed consideration of Senate File No. 10.

Senator Breakenridge offered the following amendment and moved its adoption:

Amend by striking out section 6, page 11, and inserting as line 106b, section 47, "To be expended as provided in Senate File No. 401, \$10,000.00".

By unanimous consent on request of Senator Breakenridge the figures "\$10,000.00" were stricken out and the figures "\$20,000.00" were inserted in lieu thereof.

The amendment was adopted.

Senator Stoddard moved the previous question on the main bill and all amendments, except such amendments as are necessary to reconcile the totals with amendments already offered, which motion prevailed.

#### AMENDMENTS FILED

I move to amend Senate File No. 212, by striking out all after the enacting clause, and inserting in lieu thereof the following:

Section 1. Section six thousand eleven (6011) of the code is hereby amended by inserting after the period in line ten, the following:

"When any street improvement or sewer on any street ends at an intersection, said street improvement or sewer being constructed on such intersection, the private property on both sides of such street for one-half block beyond the end of such improvement is hereby declared to be adjacent to such improvement and may be assessed for the cost thereof in the same manner as other adjacent property. When there is no street intersecting the street on which such improvement is located, within six hundred feet beyond such end of such improvement, the private property on both sides of such street, not more than three hundred feet beyond such end of such improvement, is hereby declared to be adjacent to such improvement.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sioux City Journal, a newspaper published in Sioux City, Iowa, and the Merville Mail, a newspaper published in Merville, Iowa."

B. M. STODDARD.

I move to amend Senate File No. 354 by striking from lines 14 and 15 of section 1, the following: "Denison by way of Odebolt", and substituting in lieu thereof: "Harlan by way of Denison and Odebolt,".

J. O. SHAFF.

I move to amend the amendment offered by the Senator from Jackson to Senate File No. 187, which amendment appears on page 717 of the Senate Journal, as follows:

Strike from lines five and six of said amendment, the words: "one-fourth to the county road fund, and one fourth to the township road fund".

And insert in lieu thereof the following:

"one-half to the county road fund. The proceeds of the additional license fee herein provided, which is credited to the county road fund shall be apportioned among the counties of the state in the same ratio that the area of the county bears to the total area of the state and the state treasurer shall make such apportionment on the first days of each month, and shall be used only for the permanent grading, draining and bridging of county roads and for the surfacing of county roads".

FRANK M. BEATTY.

I move to amend Senate File No. 316 as follows:

Amend Senate File No. 316 by inserting after the enacting clause the following:

Section 1. Section eighty-eight hundred twenty-nine (8829) of the code, 1924, as amended by Chapter One Hundred seventy-five (175) of the Acts of the Forty-first General Assembly; and Chapter One hundred sixty-six (166) of the Acts of the Forty-first General Assembly are hereby repealed and the following enacted in lieu thereof:

Schedule of Investments. Any fraternal beneficiary society, order or association, organized under the laws of this State, accumulating money to be held in trust for the purpose of fulfillment of its certificates or contracts, shall invest such accumulation in the following securities and no other, except as provided in Section eighty-eight hundred twenty-six (8826) of the Code:

1. Federal and Dominion Bonds. The bonds of the United States, and farm loan bonds issued under the Act of Congress approved July 17, 1918, as amended, and bonds issued or guaranteed by the Dominion of Canada.

2. State and Province Bonds. The bonds of this or any other state and bonds issued or guaranteed by any province of the Dominion of Canada.

3. Municipal and District Bonds. (a) Bonds of any county, city, town, school, road, drainage, or other taxing district, within the State of Iowa or any other state.

(b) Bonds or other evidences of indebtedness which are a general obligation of any county, city, town, village or school district, within the Dominion of Canada, and having a population of not less than ten thousand (10,000) according to the last Dominion or Provincial census taken prior to the date of such investment.

(c) Anticipation certificates issued by waterworks trustees, as provided by the laws of this State, and improvement certificates or other evidences of indebtedness issued by any county, city, town, school, road, drainage, or other district in this state or any other state authorized by law to levy assessments for improvements purposes, and to issue bonds or certificates as evidence of indebtedness therefor; said certificates or

other evidence of indebtedness being secured by a lien upon any real estate within the limits of said public corporation or district.

4. All bonds and other evidences of indebtedness referred to above shall be issued by authority of and according to law, and bearing interest.

5. **Public Utility Bonds.** Bonds or other evidences of indebtedness of any corporation incorporated under the laws of the United States or any state and engaged in the generation and sale of electricity or artificial gas, or owning and operating any telephone system; provided (a) the corporation, its predecessor or principal subsidiary, shall have been in operation not less than five years prior to the making of the investment, and (b) not more than twenty-five per cent (25%) of the gross operating revenue of such corporation shall be derived from property operating under a franchise or franchises, which extend less than five years beyond the date of maturity of such bonds, or under an indeterminate franchise or permit, and (c) the gross earnings of such corporation shall have been not less than one million dollars (\$1,000,000.00) for the last fiscal year preceding the purchase of said bonds, or shall have been at least two hundred fifty thousand dollars (\$250,000.00) per annum for the five years next preceding the date of purchase, and the net earnings have averaged not less than one and three-fourths (1¾) times the interest charges on the total funded debt outstanding for a period of five years next preceding the date of purchase, and not less than one and three-fourths (1¾) times the interest requirements on the total funded debt for the year next preceding the purchase, and (d) the bonds are secured by a mortgage, the lien of which covers at least seventy-five per cent (75%) of the property owned in fee, and (e) at least seventy-five per cent (75%) of the revenues of such corporation are derived from the generation and sale of electricity or artificial gas, or the operation of a telephone system, and (f) the total funded debt of such corporation shall not exceed sixty per cent (60%) of the reasonable value of the properties as shown by the books of the corporation, provided, however, that no company shall be permitted to have more than ten per cent (10%) of its reserve invested in securities included in this subsection at any one time.

6. **Collateral Loans.** In loans secured by collateral security consisting of any securities enumerated in this act, provided there is a margin of ten per cent (10%) between the amount of the loan and the value of the securities.

7. **Real Estate Bonds and Mortgages.** Entire bond issued and mortgages and other interest-bearing securities being first liens upon real estate within this state or any other state, worth at least double the amount loaned thereon and secured thereby. Improvements shall not be considered in estimating the value unless the owner shall contract to keep the same insured in some reliable fire insurance company or companies, association or associations, authorized to do business in the state, during the life of the loan in the sum at least equal to the excess of the loan above one-half the value of the ground exclusive of the improvements, the insurance to be made payable in cases of loss to the society, order or asso-

ciation investing its funds, as its interests may appear at the time of loss.

Any mortgage lien upon real estate shall not, for the purpose of this section, be held or construed to be other than a first lien by reason of the fact that drainage or other improvement assessments may have been levied against the real estate covered by said mortgage, whether the installments of said assessments be matured or not, provided that in determining the value of said real estate for loan purposes, the amount of the drainage or other assessment tax unpaid, shall be deducted.

8. Certificate Loans. Loans upon its own certificates, where the same have been in force at least two full years, in an amount not exceeding the net terminal reserve. If such loan is made, the company must describe in the note or contract taken, the amount of the loan, the name of the borrower, the number of the certificate, and the terms of such note or contract shall make the amount loaned a lien against such certificate and such note or contract shall be numbered, dated, and signed, giving the post-office address of the insured."

Further amend by striking out all of section 1 of the original printed bill down to and including the word "that" in line 6 and by renumbering the unstricken part of said section one as paragraph "9".

Further amend by striking the title and inserting in lieu thereof the following:

"An Act to repeal section eighty-eight hundred twenty-nine (8829) of the code, 1924, as amended by chapter one hundred seventy-five (175) of the acts of the Forty-first General Assembly and chapter one hundred sixty-six (166) of the acts of the Forty-first General Assembly, and to enact a substitute therefor; relating to the investment of funds of fraternal beneficiary societies, orders or associations, and the substitution of securities with the Commissioner of Insurance."

GEO. A. WILSON.

I move to amend section three of Senate File No. 187 by adding thereto the following:

"But where additional right of way has been acquired or where bridges have been built on the primary roads under the supervision of the highway commission and paid for out of the county road or bridge funds since April 19, 1919, said county shall be reimbursed for said right of way and said bridges out of the proceeds of the license fees levied herein within three years from the taking effect of this act unless provision for the payment of such reimbursement is made under some other enactment."

F. C. GILCHRIST.

I move to amend Senate File No. 224 by striking section 1 therefrom and by inserting in lieu thereof the following:

"The windows in at least ten per cent of the rooms above the second floor of all hospitals and asylums for the care and treatment of sick or insane patients must be provided with grates, bars, screens or other de-

vices sufficient to prevent such patients from jumping or falling through such windows."

I also move to amend section 2 of the bill by striking therefrom the word "or" in line 4 and by inserting a comma in lieu thereof and by adding at the end of said fourth line after the word "screens" the words "or other devices."

I further move to amend the bill by striking section 3 therefrom.

F. C. GILCHRIST.

The journal of March 21st was corrected and approved.

On motion of Senator Kimberly the Senate adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 23, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Frederick W. Eastwood, pastor of the First Presbyterian Church, of Washington, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Shinn, from citizens of Monona county, opposing Bergman bill relating to highways. Highways.

By Senator Topping, from voters of Des Moines county, opposing a tax on near beer. Dairy and food.

By Senator Dotts, from voters of Corydon, opposing a tax on near beer. Dairy and food.

## CLASSEN MEMORIAL RESOLUTION

Senator McLeland offered the following resolution:

*Whereas*, Honorable John B. Classen, member of the Iowa Senate during the twenty-eighth and twenty-ninth General Assemblies died at the St. Thomas Hospital, Marshalltown, Iowa, on the twenty-first day of March, 1927, therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and services to the State.

The resolution was adopted and the President appointed as such committee Senators McLeland, Langfitt and Beatty.

## SENATOR THOMPSON SWORN IN

Senator Kimberly moved that Senator Ralph U. Thompson be sworn in, which motion prevailed.

The President appointed Senator Kimberly as a committee of one to escort Senator Thompson to the desk where he took the oath of office.

Senator Cavanaugh moved that Senator Thompson be assigned to the committees on which his predecessor, Senator Wilson of Louisa served, which motion prevailed.

#### S. F. 299 WITHDRAWN

By unanimous consent Senator McFarlane withdrew Senate File No. 299 from further consideration.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 208 and 124.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

#### REPORTS OF COMMITTEES

Senator Gilchrist submitted the following reports :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 350, a bill for an act to authorize the transfer of a portion of the county bridge fund of Palo Alto County, Iowa, to the county road building fund, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 324, a bill for an act to amend, revise, and codify chapter 614 and section 13026 of the code, to provide penalties for repeated violations of law, to provide for resentencing convicted persons in



certain cases, and to provide the rules of evidence and procedure in said matters, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 376, a bill for an act requiring every person, firm, partnership, association, etc., holding in trust or otherwise controlling, or having custody of any securities, etc., taxable under the laws of the State of Iowa, to report and present the same to the Assessor, etc., begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 377, a bill for an act to amend Section 7135 of the code of 1924 relating to appeals from the action of the Board of Review in fixing the amount of assessment of any property concerning which complaint is made so as to give the right of appeal from the decision of the Board of Review to any taxpayer who has made complaint as to such assessment before the Board of Review, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Kern submitted the following report:

MR. PRESIDENT: Your committee on horticulture and forestry to which was referred House File No. 135, a bill for an act providing for an amendment to section 4831, relating to destruction of trees along public highways by county supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

C. B. KERN, *Chairman.*

Ordered passed on file.

#### HOUSE CONCURRENT RESOLUTION NO. 13 CONSIDERED

Senator Browne called up for consideration House Concurrent Resolution No. 13, as found on page 775 of the Senate journal, and moved its adoption.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 44.

Baird	Clark	Kern	Roberts
Benson	Clearman	Kimberly	Shane
Bergman	Darting	Klemme	Shinn
Booth	Dean	Lange	Skromme
Breakenridge	Dotts	Langfitt	Slemmons
Brookins	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Thompson
Brush	Fulton	Merritt	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Beatty	Gunderson	Shaff	Stanley
Ellis	Haskell		

The resolution was adopted.

#### HOUSE AMENDMENTS CONSIDERED

Senator Clearman called up for consideration Senate File No. 62, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding as Section (2a) two-a, thereof the following:

“Vendor defined. For the purpose of this act the term ‘vendor’ shall mean any person, firm, association or corporation who produces, manufactures or imports into this state for sale or use within this state, lime for agricultural purposes.”

On the question “Shall the Senate concur?” the vote was:

Ayes, 43.

Benson	Clearman	Kern	Roberts
Bergman	Darting	Kimberly	Shane
Booth	Dean	Klemme	Shinn
Breakenridge	Dotts	Lange	Skromme
Brookins	Fackler	Langfitt	Slemmons
Browne	Frailey	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Thompson
Campbell	Gunderson	Merritt	Topping
Carden	Hartman	Mills	Ulstad
Cavanaugh	Haskell	Ramsey	Wilson of Polk
Clark	Johnston	Rigby	

Nays, none.

Absent or not voting, 7.

Baird Beatty	Ellis Fulton	Shaff Stanley	Wilson of Page
-----------------	-----------------	------------------	----------------

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Rigby called up for consideration Senate File No. 217, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting the following as section three (3) thereof:

"Sec. 3. No person, firm, association or corporation shall cry, hawk, sell or expose for sale upon any public highway or the street of any city or town, within six hundred feet of any state park, any wares, merchandise or parking or storage space for vehicles, nor offer for sale refreshments or merchandise of any kind, nor conduct a show, riding device, shooting gallery, or game of any kind, in a temporary place of business within four hundred feet of any state park except upon privately owned property. Any violation of the provisions hereof shall constitute a misdemeanor, and upon conviction any such violator shall be fined not less than ten dollars nor more than one hundred dollars for each such offense."

Further, amend by renumbering section three (3) of the bill as section four (4).

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 43.

Baird	Clearman	Kimberly	Shane
Beatty	Darting	Klemme	Shinn
Benson	Dean	Lange	Skromme
Bergman	Dotts	Langfitt	Slemmons
Booth	Fackler	McFarlane	Stoddard
Breakenridge	Fraily	McLeland	Thompson
Brookins	Fulton	Merritt	Topping
Brush	Gilchrist	Mills	Ulstad
Campbell	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kern	Roberts	

Absent or not voting, 7.

Browne	Ellis	Hartman	Stanley
Carden	Gunderson	Shaff	

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 Fulton offered the following resolution :

*Whereas*, Chapter 218 of the Acts of the Forty-first General Assembly provided contingent appropriations for the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts to be expended subject to the approval of the Director of the Budget, and

*Whereas*, This chapter also fixed limitations as to the number and compensation of employees in the several offices and departments, but allowed temporary additional assistance when authorized by the concurrent action of the Governor and Director of the Budget, and

*Whereas*, This chapter further permitted the use of funds appropriated for specific purposes, other than for salaries, wages and per diems, to be diverted with the approval of the Governor and Director of the Budget, to other purposes within the scope of the department, institution or agency for which the appropriation was made, therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly,*

That the Director of the Budget be and he is hereby requested, to report to the Senate on or before March 28, 1927.

1. For what contingencies the contingent funds of the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts were expended, and whether or not all such expenditures received his approval.

2. Whether or not the limitation as to the number and compensation of employees in the several departments have been observed, and in what departments and to what extent it has been necessary to provide temporary assistance.

3. In what departments, institutions and agencies and for what purposes it has been found expedient and desirable to approve the transfer of funds.

The resolution was laid over under the rules.

## HOUSE CONCURRENT RESOLUTION NO. 12 CONSIDERED

Senator Lange called up for consideration House Concurrent Resolution No. 12, as found on page 864 of the Senate journal, and moved its adoption.

On the question "Shall the resolution be adopted?" the vote was :

Ayes, 43.

Baird	Cavanaugh	Kern	Shane
Beatty	Clark	Kimberly	Shinn
Benson	Clearman	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Brookins	Fulton	Merritt	Thompson
Browne	Gilchrist	Mills	Topping
Brush	Hartman	Ramsey	Wilson of Page
Campbell	Haskell	Rigby	Wilson of Polk
Carden	Johnston	Roberts	

Nays, none.

Absent or not voting, 7.

Darting	Fackler	McLeland	Ulstad
Dean	Gunderson	Shaff	

The resolution was adopted.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1927, and ending June 30, 1929, and to appropriate therefrom for all departments, and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

Senator Stoddard moved that the vote by which the previous question was ordered on Senate File No. 10 and amendments be reconsidered.

On the question "Shall the motion prevail?" the vote was:

Ayes, 27.

Baird	Clark	Johnston	Shaff
Benson	Clearman	Kimberly	Shane
Bergman	Darting	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brush	Frailey	McFarlane	Topping
Carden	Gilchrist	Ramsey	Wilson of Polk
Cavanaugh	Haskell	Rigby	

Nays, 22.

Beatty	Fackler	McLeland	Skromme
Booth	Fulton	Merritt	Slemmons
Brookins	Gunderson	Mills	Thompson
Browne	Hartman	Roberts	Ulstad
Campbell	Kern	Shinn	Wilson of Page
Dean	Klemme		

Absent or not voting, 1.

Dotts

The motion prevailed.

Senator Stoddard withdrew his motion for the previous question.

Senator Brush moved that the vote by which the substitute amendment to the amendment to line 32 of section 47 was adopted be reconsidered.

Senator Bergman invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 27.

Baird	Clark	Johnston	Shaff
Benson	Clearman	Kimberly	Shane
Bergman	Darting	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brush	Frailey	McFarlane	Topping
Carden	Gilchrist	Ramsey	Wilson of Polk
Cavanaugh	Haskell	Rigby	

Nays, 22.

Beatty	Fackler	McLeland	Skromme
Booth	Fulton	Merritt	Slemmons
Brookins	Gunderson	Mills	Thompson
Browne	Hartman	Roberts	Ulstad
Campbell	Kern	Shinn	Wilson of Page
Dean	Klemme		

Absent or not voting, 1.

Dotts

The motion prevailed.

Senator Shane moved the previous question, which motion prevailed.

Senator Browne moved that Senator Campbell's time in closing be extended five minutes, which motion prevailed.

On the question "Shall the substitute amendment be adopted?" the vote was:

## Ayes, 21.

Beatty	Dotts	Kern	Shinn
Booth	Fackler	McLeland	Slemmons
Brookins	Fulton	Merritt	Thompson
Browne	Gunderson	Mills	Ulstad
Campbell	Hartman	Roberts	Wilson of Page
Dean			

## Nays, 27.

Baird	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Ellis	Lange	Stanley
Breakenridge	Frailey	Langfitt	Stoddard
Brush	Gilchrist	McFarlane	Topping
Cavanaugh	Haskell	Ramsey	Wilson of Polk
Clark	Johnston	Rigby	

## Absent or not voting, 2.

Carden	Skromme
--------	---------

The substitute amendment was lost.

Senator Campbell offered the following amendment as a substitute and moved its adoption:

Amend by striking from line 32 of section 47 the figures "450,000.00" and inserting in lieu thereof the figures "400,000.00".

Senator Campbell invoked rule 8.

On the question "Shall the substitute amendment be adopted?" the vote was:

## Ayes, 23.

Beatty	Dean	Kern	Shinn
Booth	Dotts	Langfitt	Slemmons
Brookins	Fackler	McLeland	Thompson
Browne	Fulton	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Clark	Hartman	Roberts	

## Nays, 25.

Baird	Clearman	Klemme	Stanley
Benson	Ellis	Lange	Stoddard
Bergman	Frailey	McFarlane	Topping
Breakenridge	Gilchrist	Ramsey	Wilson of Polk
Brush	Haskell	Rigby	
Carden	Johnston	Shaff	
Cavanaugh	Kimberly	Shane	

Absent or not voting, 2.

Darting Skromme

The amendment was lost.

Senator Brush moved that the vote by which the substitution was made be reconsidered which motion prevailed.

Senator Shinn withdrew the amendment.

Senator Stoddard moved that the vote by which the previous question was ordered on sub-section 3 of section 47 be reconsidered.

On the question "Shall the motion prevail?" the vote was:

Ayes, 10.

Carden	Fulton	Langfitt	Stanley
Clearman	Hartman	Roberts	Stoddard
Ellis	Lange		

Nays, 32.

Baird	Cavanaugh	Johnston	Shaff
Bcnson	Clark	Kimberly	Shane
Bergman	Dean	Klemme	Shinn
Booth	Dotts	McFarlane	Slemmons
Breakenridge	Fackler	McLeland	Thompson
Brookins	Frailey	Merritt	Topping
Brush	Gilchrist	Ramsey	Wilson of Page
Campbell	Haskell	Rigby	Wilson of Polk

Absent or not voting, 8.

Beatty	Darting	Kern	Skromme
Browne	Gunderson	Mills	Ulstad

The motion was lost.

The journal of March 22nd was corrected and approved.

On motion of Senator Shane the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.



## 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. 124 and 208.

## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 23rd day of March, 1927, sent to the governor for his approval, Senate Files Nos. 208 and 124.

D. L. WILSON, *Chairman.*

The report was adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that on the 22nd day of March, he had approved the following bills:

Senate File No. 144, relating to collection of delinquent motor vehicle license fees.

Senate File No. 123, relating to the indexing of certain chattel mortgages.

Senate File No. 105, relating to the protection of junior liens.

Senate File No. 159, relating to appropriation to pay the expenses of the boundary commission appointed under chapter 313 acts of the 40th general assembly.

Senate File No. 219, relating to organizations soliciting public donations.

Senate File No. 118, relating to state entomologist.

## INTRODUCTION OF BILLS

Senate File No. 402, by committee on judiciary No. 1, a bill for an act to amend chapter twenty (20), acts forty-first (41st) general assembly, relating to the sale of legal publications, and to the distribution of the book of annotations and supplements thereto.

Read first and second times and placed on the calendar.

## THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10, the budget bill.

Senator Fulton offered the following amendment and moved its adoption :

Amend line 23 of section 47 by striking the figures "825,076.00" and inserting in lieu thereof the figures "600,000.00".

Senator Fulton withdrew the amendment.

Senator Fulton offered the following amendment and moved its adoption :

Amend line 24 of section 47 by striking the figures "2,730,000.00" and inserting in lieu thereof the figures "2,500,000.00".

Senator Lange invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 15.

Brookins	Fulton	Klemme	Slemmons
Browne	Gunderson	Merritt	Thompson
Dotts	Hartman	Roberts	Ulstad
Fackler	Kern	Shinn	

Nays, 29.

Baird	Clearman	Kimberly	Shaff
Benson	Darting	Lange	Shane
Bergman	Dean	Langfitt	Stanley
Booth	Frailey	McFarlane	Stoddard
Breakenridge	Gilchrist	Mills	Topping
Brush	Haskell	Ramsey	Wilson of Page
Carden	Johnston	Rigby	Wilson of Polk
Clark			

Absent or not voting, 6.

Beatty	Cavanaugh	McLeland	Skromme
Campbell	Ellis		

The amendment was lost.

Senator Stoddard offered the following amendments to the totals and moved their adoption, and moved that the reading of same be dispensed with, which motion prevailed.

Amend section two as follows:

In lines four and five strike the words and figures "two hundred seventeen thousand eight hundred eighty dollars (\$217,880.00)" and insert "two hundred twenty-six thousand four hundred eighty dollars (\$226,480.00)".

In line twenty-six strike the figures "\$23,160.00" and insert "\$24,960.00".

In line forty-three strike "\$175,400.00" and insert "\$180,700.00".

In line forty-five strike "\$198,560.00" and insert "\$205,660.00".

In line fifty-four strike "\$5,400.00" and insert "\$6,900.00".

In line sixty-one strike "\$11,400.00" and insert "\$12,900.00".

In line seventy-four strike "\$217,880.00" and insert "\$226,480.00".

Amend section three as follows:

In lines four and five strike "three hundred ninety-eight thousand one hundred forty dollars (\$398,140.00)" and insert "four hundred seventy-four thousand four hundred fifty dollars (\$474,450.00)".

In line twenty-seven strike "\$124,700.00" and insert "\$125,400.00".

In line thirty-four strike "\$166,700.00" and insert "\$167,400.00".

In line sixty-two strike "\$3,750.00" and insert "\$4,250.00".

In line seventy-five strike "\$1,900.00" and insert "\$2,010.00".

In line seventy-seven strike "\$6,140.00" and insert "\$6,250.00".

In line one hundred and twenty-six strike "\$398,140.00" and insert "\$474,450.00".

Amend section four as follows:

In lines three and four strike "four thousand eight hundred dollars (\$4,800.00)" and insert "four thousand two hundred dollars (\$4,200.00)".

In line eleven strike "\$4,800.00" and insert "\$4,200.00".

In line fourteen strike "\$4,800.00" and insert "\$4,200.00".

Amend section five as follows:

In line four strike "twenty-six thousand five hundred dollars (\$26,500.00)" and insert "twenty-six thousand one hundred fifty dollars (\$26,150.00)".

In line twenty strike "\$23,500.00" and insert "\$23,150.00".

In line twenty-nine strike "\$26,500.00" and insert "\$26,150.00".

Amend section seven as follows:

In lines four and five strike "thirty thousand three hundred dollars (\$30,300.00)" and insert "thirty thousand eight hundred dollars (\$30,800.00)".

In line twenty-one strike "\$28,300.00" and insert "\$28,800.00".

In line twenty-seven strike "\$30,300.00" and insert "\$30,800.00".

Amend section eight as follows:

In lines three and four strike "ninety thousand dollars (\$90,000.00)" and insert "one hundred and ten thousand dollars (\$110,000.00)".

In line eleven strike "\$90,000.00" and insert "\$110,000.00".

In line fifteen strike "\$90,000.00" and insert "\$110,000.00".

Amend section nine as follows:

In lines three and four strike "seventy-eight thousand nine hundred ten dollars (\$78,910.00)" and insert "ninety-one thousand five hundred eighty dollars (\$91,580.00)".

In line twenty-seven strike "\$55,160.00" and insert "\$59,130.00".

In line thirty-six strike "\$18,750.00" and insert "\$27,450.00".

In line thirty-eight strike "\$74,210.00" and insert "\$86,580.00".

In line fifty-four strike "\$78,910.00" and insert "\$91,580.00".

Amend section ten as follows:

In lines three and four strike "sixty-one thousand four hundred fifty-five dollars (\$61,455.00)" and insert "fifty-nine thousand three hundred fifty-five dollars (\$59,355.00)".

In line twenty-eight strike "\$60,955.00" and insert "\$59,355.00".

In line thirty-four strike "\$61,455.00" and insert "\$59,355.00".

Amend section twelve as follows:

In lines three and four strike "fifty-four thousand three hundred twelve dollars (\$54,312.00)" and insert "fifty-four thousand one hundred twelve dollars (\$54,112.00)".

In line twenty-five strike "\$8,612.00" and insert "\$8,412.00".

In line twenty-seven strike "\$31,912.00" and insert "\$31,712.00".

In line thirty-five strike "\$54,312.00" and insert "\$54,112.00".

Amend section fourteen as follows:

In lines three and four strike "twenty thousand two hundred dollars (\$20,200.00)" and insert "twenty thousand five hundred dollars (\$20,500.00)".

In line twenty-two strike "\$20,200.00" and insert "\$20,500.00".

In line twenty-six strike "\$20,200.00" and insert "\$20,500.00".

Amend section fourteen-a as follows:

In lines three, four and five strike "one hundred ninety-four thousand two hundred fifty dollars (\$194,250.00)" and insert "two hundred four thousand two hundred fifty dollars (\$204,250.00)".

In line seventeen strike "\$194,250.00" and insert "\$204,250.00".

In line twenty-one strike "\$194,250.00" and insert "\$204,250.00".

Amend section sixteen as follows:

In lines three and four strike "one hundred sixty thousand dollars (\$160,000.00)" and insert "one hundred seventy thousand dollars (\$170,000.00)".

Amend section eighteen by striking line 16.

Amend section nineteen as follows:

In line four strike "nineteen thousand five hundred dollars (\$19,500.00)" and insert "eighteen thousand six hundred fifty dollars (\$18,650.00)".

In line sixteen strike "\$16,300.00" and insert "\$16,450.00".

In line twenty-three strike "\$3,200.00" and insert "\$2,200.00".

In line twenty-seven strike "\$19,500.00" and insert "\$18,650.00".

Amend section twenty-one as follows:

In lines three and four strike "forty-nine thousand four hundred dollars (\$49,400.00)" and insert "sixty-one thousand four hundred dollars (\$61,400.00)".

In line twenty-two strike "\$26,300.00" and insert "\$32,300.00".

In line twenty-nine strike "\$12,000.00" and insert "\$13,000.00".

In line thirty-one strike "\$38,300.00" and insert "\$45,300.00".

In line thirty-nine strike "\$7,100.00" and insert "\$10,100.00".

Insert after line forty-three the following: "43-a, \$6,000.00".

In line forty-five strike "\$11,100.00" and insert "\$16,100.00".

In line fifty strike "\$49,400.00" and insert "\$61,400.00".

Amend section twenty-two as follows:

In lines three and four strike "forty-four thousand six hundred twenty-five dollars (\$44,625.00)" and insert "forty-six thousand three hundred dollars (\$46,300.00)".

In line forty strike "\$7,125.00" and insert "\$8,500.00".

In line forty-two strike "\$27,025.00" and insert "\$28,400.00".

In line sixty-four strike "\$3,600.00" and insert "\$3,900.00".

In line seventy-two strike "\$44,625.00" and insert "\$46,300.00".

Amend section twenty-four as follows:

In line four strike "thirty-six thousand thirty dollars (\$36,030.00)", and insert "forty-one thousand four hundred eighty dollars (\$41,480.00)".

In line sixteen strike "\$16,050.00" and insert "\$16,500.00".

In line twenty-five strike "\$17,930.00" and insert "\$18,380.00".

In line thirty-three strike "\$18,100.00" and insert "\$23,100.00".

In line thirty-seven strike "\$36,030.00" and insert "\$41,480.00".

Amend section twenty-five as follows:

In lines three and four strike "fifty-four thousand two hundred sixty dollars (\$54,260.00)" and insert "fifty-four thousand five hundred sixty dollars (\$54,560.00)".

In line twenty-five strike "\$47,260.00" and insert "\$50,560.00".

In line thirty-one strike "\$7,000.00" and insert "\$4,000.00".

In line thirty-four strike "\$54,260.00" and insert "\$54,560.00".

Amend section twenty-six as follows:

In lines three and four strike "eighty thousand three hundred seventy dollars (\$80,370.00)" and insert "ninety-eight thousand one hundred fifty dollars (\$98,150.00)".

In line seventeen strike "\$29,120.00" and insert "\$31,900.00".

In line twenty-four strike "\$51,250.00" and insert "\$66,250.00".

In line twenty-eight strike "\$80,370.00" and insert "\$98,150.00".

Amend section twenty-seven as follows:

In lines three and four strike "twenty-one thousand four hundred dollars (\$21,400.00)" and insert "twenty-three thousand nine hundred dollars (\$23,900.00)".

In line sixteen strike "\$18,400.00" and insert "\$19,900.00".

In line twenty-one strike "\$21,400.00" and insert "\$23,900.00".

Amend section twenty-nine as follows:

In lines three and four strike "forty-nine thousand nine hundred dollars (\$49,900.00)" and insert "fifty-two thousand dollars (\$52,000.00)".

In line nineteen strike "\$15,700.00" and insert "\$16,300.00".

In line twenty-two strike "\$21,700.00" and insert "\$22,300.00".

In line thirty-two strike "\$9,800.00" and insert "\$11,000.00".

In line thirty-five strike "\$15,800.00" and insert "\$17,000.00".

In line fifty-four strike "\$2,700.00" and insert "\$3,000.00".

In line fifty-seven strike "\$3,700.00" and insert "\$4,000.00".

In line sixty-one strike "\$49,900.00" and insert "\$52,000.00".

Amend section thirty-one as follows:

In lines three and four strike "thirteen thousand and sixty dollars (\$13,060.00)" and insert "thirteen thousand nine hundred sixty dollars (\$13,960.00)".

In line ten strike "\$10,200.00" and insert "\$11,100.00".

In line eighteen strike "\$13,060.00" and insert "\$13,960.00".

Amend section thirty-four as follows:

In lines three and four strike "eighteen thousand six hundred and fifty dollars (\$18,650.00)" and insert "eighteen thousand eight hundred fifty dollars (\$18,850.00)".

In line twenty-two strike "\$17,750.00" and insert "\$17,950.00".

In line twenty-seven strike "\$18,650.00" and insert "\$18,850.00".

Amend section thirty-five as follows:

In lines three and four strike "one hundred and forty thousand eight hundred and twenty dollars (\$140,820.00)" and insert "one hundred forty-three thousand eight hundred twenty dollars (\$143,820.00)".

In line twelve strike "\$140,820.00" and insert "\$143,820.00".

In line thirty-two strike "\$140,820.00" and insert "\$143,820.00".

Amend section thirty-six as follows:

In line four strike "thirty-one thousand four hundred dollars (\$31,400.00)" and insert "thirty-one thousand seven hundred fifty dollars (\$31,750.00)".

In line sixteen strike "\$24,900.00" and insert "\$24,250.00".

In line twenty-one strike "\$6,500.00" and insert "\$7,500.00".

In line twenty-five strike "\$31,400.00" and insert "\$31,750.00".

Amend section thirty-nine as follows:

In lines three, four and five strike "ninety-two thousand five hundred and thirty-seven dollars and fifty cents (\$92,537.50)" and insert "one hundred four thousand five hundred sixty-seven dollars and fifty cents (\$104,567.50)".

In line twenty-seven strike "\$44,800.00" and insert "\$45,430.00".

In line forty-three strike "\$54,125.00" and insert "\$54,755.00".

In line fifty-three strike "\$11,900.00" and insert "\$12,400.00".

In line sixty-two strike "\$14,237.50" and insert "\$14,737.50".

In line ninety-one strike "\$9,900.00" and insert "\$15,300.00".

Insert line 94a, \$6,000.00.

In line ninety-five strike "\$10,400.00" and insert "\$21,300.00".

In line ninety-nine strike "\$92,537.50" and insert "\$104,567.50".

Amend section forty as follows:

In lines three and four strike "twenty thousand five hundred and fifty dollars (\$20,550.00)" and insert "nineteen thousand nine hundred dollars (\$19,900.00)".

In line sixteen strike "\$20,300.00" and insert "\$19,650.00".

In line twenty-one strike "\$20,550.00" and insert "\$19,900.00".

Amend section forty-one as follows:

In lines three and four strike "nine thousand six hundred and fifty dollars (\$9,650.00)" and insert "ten thousand eight hundred fifty dollars (\$10,850.00)".

In line thirteen strike "\$9,500.00" and insert "\$10,850.00".

In line eighteen strike "\$9,650.00" and insert "\$10,850.00".

Amend section forty-two as follows:

In lines three and four strike "sixty-one thousand seven hundred and fifty dollars (\$61,750.00)" and insert "sixty-two thousand fifty dollars (\$62,050.00)".

In line twelve strike "\$61,050.00" and insert "\$61,350.00".

In line seventeen strike "\$61,750.00" and insert "\$62,050.00".

Amend section forty-three as follows:

In line four strike "thirteen thousand eight hundred dollars (\$13,800.00)" and insert "fourteen thousand three hundred and fifty dollars (\$14,350.00)".

In line fifteen strike "\$13,800.00" and insert "\$14,100.00".

In line nineteen strike "\$13,800.00" and insert "\$14,350.00".

Amend section forty-four as follows:

In lines three and four strike "eighty-two thousand nine hundred and sixty-five dollars (\$82,965.00)" and insert "eighty-two thousand four hundred and ninety-five dollars (\$82,495.00)".

In line twenty strike "\$21,440.00" and insert "\$20,970.00".

In line twenty-eight strike "\$28,565.00" and insert "\$28,095.00".

In line sixty-six strike "\$82,965.00" and insert "\$82,495.00".



Amend section 46 as follows:

In lines 21, 22 and 23 strike "seven million six hundred two thousand seven hundred twenty-four dollars (\$7,602,724.00)" and insert "seven million eight hundred thirty-five thousand seven hundred twenty-four dollars (\$7,835,724.00)".

In lines 44 and 45 strike "seven hundred forty-two thousand seven hundred and fifty dollars (\$742,750.00)" and insert "seven hundred ninety-seven thousand seven hundred and fifty dollars (\$797,750.00)".

Insert after line 48-a the following: "48-b, total \$797,750.00".

In lines 63 and 64 strike "six hundred ninety thousand and six hundred fifty dollars (\$690,650.00)" and insert "six hundred eighty-eight thousand six hundred fifty dollars (\$688,650.00)".

In line 71 strike "\$690,650.00" and insert \$688,650.00".

In lines 86 and 87 strike "six hundred sixty-three thousand nine hundred fifty dollars (\$663,950.00)" and insert "six hundred seventy-three thousand nine hundred fifty dollars (\$673,950.00)".

In line 95 strike "\$663,950.00" and insert "\$673,950.00".

In lines 98 and 99 strike "two hundred two thousand two hundred dollars (\$202,200.00)" and insert "two hundred fifty-two thousand two hundred dollars (\$252,200.00)".

Insert after 101-a the following: "101-b, total \$252,200.00".

In lines 161 and 162 strike "three hundred fifty thousand one hundred dollars (\$350,100.00)" and insert "four hundred thirty thousand one hundred dollars (\$430,100.00)".

In line 170 strike "\$350,100.00" and insert "\$430,100.00".

In line 183 strike "sixty thousand dollars (\$60,000.00)" and insert "one hundred thousand dollars (\$100,000.00)".

In line 201 strike "\$7,602,724.00" and insert "\$7,835,724.00".

Amend section 47 as follows:

In lines 10, 11 and 12, strike "fourteen million five hundred seventy-five thousand three hundred thirteen dollars and twenty cents (\$14,575,313.20)" and insert "fourteen million five hundred twenty-two thousand one hundred thirteen dollars and twenty cents (\$14,522,113.20)".

In lines 44 and 45 strike "five million, two hundred fifty-four thousand dollars (\$5,254,000.00)" and insert "five million three hundred thirty thousand dollars (\$5,330,000.00)".

In line 67 strike "\$5,254,000.00" and insert "\$5,330,000.00".

In lines 84 and 85 strike "four hundred thirty-six thousand six hundred dollars (\$436,600.00)" and insert "four hundred fifty-three thousand six hundred dollars (\$453,600.00)".

In line 93 strike "\$436,600.00" and insert "\$453,600.00".

In lines 96 and 97 strike "one hundred eighty-three thousand four hundred dollars (\$183,400.00)" and insert "two hundred fifty-three thousand four hundred dollars (\$253,400.00)".

In line 108 strike "\$183,400.00" and insert "\$253,400.00".

In line 151 strike "\$14,375,313.20" and insert "\$14,522,113.20".

The amendments were adopted.

Further action was deferred temporarily.

On motion of Senator Fackler Senate File No. 316, a bill for an act to repeal the law as it appears in section one (1) of chapter one hundred sixty-six (166) of the acts of the forty-first general assembly and to enact a substitute in lieu thereof, relating to fraternal life insurance, a committee bill, was taken up and considered.

The amendments by Senator Wilson of Polk, found on page 907 of the Senate journal, were adopted.

The bill was read for information.

Senator Fackler moved 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.

Baird	Darting	Klemme	Shinn
Benson	Dotts	Lange	Skromme
Bergman	Fackler	Langfitt	Slemmons
Booth	Frailey	McFarlane	Stanley
Breakenridge	Fulton	Merritt	Stoddard
Browne	Gilchrist	Mills	Thompson
Brush	Gunderson	Ramsey	Topping
Campbell	Hartman	Rigby	Ulstad
Carden	Johnston	Roberts	Wilson of Page
Clark	Kern	Shane	Wilson of Polk
Clearman	Kimberly		

Nays, none.

Absent or not voting, 8.

Beatty	Cavanaugh	Ellis	McLeland
Brookins	Dean	Haskell	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Fackler 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.

#### S. F. 187 MADE SPECIAL ORDER

On motion of Senator Bergman Senate File No. 187 was made a special order for 10:30 a. m. tomorrow.

Senator Bergman moved that the Senate adjourn until 9:30 a. m. tomorrow.

Senator Stoddard moved as a substitute motion that the Senate recess to the call of the gavel.

The substitute was accepted and the motion prevailed.

The Senate reconvened, President Pro Tem Frank Shane presiding.

#### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa, for the biennium beginning July 1, 1927, and ending June 30, 1929, and to appropriate therefrom for all departments, and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

President Kimball took the chair at 3:07 p. m.

Senator Stoddard moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Shinn invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Baird	Clark	Kimberly	Shaff
Benson	Clearman	Lange	Shane
Bergman	Darting	Langfitt	Stanley
Booth	Dean	McFarlane	Stoddard
Breakenridge	Ellis	Merritt	Topping
Brush	Frailey	Ramsey	Wilson of Page
Carden	Haskell	Rigby	Wilson of Polk
Cavanaugh	Johnston	Roberts	

## Nays, 15.

Browne	Fulton	Lemme	Slemmons
Campbell	Gunderson	Mills	Thompson
Dotts	Hartman	Shinn	Ulstad
Fackler	Kern	Skromme	

## Absent or not voting, 4.

Beatty	Brookins	Gilchrist	McLeland
--------	----------	-----------	----------

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 Stoddard moved that Senate File No. 10 be reprinted, showing in large type the changes made by the Senate as compared with the bill in its original form, which motion prevailed.

## JAMES H. TREWIN

“Know ye not, there is a great prince and a great man fallen this day in Israel!”

It is the age-old cry—the age-old lamentation. So it has been since the sun of human history silvered the dawn of the world, and so it will ever be until the end of time.

Nothing that we can say or hear in this Chamber, where he was in his day a forceful character, can add to the immutability and finality of death. His work is done. It is recorded today in the history, the politics, the statutes and the affections of the state in which he lived and died, and which he loved so well. His record is not ours to relate to the people of Iowa, for he has left his own record to that end. He was one of the last of the old oaks; sturdy, steadfast and true to all in which he believed and held convictions. One of the last of the two sturdy generations that made Iowa—consistent in all that he believed; courageous to fight for his belief and never faltering in the faith of his convictions. The land marks of the formative days of our commonwealth are being lost, and growing dim and formless in the march of time. He was one of them, and the call has come to him. His work is ended. Those that he battled with respected him, those that fought on his side loved him. He has fought a good fight. He has finished his course and he has kept the faith as he conceived that faith. No honest man could do more for his fellow citizens that he loved—and nothing is greater than an honest man.

If, in another world to which his soul has passed, fidelity to conscientious convictions is honored, and faith and friendship is a virtue, then all is well with him. He has left our state his debtor. In his passing into the inscrutable mysteries of the life hereafter—Hail and Farewell!

W. G. HASKELL,  
J. R. FRAILEY,  
F. C. GILCHRIST,

Committee.

The memorial was unanimously adopted by a rising vote.

#### INTRODUCTION OF BILLS

Senate File No. 403, by committee on judiciary, a bill for an act to legalize the election held by the voters of Floyd county, Iowa, on the second day of November, 1926, with reference to the erection of a county home on the county farm in said county, the issuance of thirty thousand dollars (\$30,000) bonds of said county for that purpose and the levy of a tax to pay said bonds and the interest thereon.

Read first and second times and placed on the calendar.

Senate File No. 404, by committee on military affairs, a bill for an act amending the law as it appears in section 3552, code of 1924, and providing for the commitment of insane war veterans to United States Veterans' Hospitals under certain circumstances.

Read first and second times and placed on the calendar.

Senate File No. 405, by committee on motor vehicles, a bill for an act to amend sections five thousand thirty-six (5036), five thousand thirty-seven (5037), five thousand fifty-eight (5058) and five thousand seventy-four (5074) of the code, 1924, relating to the control of motor vehicle traffic upon the streets of cities and towns and to the penalty for the failure to report accidents.

Read first and second times and placed on the calendar.

#### REPORTS OF COMMITTEES

Senator McLeland submitted the following reports:

MR. PRESIDENT: Your committee on county and township affairs to which was referred House File No. 118, a bill for an act to repeal section 5321 of the code and to enact a substitute therefor, relating to the appointment of overseers of the poor, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 282, a bill for an act to amend sections 5582 and 5583 of the Code, 1924, relating to the granting of licenses to keep or operate for hire or for profit, any theatre, moving picture show, etc., outside of the limits of cities and towns, begs leave to report it has had the same under consideration and returns the same without recommendation.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 358, a bill for an act relating to the licensing by township trustees of certain places of amusement, begs leave to report it has had the same under consideration and recommends the same do pass.

W. E. MCLELAND, *Chairman.*

Ordered passed on file.

Senator Darting submitted the following reports :

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 238, a bill for an act relating to insurance upon lives of directors, officers, agents, and employees of corporations, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. A. DARTING, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on insurance to which was referred House File No. 258, a bill for an act relating to insurance, upon lives of directors, officers, agents, and employees of corporations and prescribing what shall constitute evidence of due authority for all corporate actions with reference thereto, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. A. DARTING, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on insurance to which was referred Senate File No. 312, a bill for an act to amend section 8613 of the Code, relating to the general powers and duties of the Insurance Commissioner, and authorizing him to call special meetings of the stockholders of mutual insurance companies, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

H. A. DARTING, *Chairman.*

Ordered passed on file.

Senator Mills submitted the following report :

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 373, a bill for an act to amend Chapter 211, acts of the 41st General Assembly relating to the erection of monuments at the graves of soldiers of the Revolutionary War, 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 1, line 1, the figure (3) and substituting therefor the figure four (4), and also in the same line striking out the figure four (4) and substituting the figure five (5).

REDFIELD C. MILLS, *Chairman.*

Ordered passed on file.

Senator Ramsey submitted the following reports:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 17, a bill for an act to amend section 1146 of the code, 1924, relating to vacancies in office, and providing for a vacancy caused by the death of a member-elect before qualifying, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred House File No. 7, a bill for an act to amend the law as it appears in section 887 of the Code, 1924, relating to double counting boards in elections, so as to permit the appointing of double boards in precincts where 150 votes or more were cast in the last preceding general election, begs leave to report it has had the same under consideration and recommends the same do pass.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 391, a bill for an act amending section 796 of the code, 1924, relating to the right to receive a ballot from the judges of elections, and repealing section 572 of the Code, 1924, relating to challenge, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 241, a bill for an act to amend section 19, chapter 27, acts

of the 41st General Assembly, relating to the signing of petitions of nominations, 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 "and" as it appears after the word "residence" in line six.

J. M. RAMSEY, *Chairman.*

Ordered passed on file.

#### S. F. 236 MADE SPECIAL ORDER

On motion of Senator Cavanaugh Senate File No. 236 was made a special order for 10 a. m. Wednesday, March 30th.

#### AMENDMENTS FILED

I move to amend Senate File No. 354 by striking from lines seventy-one (71) and seventy-two (72) the words "Luxenburg, Garnavillo".

J. O. SHAFF.

On motion of Senator Roberts the Senate adjourned until 9:30 a. m. Thursday.



# JOURNAL OF THE SENATE

---

SENATE CHAMBER.  
DES MOINES, IOWA, MARCH 24, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Jerrie Johnson, formerly of Hardin county, Iowa, at present pastor of Winnebago Presbyterian Church of St. Louis, Mo.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Thompson, from voters of Muscatine, opposing a bill taxing near beer. Dairy and food.

By Senator Hartman, from voters of Fayette county, favoring bank guarantee act. Banks and banking.

By Senator Merritt, from voters of Carroll county, favoring fish and game commission. Fish and game.

By Senator Brookins, from voters of Charles City, opposing a bill taxing near beer. Dairy and food.

By Senator Frailey, from voters of Lee county, opposing a tax on tobaccos. Dairy and food.

## PROOF OF PUBLICATION

I hereby certify, that as secretary of the Senate, I have received the proof of publication of Senate File 313, a proposed bill for the legalization of the proceedings of the board of supervisors of Webster county, Iowa.

WALTER H. BEAM, *Secretary.*

## SENATE RESOLUTION CONSIDERED

Senator Fulton called up for consideration his resolution found on page 916 of the Senate Journal, and moved its adoption.

President Pro Tem Shane took the chair at 9:35 a. m.

The resolution was adopted.

## TALMAN MEMORIAL RESOLUTION

Senator Kern offered the following resolution and moved its adoption:

*Whereas*, The Honorable William Bell Talman, former member of the Senate from Clarke County in the Twenty-eighth and Twenty-ninth General Assemblies, died October 27, 1926, at his home in Osceola, Iowa,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That the President appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this State and Nation.

The resolution was adopted and President Pro Tem Shane appointed as such committee Senators Kern, Dotts and Roberts.

President Kimball resumed the chair at 9:40 a. m.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 62, and House Files Nos. 45 and 206.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 62 and House Files Nos. 45 and 206.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 24th day of March, 1927, sent to the governor for his approval Senate File No. 62.

D. L. WILSON, *Chairman.*

The report was adopted.

#### REPORTS OF COMMITTEES

Senator Gilchrist submitted the following reports:

**MR. PRESIDENT:** Your committee on judiciary No. 1 to which was re-

ferred Senate File No. 393, a bill for an act to amend section 10649 of the Code relating to appointment of deputy bailiffs in the municipal court, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 237, a bill for an act to repeal sections 10907, 10908, 10909, 10914, 10916, and 10918 of the code of Iowa, 1924, relating to admission to the practice of law and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 162, a bill for an act to repeal sections 7319 and 11912 of the code; to repeal sections 7320, 7324, and 11913, of the code and to enact substitutes therefore; and to amend section 11916 of the code, relating to reports and inventories of executors, administrators and testamentary trustees, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 95, a bill for an act to amend sections of Code of 1924 relating to the inheritance tax, the assessment and collection thereof, and the procedure with reference thereto, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend section 2 of the bill by striking from lines 6 and 7 the following:

“and may employ such additional help.”

2. Amend section 4 of the bill by striking the word “or” where it first appears in line 17 and by inserting a comma in lieu thereof and by adding after the word “administrator” in said line the words “or trustee.”

3. Further amend section 4 of the bill by striking the word “or” where it first appears in line 18 and by inserting after the word “administrator” in said line 18 the word “trustee.”

4. Amend section 8 of the bill by adding in line 5 after the word “contract” the words “with a nonresident.”

5. Amend section 8 of the bill by changing the period in line 14 to a semicolon and by adding the following: "and the share of the estate which goes to such nonresident shall be charged with such tax."

6. Amend section 11 of the bill by striking therefrom all of lines 12, 13, 14, and 15.

7. Amend section 12 of the bill by striking from lines 13 and 14 the following: "not including the federal estate tax and income tax paid on income accruing after the death of the decedent."

8. Amend section 13 of the bill by striking the period in line 18 and inserting in lieu thereof a comma and then adding the following: "or upon the application of the administrator, executor or trustee."

9. Amend section 15 by striking from lines 8 and 9 the words "upon the payment to him of the sum of two dollars."

10. Amend section 16 of the bill by changing the period in line 5 to a comma and by inserting the words "or the administrator, executor or trustee."

11. Amend section 23 of the bill by striking lines 4, 5, 6, and 7, and by inserting in lieu thereof the following: "no item shall be deductible as against the claim of the estate for the inheritance tax."

12. Also amend section 23 by adding after the word "estate" in line 12 the following: "or to any allowance that may be made to the widow or children of decedent, or to sums fixed by the court or judge as fees of the administrator, executor, trustee or attorney."

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 177, a bill for an act to amend, revise, and codify section thirteen thousand fifteen (13015), of the code, relating to larceny of domestic fowls and animals, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. GILCHRIST, *Chairman*.

Ordered passed on file.

Senator Haskell submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 143, a bill for an act to repeal section sixty-three hundred ten (6310) of the code as amended by chapters one hundred forty-one and one hundred forty-two (142), acts forty-first general assembly, and to enact substitute therefor relating to levy of taxes for

firemen's and policemen's pension funds, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 172, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1924, relating to levy of taxes by cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 222, a bill for an act to repeal section three hundred seventy-three (373) of the code, 1924, and to enact a substitute therefor, relating to the levy of a tax for an emergency, and providing for the transfer thereof to any other fund of the municipality, 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. 226, a bill for an act to provide for the transfer of surplus earnings of municipal 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 Shaff submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 339, a bill for an act to revise, amend and codify certain sections relating to county roads, bridges and culverts, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. O. SHAFF, *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. 56, a bill for an act to regulate the occupation of barbering.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File No. 194, a bill for an act relating to the licensing of traveling shows or circuses for exhibition outside the limits of cities or towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 249, a bill for an act to authorize school boards to establish grade and high schools and junior colleges, to prescribe the courses of study therein, and to create a supervisory committee.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 56

Amend Senate File No. 56 by inserting after the word "provided" in line six (6) of section one (1) the following: "nor shall this act apply in any manner whatsoever to any person who does barber work in any educational institution for the purpose of raising funds for his own education".

Amend by inserting at the end of Section 6 the words "but the expenditures under this act shall not be permitted to exceed the receipts therefrom in any calendar year".

Amend section eight (8) by striking out of lines six (6), seven (7), eight (8) and nine (9) all following the word "examination" in line six (6) down to and including the word "Board" in line nine (9).

Amend section eight (8) by striking out the word "six" and the figure "(6)" following the word "least" in line sixteen (16) and inserting in lieu thereof the following: "four (4)". Also amend by striking the word "eighteen" interlined between lines sixteen (16) and seventeen (17) and inserting in lieu thereof the word "eight".

Amend section nine (9) by striking out of line eleven (11) the following: "of five dollars (\$5.00)" and inserting in lieu thereof the following: "of one dollar (\$1.00)".

Amend section twelve by striking from lines seven (7) and eight (8) the words: "been charged with importing" and inserting in lieu thereof the word "imports".

Amend section thirteen (13) by striking out the semicolon and the word "and" in line fifteen (15). Also amend by striking out all of lines sixteen (16) and seventeen (17).

Amend section fifteen (15) by striking therefrom that part of the sec-

tion beginning with the word "and" in line twenty-nine (29) and ending with the word "employees" in line thirty-three (33). Also amend by striking out of line forty (40) "incidental supplies" and inserting in lieu thereof the words "overhead expenses".

Amend by adding thereto the following section:

"Section 18. The provisions of this act shall not apply to barbers operating in towns or villages".

#### HOUSE MESSAGES CONSIDERED

House File No. 249, a bill for an act to amend section four thousand two hundred seventeen (4217) of the Code, relating to the powers of school electors at annual meetings to repeal section forty-two hundred sixty-seven (4267) of the Code, 1924, and to enact a substitute therefor, and to amend Chapter two hundred fourteen (214) of the Code, 1924, so as to authorize school boards to establish grade and high schools and, when approved and duly authorized, junior colleges, to prescribe the courses of study therein, and to provide for supervision.

Read first and second times and referred to committee on public schools.

#### HOUSE CONCURRENT RESOLUTION NO. 11 CONSIDERED

Senator Shinn called up for consideration and moved the adoption of House Concurrent Resolution No. 11, a resolution Memorializing Congress to grant federal aid in the construction of interstate bridges.

*Whereas*, The boundaries dividing the several states in many instances consist of natural water courses and rivers; and

*Whereas*, The cost of interstate bridges is very great, since the rivers in many instances are wide and the engineering and construction problems difficult to solve; and

*Whereas*, The constitution of the United States vests in Congress control over all interstate communication and the federal government is vitally interested in developing national highways cutting across state lines; therefore,

*Be It Resolved by the House, the Senate concurring*, That the legislature of the state of Iowa earnestly request and petition the Congress of the United States to enact legislation to give federal aid for the construction of interstate bridges; and

House concur in the Senate amendment. We further recommend that the Senate concur in the House amendment to the Senate amendment.

C. J. FULTON.  
 GEO. A. WILSON.  
 A. J. SHINN.  
 GEO. E. MILLER.  
 J. G. HEMPEL.  
 G. E. MAXFIELD.  
 T. J. O'DONNELL.

On the question "Shall the report be adopted and the proposed amendments concurred in?" the vote was :

**Ayes, 35.**

Baird	Dean	Kimberly	Shane
Benson	Dotts	Klemme	Slemmons
Bergman	Ellis	Lange	Stoddard
Booth	Fackler	Langfitt	Thompson
Breakenridge	Frailey	McLeland	Topping
Brookins	Fulton	Merritt	Ulstad
Campbell	Hartman	Mills	Wilson of Page
Clark	Haskell	Ramsey	Wilson of Polk
Darting	Johnston	Shaff	

**Nays, none**

**Absent or not voting, 15.**

Beatty	Cavanaugh	Kern	Shinn
Browne	Clearman	McFarlane	Skromme
Brush	Gilchrist	Rigby	Stanley
Carden	Gundersor	Roberts	

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 500 copies of the report of the Highway Commission, furnished pursuant to his resolution, be printed in pamphlet form.

The motion prevailed.

**S. F. 249 ON THE CALENDAR**

Senator Shaff called up for consideration Senate File No. 249, recommended for indefinite postponement by the committee on dairy and food.

Senator Mills moved the previous question.



Senator Benson raised the point of order that as Senator Mills had spoken on the matter he could not move the previous question.

President Pro Tem Shane held the point well taken.

President Kimball took the chair at 10:30 a. m.

On the question "Shall the report of the committee be adopted and the bill be indefinitely postponed?" the vote was:

**Ayes, 17.**

Browne	Hartman	Langfitt	Shinn
Dotts	Kern	McLeland	Slemmons
Fackler	Klemme	Merritt	Thompson
Fulton	Lange	Mills	Ulstad
Gilchrist			

**Nays, 28.**

Baird	Cavanaugh	Haskell	Shane
Beatty	Clark	Johnston	Stanley
Benson	Clearman	Kimberly	Stoddard
Bergman	Darting	McFarlane	Topping
Booth	Dean	Ramsey	Wilson of Page
Breakenridge	Ellis	Rigby	Wilson of Polk
Brookins	Frailey	Shaff	
Brush			

**Absent or not voting, 5.**

Campbell	Gunderson	Roberts	Skromme
Carden			

The report of the committee was rejected and the bill ordered on the calendar.

Senator Breakenridge moved that the rules be suspended and Senate File No. 249 be taken up for consideration at this time.

Senator Breakenridge withdrew his motion.

Senator Breakenridge moved that Senate File No. 249 be made a special order for 11:30 a. m. today.

Senator Fulton raised the point of order that to consider this bill today would require a suspension of the rules.

The President held the point not well taken.

Senator Shinn invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

## Ayes, 21.

Baird  
Benson  
Bergman  
Breakenridge  
Cavanaugh  
Clark

Clearman  
Darting  
Dean  
Ellis  
Frailey

Haskell  
Johnston  
Ramsey  
Rigby  
Shaff

Shane  
Stanley  
Stoddard  
Topping  
Wilson of Polk

## Nays, 23.

Beatty  
Booth  
Brookins  
Browne  
Brush  
Dotts

Fackler  
~~Fulton~~  
Gilchrist  
Hartman  
Kern  
Kimberly

Klemme  
Lange  
~~Langitt~~  
McLeland  
Merritt  
Mills

Roberts  
Shinn  
Slemmons  
Thompson  
Uistac

## Absent or not voting, 6.

Campbell  
Carden

Gunderson  
McFarlane

Skromme

Wilson of Page

The motion was lost.

## THIRD READING OF BILLS

On motion of Senator Benson Senate File No. 67, a bill for an act to regulate the sale of oleomargarine by requiring an inspection fee, the manner in which said fee shall be paid, and resting the execution and enforcement of this act in the agricultural department, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

Senator Benson invoked rule 8.

Senator Stoddard asked that the cloak rooms be searched for absent members under rule 8.

Senator Shane raised the point of order that rule 8 applied only to those present.

The President held the point well taken.

On the question "Shall the bill pass?" the vote was:

**Ayes, 21**

Beatty	Brush	Hartman	Mills
Benson	Clearnat	Johnston	Rigby
Booth	Darting	Kerr	Shaff
Breakenridge	Dean	Klemme	Ulstad
Brookins	Ellis	Langftl	Wilson of Polk
	Gilchrist		

**Nays, 24.**

Baird	Fackler	McFarlane	Stemmon
Bergman	Frailey	McLeland	Stanley
Browne	Fulton	Ramsey	Stoddard
Cavanaugh	Haskell	Roberts	Thompson
Clark	Kimberly	Shane	Topping
Dotts	Lange	Shinn	Wilson of Page

**Absent or not voting, 5.**

Campbell	Carden	Merritt	Skromme
	Gunderson		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Shane moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

**S. F. 186 WITHDRAWN**

By unanimous consent Senator Fulton withdrew Senate File No. 186 from further consideration.

**THIRD READING OF BILLS**

On motion of Senator Ellis, House File No. 83, a bill for an act to prohibit the possession or control of machine guns, to prohibit any person from assisting another in obtaining possession of such gun, to determine and fix the punishment for a violation of such prohibition; to declare certain exceptions, to authorize the destruction of such guns, and to prescribe in part the substance of the indictment or information in such cases and the evidence by which it may be sustained, was taken up and considered, the report of the committee having been previously adopted.

Senator Ellis offered the following amendments and moved their adoption:

Amend by inserting in line 2 of the title the words "and automatic rifles".

Also amend by inserting in line 3, section 1, the words "or automatic rifle".

Also amend section 6, line 2, by inserting the words "or automatic rifle".

Also amend section 7, line 2, by inserting the words "or automatic rifle".

Also amend Section 11, by striking the period at the end thereof and inserting a comma and adding the following: "or to any person or persons owning an automatic sporting rifle or automatic shotgun".

The amendments were adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out all of the last section.

The amendment was adopted.

The bill was read for information.

Senator Ellis moved 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	Clearman	Johnston	Shaff
Benson	Dean	Kern	Shane
Bergman	Dotts	Klemme	Slemmons
Booth	Ellis	Lange	Stanley
Breakenridge	Fackler	Langfitt	Stoddard
Brookins	Frailey	McFarlane	Thompson
Browne	Fulton	McLeland	Topping
Brush	Gilchrist	Mills	Ulstad
Campbell	Hartman	Ramsey	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark			

**Nays, none.**

**Absent or not voting, 9.**

Beatty	Gunderson	Merritt	Shinn
Carden	Kimberly	Roberts	Skromme
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ellis 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 Klemme the Senate adjourned until 1:30 p. m. today.

### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

### PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Carden, from voters of Washington county, opposing a tax on tobaccos. Dairy and food.

By Senator Darting, from voters of Mills county, opposing a bill taxing tobaccos. Dairy and food.

### PROOF OF PUBLICATION

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of Senate File No. 403, a proposed bill for the legalization of the proceedings of the board of supervisors of Floyd county, Iowa, and for the legalizing of the election held by said county on the 2nd day of November, 1926, all with reference to the erection of a county home.

WALTER H. BEAM, *Secretary.*

### INTRODUCTION OF BILLS

Senate File No. 406, by committee on claims, a bill for an act to provide an appropriation of eight thousand four hundred ninety-five dollars and thirty cents (\$8495.30) to indemnify Andrew Austin and eighty-four (84) others for damages sustained through depredation of pheasants in Winnebago and Hancock counties.

Read first and second times and referred to committee on appropriations.

Senate File No. 407, by judiciary No. 2, a bill for an act to amend sections eighty-five hundred twenty-five (8525) and eighty-five hundred twenty-six (8526) of the code, 1924, so as to bring the

sale of certain contracts within the provisions of the Blue Sky Law of the state of Iowa.

Read first and second times and placed on the calendar.

#### REPORTS OF COMMITTEES

Senator Wilson submitted the following reports:

**MR. PRESIDENT:** Your committee on compensation of public officers to which was referred House File No. 208, a bill for an act to amend Section Five Thousand Two Hundred Twenty-two (5222) of the Code, 1924, relating to the compensation of county treasurers, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on compensation of public officers to which was referred House File No. 210, a bill for an act to amend Sections Fifty-two Hundred Twenty-one (5221), Fifty-two Hundred Twenty-three (5223) and Fifty-two Hundred Thirty-one (5231) of the Code, 1924, relating to the compensation of deputy county auditors, treasurers and clerks of the district court, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Senator Dean submitted the following report:

**MR. PRESIDENT:** Your committee on fish and game to which was referred Senate File No. 356, a bill for an act to repeal section one thousand seven hundred fifty-two (1752) of the Code, 1924, and to enact a substitute therefor relating to a wholesale fish market license and providing that a person operating the business of shipping his own catch of fish to eastern markets and fish peddlers shall procure a license to do so, 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 "or distributing fish or peddling fish" in line 6, section 1, following the word "marketing".

H. E. DEAN, *Chairman.*

Ordered passed on file.

Senator Brush submitted the following report:

**MR. PRESIDENT:** Your committee on boundary bridges to which was referred House File No. 215, a bill for an act to provide for the construction,

purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; and to provide the 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:

Amend by striking out in Section 1, beginning with the word "at" in line four, the words, "at a price not to exceed their physical value."

Amend Section 2, as now amended, by striking from line three, thereof, the words "two per cent (2%)" and inserting in lieu thereof "one-half of one per cent ( $\frac{1}{2}\%$ )."

Add to the bill as Section 3, the following:

"In case the highway commission and the proper officials of adjacent states or subdivisions of adjoining states and the owners of any such bridge already built cannot agree upon a price that may be deemed just and reasonable by such highway commission, upon its request, the attorney general shall, on behalf and in the name of the State of Iowa, and in accordance with the statute applicable to such cases, institute and prosecute to a final determination an action or actions for the condemnation of so much of said bridge as shall be within the jurisdiction of the State of Iowa, provided that like action is taken by such adjacent state or subdivisions of adjoining states in connection with the same bridge."

S. A. BRUSH, *Chairman*.

Ordered passed on file.

Senator Johnston submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 380, a bill for an act to amend sections 5045 and 5065, to repeal section 13 of chapter 5, Acts of the 41st General Assembly, to repeal section 5066 of the Code and to enact a substitute therefor, relating to the laws of the road and to authorize the state highway commission to enforce the law with reference to the use of primary highways, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 381, a bill for an act to amend section 15 of the Acts of the 41st General Assembly, relating to motor busses, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 386, a bill for an act to amend section 8, chapter 6 of the acts of the 41st General Assembly, relating to refunds of gasoline tax, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File 389, a bill for an act to prevent the sale of stolen motor vehicles, to facilitate the recovery thereof, and providing penalties, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 392, a bill for an act to amend section four thousand eight hundred sixty-nine (4869) of the Code, 1924, regarding the filing of applications for registration of motor vehicles, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 347, a bill for an act to amend chapter 6 of the laws of the 41st G. A., and sections 1, 3, 7, and 8 of said chapter, and to repeal sections 4 and 5 of said chapter, relating to the collection of gasoline license fees, begs leave to report it has had the same under consideration and recommends the same do pass.

C. F. JOHNSTON, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following reports :

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 150, a bill for an act to amend section four thousand two hundred seventy-five (4275) of the Code, 1924, relating to the attendance of pupils in high schools outside the state, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.



Also :

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 266, a bill for an act to repeal section 5233 of the code, 1924, and to enact a substitute therefor, relating to the expenses of the county superintendent of schools, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 267, a bill for an act to amend section 4335 of the code, 1924, relating to state aid for standard schools, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 265, a bill for an act to amend section 4242 and to repeal sections 4243 and 4244 of the code, 1924, relating to the making of a financial statement by 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:

Amend by striking therefrom all of section one and inserting in lieu thereof the following:

Section 1. Section 4242 of the Code of 1924 is hereby amended by adding thereto the following:

"In every other school district, and in every school district wherein no newspaper is published, the president and secretary of the board of directors thereof shall file the above statement with the county superintendent of schools during the first week of July of each year and shall post copies thereof in three conspicuous places in the district."

F. C. STANLEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 235, a bill for an act to amend section 4487 of the Code relating to the loaning of the permanent school fund, begs leave to

report it has had the same under consideration and returns the bill without recommendation.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 123, a bill for an act to amend section four thousand two hundred thirty-one (4231), of the Code, 1924, relating to the powers and duties of school directors, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 268, a bill for an act to repeal sections 4322, 4323 and 4324 of the code, 1924, and to enact substitutes therefor, relating to public school libraries, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Senator Frailey submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 292, a bill for an act to define, regulate and license real estate brokers and real estate salesmen; to create a state real estate commissioner and to provide a penalty for a violation of the provisions hereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 364, a bill for an act to legalize the corporate acts and proceedings of the Frankel Clothing Company of Des Moines, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, 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 figure "1923" in line fourteen of next to the last paragraph thereof, and inserting in lieu thereof the figures "1943";

Further amend by striking out the last paragraph thereof and inserting in lieu thereof the following: "But nothing in this act shall be deemed or construed to affect pending litigation."

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 315, a bill for an act to amend section 375 of the Code, 1924, as amended by Section Three (3) of Chapter 86, acts of the extra session of the fortieth general assembly, relating to the local budget, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman..*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 325, a bill for an act to amend section 3876 of the code relating to the power of the board of parole to parole prisoners, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 191, a bill for an act to repeal section 8612 of the code relating to fees and charges collected by the commissioner of insurance, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 379, a bill for an act to amend Code section 6944 of the code of 1924, to provide for the partial exemption from taxation of homesteads, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 348, a bill for an act to amend section 9688 of the

Code, 1924, relating to warehouseman's liens, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 362, a bill for an act to amend section 5 of chapter 173 of the Acts of the Forty-first General Assembly, relating to actions on bonds given to secure the deposit of public funds, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 382, a bill for an act to authorize the transfer of \$25,000.00 from the electric fund to the general fund of the city of Algona, Kossuth County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 184, a bill for an act to amend Chapter 616 of the Code, 1924, relating to the criminal investigation, identification of persons accused of crime and identification of dead bodies, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

#### S. F. 184 ORDERED ON CALENDAR

The report of the committee on judiciary No. 1 on Senate File No. 184, for indefinite postponement, was rejected and the bill placed on the calendar.

#### HOUSE MESSAGES CONSIDERED

House File No. 113, a bill for an act to amend sections forty-eight hundred nineteen (4819), forty-eight hundred twenty-two

(4822), and forty-eight hundred twenty-three (4823) of the code, 1924, relating to the destruction of noxious weeds.

Read first and second times and referred to committee on agriculture.

House File No. 151, a bill for an act to authorize and direct the governor to deed and convey by quit claim deed certain real estate which is a part of the land of the Soldiers' Orphans' Home located in the city of Davenport, to the city of Davenport for street purposes.

Read first and second times and referred to committee on judiciary No. 1.

Senator Johnston was called to the chair at 1:40 p. m.

House File No. 163, a bill for an act making an appropriation for the purpose of paying to the Four-County Fair Association, for a fair held at Coon Rapids, Carroll county, Iowa, in October, 1925, the sum of nine hundred ninety-nine dollars and eleven cents (\$999.11), the state aid to which the said fair association is entitled under the provisions of chapter one hundred thirty-six (136) of the Code, 1924.

Read first and second times and referred to committee on appropriations.

House File No. 230, a bill for an act to amend section seventy-five hundred sixty-two (7562) of the code, 1924, relating to the reclassification of levee and drainage districts for assessment, repairs and improvements.

Read first and second times and referred to committee on drainage.

President Kimball resumed the chair at 1:45 p. m.

### THIRD READING OF BILLS

On motion of Senator Stoddard, House File No. 74, a bill for an act to create a board of architectural examiners, prescribing its duties, providing for the examination and registration of architects, the issuing or revoking of certificates of registration, and prescribing penalties for violation of this act, with report of com-

mittee 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 from section 6 the sentence included in lines 4 and 5.

The amendment was lost.

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, 42.**

Baird	Clearman	Kimberly	Roberts
Beatty	Darting	Klemme	Shaff
Benson	Dean	Lange	Shane
Bergman	Dotts	Langfitt	Slemmons
Booth	Ellis	McFarlane	Stanley
Breakenridge	Fackler	McLeland	Stoddard
Brookins	Frailey	Merritt	Topping
Brush	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kern		

**Nays, 3.**

Fulton	Shinn	Thompson
--------	-------	----------

**Absent or not voting, 5.**

Browne	Campbell	Gunderson	Skromme
	Gilchrist		

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 Wilson of Polk, Senate File No. 164, a bill for an act to repeal Sections Thirteen Thousand Forty-seven (13047) of the Code, and to enact a substitute therefor, and providing for penalty for violation thereof, and to repeal Section Thirteen Thousand Forty-nine (13049) of the Code, relating to false drawing or uttering of checks, was taken up and considered, the report of the committee having been previously adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by inserting in line 1 of section 2 after the word "who" the words "with fraudulent intent".

The amendment was adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.**

Baird	Clearman	Johnston	Rigby
Benson	Darting	Kern	Shane
Bergman	Dean	Kimberly	Slemmons
Booth	Fackler	Lange	Stanley
Breakenridge	Frailey	Langfitt	Topping
Brush	Fulton	McFarlane	Ulstad
Campbell	Hartman	Merritt	Wilson of Page
Carden	Haskell	Mills	Wilson of Polk

**Nays, 4.**

Clark	Dotts	Klemme	Thompson
-------	-------	--------	----------

**Absent or not voting, 14.**

Beatty	Ellis	Ramsey	Shinn
Brookins	Gilchrist	Roberts	Skromme
Browne	Gunderson	Shaff	Stoddard
Cavanaugh	McLeland		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Cavanaugh, Senate File No. 65, a bill for an act to amend chapter one hundred ninety-one (191), acts forty-first (41) general assembly, relating to notice and the service thereof in proceedings to sell or mortgage real estate of a decedent, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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	Darting	Kimberly	Shinn
Benson	Dean	Klemme	Slemmons
Bergman	Fackler	Lange	Stanley
Booth	Frailey	Langfitt	Stoddard
Brush	Fulton	McFarlane	Thompson
Campbell	Gilchrist	Merritt	Topping
Carden	Hartman	Mills	Ulstad
Cavanaugh	Haskell	Rigby	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk
Clearman	Kern	Shane	

**Nays, none.**

**Absent or not voting, 11.**

Beatty	Browne	Gunderson	Shaff
Breakenridge	Dotts	McLeland	Skromme
Brookins	Ellis	Ramsey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh 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 Cavanaugh, Senate File No. 51, a bill for an act to repeal chapter 501 (five hundred one) of the Code and to enact a substitute therefor, relating to the protection of junior 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 the title by striking the period at the end of line three and inserting in lieu thereof a comma (,) and adding thereto the following: "judgment creditors in foreclosure proceedings and sheriff's sale certificates."

Amend section 1 by striking out "11799-b1, 11799-b2, and 11799-b3," and inserting in lieu thereof the following:

"11799-b1. Expenditures authorized. The holder of a sheriff's sale certificate or a judgment creditor in foreclosure proceedings or a holder



of a junior lien on land may pay any delinquent taxes or delinquent special assessments on the land, and any interest due on any senior lien. He may, also, in order to prevent or avoid a breach of a condition in a senior lien, perform the condition when the condition is such that it may be performed by the mere payment of money.

11799-b2. Lien. Said holder of sheriff's sale certificate, judgment creditor or junior lienholder, shall, for such expenditures, have a lien on said lands of equal priority with the respective certificate, judgment or junior lien held by him provided such lien be performed as hereinafter provided.

11799-b3. Statement as basis of lien. The basis of said lien shall consist of a statement, signed and sworn to by the certificate holder, judgment creditor, junior lienholder, or by the agent or attorney of such holder or creditor, which shall show the expenditures made, the particular purpose for which made, the dates when made, a description of the land, the name of the record owner of the land, and a definite identification of the lien held by such junior lienholder."

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Clearman	Johnston	Roberts
Benson	Darting	Kern	Shane
Bergman	Dean	Kimberly	Shinn
Booth	Ellis	Klemme	Slemmons
Breakenridge	Fackler	Lange	Stanley
Brush	Frailey	Langfitt	Stoddard
Campbell	Fulton	McLeland	Thompson
Carden	Gilchrist	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Page
Clark	Haskell	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Baird	Dotts	McFarlane	Shaff
Brookins	Gunderson	Ramsey	Skromme
Browne			Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Page 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 Slemmons, Senate File No. 315, a bill for an act to reimburse Buchanan County, Iowa, for money expended in the care of a state patient at the Hospital for the Insane at Independence, Iowa, and making appropriation to pay the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Slemmons moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

**Ayes, 40.**

Baird	Dotts	Kimberly	Shane
Bergman	Ellis	Klemme	Shinn
Booth	Fackler	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stanley
Brookins	Fulton	McFarlane	Stoddard
Campbell	Gilchrist	McLeland	Thompson
Carden	Hartman	Merritt	Topping
Clark	Haskell	Mills	Ulstad
Clearman	Johnston	Rigby	Wilson of Page
Dean	Kern	Roberts	Wilson of Polk

**Nays, none.**

**Absent or not voting, 10.**

Beatty	Brush	Gunderson	Shaff
Benson	Cavanaugh	Ramsey	Skromme
Browne	Darting		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Slemmons 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 Dean, House File No. 120, a bill for an act to amend section fifty-five hundred seventy-two (5572) of the Code, relating to the compensation of township clerks, 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 adding thereto the following:

Sec. 2. All bonds required under the provisions of this act shall be furnished and paid for by the township.

Senator Wilson of Polk offered the following amendment to the amendment and moved its adoption:

Amend by striking the words "under the provisions of this act" and inserting in lieu thereof the words "of the township clerk".

The amendment to the amendment was adopted.

The amendment was adopted.

The bill was read for information.

Senator Dean moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 88.

Baird	Fackler	Lange	Shinn
Bergman	Frailey	Langfitt	Slemmons
Booth	Fulton	McFarlane	Stanley
Breakenridge	Gilchrist	McLeland	Stoddard
Campbell	Hartman	Merritt	Thompson
Carden	Haskell	Mills	Topping
Clark	Johnston	Rigby	Ulstad
Clearman	Kern	Roberts	Wilson of Page
Dean	Kimberly	Shane	Wilson of Polk
Dotts	Klemme		

Nays, none.

Absent or not voting, 12.

Beatty	Browne	Darting	Ramsey
Benson	Brush	Ellis	Shaff
Brookins	Cavanaugh	Gunderson	Skromme

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Frailey, Senate File No. 210, a bill for an act to amend Sections Three Thousand Seven Hundred Forty-one (3741) and Three Thousand Seven Hundred Forty-two (3742) of the Code of 1924, relative to the salaries of officials and their maintenance and the salaries of guards at the penitentiary and men's reformatory, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frailey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

**Ayes, 32.**

Baird	Clearman	Johnston	Rigby
Benson	Darting	Kimberly	Shaff
Bergman	Dean	Klemme	Shane
Booth	Ellis	Lange	Stoddard
Breakenridge	Frailey	Langfitt	Thompson
Brush	Fulton	McFarlane	Topping
Carden	Hartman	McLeland	Wilson of Page
Cavanaugh	Haskell	Mills	Wilson of Polk

**Nays, 1.**

**Dotts**

**Absent or not voting, 17.**

Beatty	Clark	Merritt	Skromme
Brookins	Fackler	Ramsey	Slemmons
Browne	Gilchrist	Roberts	Stanley
Campbell	Gunderson	Shinn	Ulstad
	Kern		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Frailey 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 McFarlane, Senate File No. 258, a bill for an act to amend chapter ninety-three (93) laws of the Forty-first General Assembly relating to the construction, control and management of dormitories at the state educational institutions by the Iowa State Board of Education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McFarlane moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

**Ayes, 39.**

Baird	Darting	Johnston	Shane
Bergman	Dean	Kern	Slemmons
Booth	Dotts	Kimberly	Stanley
Breakenridge	Ellis	Klemme	Stoddard
Brookins	Fackler	Lange	Thompson
Campbell	Frailey	Langfitt	Topping
Carden	Fulton	McFarlane	Ulstad
Cavanaugh	Gilchrist	Mills	Wilson of Page
Clark	Hartman	Rigby	Wilson of Polk
Clearman	Haskell	Shaff	

Nays, none.

Absent or not voting, 11.

Beatty	Brush	Merritt	Shinn
Benson	Gunderson	Ramsey	Skromme
Browne	McLeland	Roberts	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Clearman, House File No. 35, a bill for an act to amend the law as it appears in section fifty-five hundred seventy-one (5571) of the Code, 1924, relating to the compensation of township trustees, 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 one thereof and inserting in lieu thereof the following :

Section 1. That the law as it appears in section fifty-five hundred seventy-one (5571) of the Code, 1924, be and the same is hereby amended by striking from line five (5) thereof the word "three" and inserting in lieu thereof the word "four".

The bill was read for information.

Senator Clearman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 88.

Baird	Dean	Kimberly	Shinn
Benson	Dotts	Klemme	Slemmons
Bergman	Fackler	Lange	Stanley
Booth	Frailey	Langfitt	Stoddard
Breakenridge	Fulton	McLeland	Thompson
Brush	Gilchrist	Mills	Topping
Carden	Hartman	Rigby	Ulstad
Clark	Haskell	Roberts	Wilson of Page
Clearman	Johnston	Shane	Wilson of Polk
Darting	Kern		

Nays, none.

Absent or not voting, 12.

Beatty	Campbell	Gunderson	Ramsey
Brookins	Cavanaugh	McFarlane	Shaff
Browne	Ellis	Merritt	Skromme

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clearman 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 Mills, Senate File No. 216, a bill for an act to amend section fifty-seven hundred forty-seven (5747) of the code, relating to pasteurization of milk, skimmed milk, and cream, 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 "directly" in line five (5), and by adding the following: "The provision of this paragraph shall apply only to cities having a population of fifteen thousand (15,000) or more".

By unanimous consent on request of Senator Wilson of Polk, the amendment was amended by inserting the words "at the end of section 1" after the word "adding".

Senator Benson offered the following amendment and moved its adoption:

Amend by striking the word "paragraph" wherever it appears in the bill and inserting in lieu thereof the word "subsection".

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking out the words and figures "fifteen thousand (15,000)" and inserting in lieu thereof the words and figures "ten thousand (10,000)".

The amendment was adopted.

The bill was read for information.

Senator Mills moved 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	Clearman	Johnston	Shaff
Benson	Dean	Kern	Shane
Bergman	Dotts	Kimberly	Shinn
Booth	Ellis	Klemme	Slemmons
Breakenridge	Fackler	Langfitt	Stoddard
Brookins	Frailey	McFarlane	Topping
Browne	Fulton	McLeland	Ulstad
Brush	Gilchrist	Mills	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk
Clark	Haskell	Roberts	

**Nays, 2.**

Lange	Thompson
-------	----------

**Absent or not voting, 9.**

Beatty	Darting	Merritt	Skromme
Campbell	Gunderson	Ramsey	Stanley
Cavanaugh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mills 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 Shaff, Senate File No. 256, a bill for an act to amend section three thousand forty-seven of the code, relative to the regulation and inspection of foods, drugs and other articles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shaff moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

**Ayes, 39.**

Baird	Darting	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Dotts	Lange	Slemmons
Booth	Frailey	Langfitt	Stanley
Breakenridge	Fulton	McFarlane	Stoddard
Browne	Gilchrist	McLeland	Thompson
Brush	Hartman	Mills	Ulstad
Carden	Haskell	Rigby	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk
Clearman	Kern	Shaff	

Nays, none.

Absent or not voting, 11.

Beatty  
Brookins  
Campbell

Cavanaugh  
Ellis  
Fackler

Gunderson  
Merritt  
Ramsey

Skromme  
Topping

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. 408, by committee on public schools, a bill for an act to legalize the election of school directors in certain school districts at the annual election in March, 1927, in so far as there was a failure to open and close the polls in strict compliance with the law.

Read first and second times and placed on the calendar.

#### AMENDMENTS FILED

I move to amend Senate File No. 408, by committee on schools, by striking out section 2 and substituting in lieu thereof 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 Correctionville News, a newspaper published in Correctionville, Iowa, and the Oskaloosa Herald, a newspaper published in Oskaloosa, Iowa."

B. M. STODDARD.

I move to amend Senate File No. 249 by adding the following:

"Section 2. Appointment of board—tenure—removal. Within ninety days after the approval of this act the governor shall appoint five dirt farmers who have been in active practice in the state of Iowa for not less than ten years, as members of the Board of Egg Examiners, hereinafter called the board. Two of the members of the first board so appointed shall be designated by the governor to hold office for three years, and three for five years. Thereafter all appointments shall be for a period of five years. Each member shall file with the secretary of state the constitutional oath of office and shall hold office until his successor is appointed and has qualified. The governor may remove any member of the board for misconduct, incapacity, or neglect of duty.

Section 3. Officers—duties. During the month of July of each year the board shall elect from its members, a president, vice-president, and secretary. The duties of the officers shall be such as are usually performed by such officers. All meetings of the board shall be held in the



office of the secretary of the executive council. The members of the board shall be paid a salary of Five Thousand Dollars, (\$5000.00), per year to be paid out of the proceeds of the sale of eggs rejected by the board under Section one (1) of this act.

Section 4. Payment of expenses. The members of the board shall be reimbursed for the actual expenses incurred in attending the meetings of the board and for office supplies, printing, and clerical hire, and other necessary expenses incurred in carrying out the provisions of this act, from moneys in the fund of the board of Egg Examiners only. Warrants for payments of expenses of the board shall be issued by the auditor of state and paid by the treasurer of state upon presentation of vouchers regularly drawn by the president and secretary of the board, provided, however, that at no time shall the total amount of vouchers exceed the total amount in the fund of the Board of Egg Examiners."

OTTO LANGE.

I move to amend Senate File No. 347, as follows:

Amend Section 1 by striking from the fourth (4) line thereof the words "for use" and inserting in lieu thereof the words "used or otherwise disposed of".

Amend Section 4 by adding after the period (.) following the word "loss" in line seventeen (17) the following: "If, after the prescribed license fees are so remitted and paid, any gasoline in the possession of a licensed distributor is destroyed by fire, lightning, storm or accident not caused by the fault of such distributor or any employee thereof, before being sold or used by him, upon proper application therefor and proof of such destruction or loss satisfactory to the Treasurer of State, the said treasurer is authorized to certify to the amount of the license fees so paid thereon to the Auditor of State as a refund. The Auditor of State shall issue his warrant drawn on the gasoline fund in payment thereof and the same shall be paid in the same manner and from the same fund as those refunds authorized in Section 8, Chapter 6, Laws of the 41st G. A.

Also amend Section 4 by adding between the words "remit" and "before", in the eighteenth (18) line thereof, the words "on or".

Also amend Section 4 by adding at the end of said section, the following: "Neither this act nor any of its provisions shall apply to foreign or interstate commerce".

A. H. BERGMAN.

I move to amend Senate File No. 249 by adding at the end of section three (3) the following:

"In order to determine the age of an egg, two minutes before the emission of the first cackle of the particular hen laying the egg shall be the beginning of the existence of the egg, and each hen shall be equipped with

the necessary equipment for stamping the hour and minute of the birth of the egg."

GEO. F. SLEMMONS.

The journal of March 24th 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, MARCH 26, 1927.

The Senate met in regular session, President Clem F. Kimball, presiding.

Prayer was offered by Rev. S. P. Williamson, pastor of the Church of Christ, of Guthrie Center, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stoddard for the day, on request of Wilson of Page; Senator Johnston for the day, on request of Senator Haskell; Senator Stanley for the day, on request of Senator Haskell; Senator Brush for the day, on request of Senator Wilson of Polk; Senator Ramsey for the day, on request of Senator Wilson of Polk; Senator Breakenridge for the day, on request of Senator Kern; Senator Baird for the day, on request of Senator Roberts; Senator Skromme for the day, on request of Senator Shinn; Senator Gunderson for the day, on request of Senator Shinn.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Wilson of Page, from J. Tridolph and other voters of Page county, opposing the bill taxing tobaccos. Dairy and food.

By Senator Shaff, from voters of Clinton county, opposing a bill taxing near beer. Dairy and food.

By Senator Wilson of Polk, from voters of Des Moines, opposing bills giving Osteopaths' all the privileges of fully qualified Physicians and Surgeons. Public health.

By Senator Carden, from voters of Washington county, opposing state bond issue and favoring bank guarantee act. Highways.

By Senator Kimberly, from citizens of Davenport, favoring tuberculosis eradication. Agriculture.

## PROOF OF PUBLICATION

I hereby certify that, as secretary of the Senate, I have received the proof of publication of House File No. 116, a proposed bill for the legalization of the proceedings of Monroe county, Iowa.

WALTER H. BEAM, *Secretary.*

## REPORTS OF COMMITTEES

Senator Gilchrist submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 151, a bill for an act to authorize and direct the governor to deed and convey by quit claim deed certain estate which is a part of the land of the Soldiers' Orphans' Home located in the city of Davenport, to the city of Davenport for street purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 338, a bill for an act to create a Court of Claims, to prescribe its jurisdiction, and to provide a method for the selection of Judges thereof, and to prescribe the procedure in said Court, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the title and inserting in lieu thereof the following:

"An Act vesting jurisdiction in the District Court of all claims against the state, and to prescribe the venue and procedure for such actions against the state."

Also amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. The District Court is hereby vested with jurisdiction to hear and determine all claims against the state.

Sec. 2. The District Court shall have jurisdiction of all claims against the State of Iowa including those growing out of contract, tort, or otherwise, and the issues of said action shall be determined by the court in accordance with the rules of statutory and common law in force in this state the same as though such actions were brought by and against individuals.

Sec. 3. Actions against the state shall be brought in the District Court of the county where they arise.

Sec. 4. The law relating to the filing of pleadings, motions, demurrers, the service of original notice, and trial of such actions with the exceptions herein noted, and the entry of judgment, and judgment for costs

in the District Court in ordinary cases shall apply to actions brought in the District Court against the state under the provisions of this statute.

Sec. 5. Such actions shall be tried in equity, and either party thereto, including the state, may appeal to the Supreme Court from the findings and judgment therein.

Sec. 6. The Attorney General or the County Attorney shall represent the state in all actions that are brought under the provisions of this act, and in the event an appeal is taken to the Supreme Court the Attorney General shall represent the state.

Sec. 7. The Clerk of the District Court shall on the first day of every regular session of the Legislature submit to such Legislature a full and complete statement of all judgments rendered by the District Court of said county during the previous biennium, the amounts thereof, and the parties in whose favor they were rendered, together with the court's findings of fact and conclusions of law therein. In the event an appeal is taken from the judgment of the District Court, the Clerk of the Court shall not report the findings of fact and conclusions of law in such case until after the case is finally determined and disposed of by the Supreme Court.

Sec. 8. As soon as the report of the Clerk of the District Court is submitted to the Legislature, such report shall be submitted to the proper committees of the Senate and House as soon as the appointment of the committees is announced.

Sec. 9. The District Court shall have power to call upon any of the departments of the state government, or the heads of any state institutions for any information or papers it may deem necessary, and shall have the use of all recorded and printed reports made by any committee of either house of the Legislature when deemed necessary in the prosecution of its business.

Sec. 10. No interest shall be allowed on any claim on which judgment is rendered in the District Court against the state except upon a contract expressly stipulating for the payment of interest.

Sec. 11. The payment of the amount due upon any judgment rendered against the state as provided by law shall be a full discharge of the state of all claims or demands touching any of the matters involved in the controversy.

Sec. 12. Any final judgment against the claimant on any claims as provided in this act shall bar any further claims or demands against the State of Iowa arising out of the matters involved in the controversy.

F. C. GILCHRIST, *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. 374, a bill for an act to repeal section sixty-six hundred seventy-six (6676) of the code, 1924, relating to political activ-

ity on the part of the manager of a city under the city manager plan 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.

Senator Brookins submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 372, a bill for an act to amend Section eighty-five hundred twenty-six (8526), paragraph nine (9) of the Code, 1924, relating to regulations of the sale of securities of public utilities in this State, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 363, a bill for an act to amend Section 393 of the Code, relative to the audit of claims against the State and certain agencies thereof, and to repeal Section 397 of the Code, begs leave to report it has had the same under consideration and recommends the same do pass.

A. T. BROOKINS, *Chairman*.

Ordered passed on file.

Senator Bergman submitted the following report:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File No. 383, a bill for an act to promote thrift and savings, to provide for loans and a general banking business on the cooperative plan under the provisions of the cooperative laws of the state, to provide for the organization of such banks, manner of conducting the business, the scope of business and the control and operation of the same, 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 line two (2) of section one (1) by adding after the word "organization" the words "where need for further banking facilities exist," Further amend section one (1) line seventeen (17) by adding a period (.) after the word "stock", by striking the word "and" at the end of line seventeen (17) and by striking out all of line eighteen (18). Further amend section one (1) by inserting after the word "persons" and before the word "residents" the words "who are".

Amend section two (2) paragraph five (5) by striking out all of paragraph five (5).

Amend section three (3) by striking the same and inserting in lieu thereof the following:

"Sec. 3. Application for incorporation and the proposed by-laws shall be subject to the approval of the department of banking. When such application for the incorporation and the proposed by-laws have been approved by the said department the incorporators shall have the articles of incorporation recorded with the secretary of state for which he shall be paid a fee of ten dollars (\$10.00). The secretary of state shall then issue to the association a certificate of incorporation, which certificate shall be issued under the regulation of the said department of banking."

Amend section six (6) line three and four by striking out the words "fifteen thousand dollars (\$15,000)" and inserting in lieu thereof the words "twenty-five thousand dollars (\$25,000.00)". And further amend section 6, line 5, by striking out the period (.) after the word "for" and inserting in lieu thereof a comma (,) and adding the words "provided however, that no certificate of incorporation shall be issued to a cooperative bank, for a smaller capitalization than is required of a state bank in the same city or locality".

Amend section seven (7), line two (2) by striking out the words "fifteen thousand dollars (\$15,000.00)" and inserting in lieu thereof the words "twenty-five thousand dollars (\$25,000.00)". Further amend section seven (7) line six (6) by striking out the period after the word "companies" and inserting in lieu thereof a comma and by adding the words "subject to regulation by the banking department".

Amend section nine (9) line four (4) by adding a period after the word "banks" and by striking out the rest of the section.

Amend section eleven (11) by striking out all of said section and substituting the following:

Sec. 11. No annual distribution of dividends upon capital stock shall ever exceed eight per cent of the par value of the fully paid capital stock. After the maximum annual dividend has been paid, and the surplus equals the capital stock, the net earnings shall be distributed or credited to the depositors and the borrowers from the bank, who are stockholders, in proportion to the amount of interest received and accrued to the depositors and the amount of interest paid by and accrued against the obligations of the borrowers.

Amend section twelve (12) line 15 by striking out the word "conduct" and inserting in lieu thereof the word "liquidate". Further amend section 12, line 15 by striking out the words "during the period of liquidation".

Amend section thirteen (13) by inserting after the word "examined" in line ten (10) the words "at least", and by inserting after the word "whether" and before the word "documents" line eighteen (18) the word "such".

Amend section fourteen (14) by inserting after the word "and" in line thirteen (13) and before the word "by" the words "may amend the by-laws"; and by striking the words "may amend the by-laws" from line

15. Further amend section fourteen (14) by striking from line five (5) the words "the directors or of" and inserting after the word "board" and before the word "and" in line 6 the words "or a majority of the directors".

Amend section 15, line 7 by striking out the words "one share" and inserting in lieu thereof the words "fifty shares".

A. H. BERGMAN, *Chairman.*

Ordered passed on file.

Senator Breakenridge submitted the following reports:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 113, a bill for an act to amend sections forty-eight hundred nineteen (4819), forty-eight hundred twenty-two (4822), and forty-eight hundred twenty-three (4823) of the code, 1924, relating to the destruction of noxious weeds, 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 as follows:

That after the word "supervisor" in the last line of section one, a comma be added in lieu of the period, together with the following provision: "Provided that on railway right of way the owner may select its own method of destroying weeds if such method is equally effective as that prescribed by said boards in the respective counties".

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred House File No. 289, a bill for an act to repeal sections 2671 and 2694, and to enact substitutes therefor; to repeal section 2670 and to amend sections 2697, 2698 and chapter 129 relating to the eradication of bovine tuberculosis, begs leave to report it has had the same under consideration and recommends the same do pass.

W. J. BREAKENRIDGE, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following reports:

MR. PRESIDENT: Your committee on public schools to which was referred House File No. 228, a bill for an act to amend section forty-two hundred sixty-six (4266) of the code relating to the establishment of kindergarten departments in connection with the common 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 from line seven (7) the "comma" following the



word "city" and inserting the word "or"; also amend by striking the words "or consolidated" in line seven.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 344, a bill for an act to create a textbook board and committee for the purpose of preparing for use in the public schools of the state a uniform system of textbooks, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. C. STANLEY, *Chairman*.

Ordered passed on file.

Senator McFarlane submitted the following report:

MR. PRESIDENT: Your committee on public utilities to which was referred House File No. 29, a bill for an act providing a basis for establishing taxable value to public utility properties, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ARCH W. MCFARLANE, *Chairman*.

Ordered passed on file.

Senator Shinn submitted the following report:

MR. PRESIDENT: Your committee on dairy and food to which was referred House File No. 57, a bill for an act requiring loaves of bread to conform to certain standards as to weight and requiring the branding of bread; providing for penalties for violation and authorizing the secretary of agriculture to make rules and regulations for the enforcement of the act, begs leave to report it has had the same under consideration and recommends the same do pass.

A. J. SHINN, *Chairman*.

Ordered passed on file.

#### INTRODUCTION OF BILLS

Senate File No. 409, by committee on cities and towns, a bill for an act to amend section six thousand fifty-two (6052) of the Code of 1924, relating to the construction of the tracks of street railway companies.

Read first and second times and placed on the calendar.

Senate File No. 410, by committee on judiciary No. 1, a bill for an act to repeal section 11775 of the Code, 1924, and to enact a substitute therefor.

Read first and second times and placed on the calendar.

Senate File No. 411, by committee on judiciary No. 1, a bill for an act to repeal section 11133 of the Code, 1924, and to enact a substitute therefor, relating to the hearing of motions to dismiss by the court.

Read first and second times and placed on the calendar.

Senate File No. 412, by committee on judiciary No. 1, a bill for an act to amend section 11242 of the Code of 1924.

Read first and second times and placed on the calendar.

#### SENATE FILE NO. 254 WITHDRAWN FROM COMMITTEE

By unanimous consent on request of Senator Ulstad, Senate File No. 254 was withdrawn from the committee on educational institutions and placed on the calendar.

#### SENATE FILE NO. 344 PLACED ON CALENDAR

Senator Shinn called up for consideration Senate File No. 344, recommended for indefinite postponement by the committee on public schools.

The report of the committee was rejected and the bill placed on the calendar.

#### HOUSE FILE NO. 177 PLACED ON CALENDAR

Senator Gilchrist called up for consideration House File No. 177 recommended for indefinite postponement by the committee on judiciary No. 1.

The report of the committee was rejected and the bill placed on the calendar.

#### S. F. NO. 371 WITHDRAWN FROM COMMITTEE

By unanimous consent on request of Senator Wilson of Page, Senate File No. 371 was withdrawn from the committee on manufactures and placed on the calendar.

Senator Wilson of Polk moved that insofar as today's business is concerned, permission be granted to call up any bills that have been recommended for passage regardless of the calendar number.

The motion prevailed.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House :

**Mr. PRESIDENT:** I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 479, a bill for an act relating to the protection of cities and towns from floods, and to provide that such cities and towns may condemn property outside of the limits of such cities and towns for an outlet to the streams or water courses changed or improved, under the provisions of said chapter.

Also: That the House has passed the following joint resolution in which the concurrence of the Senate is asked :

House Joint Resolution No. 6 authorizing the executive council to rent suitable office-space for the use of the state government.

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 to make permanent the transfer of money from the electric light fund to the water fund of the town of Aurelia, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 354, a bill for an act to legalize certain transfer of funds and appropriations made by the city council 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. 457, a bill for an act to legalize the levying of a tax on all taxable property in Clayton County, Iowa, for the erection of a soldiers' monument and authorizing the Board of Supervisors to expend the money raised by such taxation for the purchase of a soldiers' monument to be erected in what is known as Brown's Cemetery in Mallory township, Clayton County, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 259, a bill for an act to legalize the levy of a tax for the purpose of erecting a memorial hall by the board of supervisors of Marion county, Iowa.

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 to legalize and make permanent a transfer of funds from the light fund to the general fund of the incorporated town of Sergeant Bluff, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 329, a bill for an act to make permanent a temporary transfer of money from the electric light fund to the general fund of Lake View, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 148, a bill for an act to authorize and direct the issuance of a patent from the state of Iowa to George Eden on certain land located in Kossuth County, in order to clarify and correct the chain of title to said premises.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 204, a bill for an act to legalize certain transfer of funds by the Town of Manilla, Iowa.

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 to legalize the permanent transfer of six thousand dollars (\$6000.00) from the bridge fund to the bond fund of Union county, made by resolution of the board of supervisors of Union county at a meeting held on February 8, 1927.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 309, a bill for an act to legalize the proceedings of the Hamilton county board of supervisors with respect to the transfer of certain funds from the Hamilton county bridge fund to the Hamilton county road fund.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 242, a bill for an act relating to exemption from taxation of roads and certain drainage and levee rights of way.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 333, a bill for an act to make permanent transfers of money from the electric light fund and the water fund to the general fund of the town of Aurelia, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

Senate File No. 240, a bill for an act to accept the provisions of the United States law commonly known as the Purnell Act and to assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts, and for other purposes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 345, a bill for an act to legalize the proceedings of the council of the town of New London in Henry County, Iowa, in the handling of the general fund and various other funds of said town.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 196, a bill for an act to legalize the permanent transfer of fifteen thousand (\$15,000) dollars from the bridge fund to the general fund of Appanoose County, made by resolution of the Board of Supervisors at a meeting held on February 8, 1927.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 178, a bill for an act to legalize certain transfer of funds by the city of Eldon, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 231, a bill for an act relating to the transfer of funds in certain cities and towns.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 257, a bill for an act authorizing the exchange of certain real estate now constituting a part of Dolliver Memorial State Park in Webster County, Iowa, for other real estate.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 313, a bill for an act to legalize the proceedings of the Webster County Board of Supervisors with respect to the transfer of certain funds from the Webster County Bridge fund to the Webster County Road fund.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 313.

Amend section one (1) by striking from lines five (5) and six (6), the following: " , said transfer having been approved by the director of the budget".

Amend section two (2) by inserting after the word "Iowa" in line five (5) thereof, the following: ", without expense to the state".

### THIRD READING OF BILLS

On motion of Senator Shane, House File No. 226, a bill for an act to provide for the transfer of surplus earnings of municipal utilities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out Section 2 and inserting in lieu thereof the following:

Section 2. Any city or town having a surplus earned from the operation of a municipal heating plant, waterworks, gas works, or electric plant, and which has no bonded indebtedness against any such plant may on approval of the Budget Director transfer the surplus earnings of such utilities to any other fund of the municipality.

The amendment was adopted.

By unanimous consent on request of Senator Shane, the following amendments were adopted:

Amend section 1 by inserting after the word "town," in line 3, the following: "including cities under special charter,". Also amend the amendment to section two by inserting after the word "town" in line 1 the following: ", including cities under special charter,".

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, 29.

Benson	Fackler	Lange	Shinn
Booth	Fulton	Langfitt	Slemmons
Brookins	Hartman	McFarlane	Thompson
Campbell	Haskell	McLeland	Topping
Carden	Kern	Merritt	Ulstad
Cavanaugh	Kimberly	Rigby	Wilson of Page
Clark	Klemme	Shane	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 21.

Baird	Brush	Frailey	Ramsey
Beatty	Darting	Gilchrist	Roberts
Bergman	Dean	Gunderson	Shaff
Breakenridge	Dotts	Johnston	Skromme
Browne	Ellis	Millis	Stanley
			Stoddard

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 Lange, Senate File No. 336, a bill for an act to amend chapter two hundred fifty-one (251) of Title XIII of the code, 1924, so as to provide for the detection, seizure and disposition of motor vehicles, the serial or engine number of which has been unlawfully defaced, altered or tampered with, 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 846 of the Senate Journal, were adopted.

The bill was read for information.

Senator Beatty moved 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.

Beatty	Fackler	Klemme	Shane
Booth	Fulton	Lange	Shinn
Brookins	Gilchrist	Langfitt	Slemmons
Campbell	Hartman	McLeland	Thompson
Carden	Haskell	Merritt	Topping
Cavanaugh	Kern	Rigby	Ulstad
Clark	Kimberly	Roberts	Wilson of Page
Clearman			

Nays, 2.

Benson	Wilson of Polk
--------	----------------

Absent or not voting, 19.

Baird	Darting	Gunderson	Shaff
Bergman	Dean	Johnston	Skromme
Breakenridge	Dotts	McFarlane	Stanley
Browne	Ellis	Mills	Stoddard
Brush	Frailey	Ramsey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 MESSAGES CONSIDERED

House File No. 479, a bill for an act to amend chapter three hundred ten (310) of the code, 1924, as amended by chapter one hundred fifty-two (152), acts of the forty-first (41) general assembly, relating to the protection of cities and towns from floods, and to provide that such cities and towns may condemn property outside of the limits of such cities and towns for an outlet to the streams or water courses changed or improved, under the provisions of said chapter.

Read first and second time and referred to committee on cities and towns.

House Joint Resolution No. 6, a joint resolution authorizing the executive council to rent suitable office space for the use of the state government.

Read first and second time and referred to committee on departmental affairs.

House File No. 332, a bill for an act to make permanent the transfer of money from the electric light fund to the water fund of the town of Aurelia, Iowa.

Read first and second time and referred to committee on cities and towns.

House File No. 354, a bill for an act to legalize certain transfer of funds and appropriations made by the city council of Forest City, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 457, a bill for an act to legalize the levying of a tax on all taxable property in Clayton county, Iowa, for the erection of a soldiers' monument and authorizing the board of supervisors to expend the money raised by such taxation for the purchase of a soldiers' monument to be erected in what is known as Brown's Cemetery in Mallory township, Clayton county, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 259, a bill for an act to legalize the levy of a tax for the purpose of erecting a memorial hall by the board of supervisors of Marion county, Iowa.



Read first and second time and referred to committee on judiciary No. 2.

House File No. 204, a bill for an act to legalize certain transfer of funds by the town of Manilla, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 308, a bill for an act to legalize the permanent transfer of six thousand dollars (\$6000.00) from the bridge fund to the bond fund of Union county, made by resolution of the board of supervisors of Union county at a meeting held on February 8, 1927.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 309, a bill for an act to legalize the proceedings of the Hamilton county board of supervisors with respect to the transfer of certain funds from the Hamilton county bridge fund to the Hamilton county road fund.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 238, a bill for an act to legalize and make permanent a transfer of funds from the light fund to the general fund of the incorporated town of Sergeant Bluff, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 329, a bill for an act to make permanent a temporary transfer of money from the electric light fund to the general fund of Lake View, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 148, a bill for an act to authorize and direct the issuance of a patent from the state of Iowa to George Eden on certain land located in Kossuth county, in order to clarify and correct the chain of title to said premises.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 242, a bill for an act to repeal section sixty-nine

hundred forty-five (6945) of the code, and to enact a substitute therefor, relating to exemption from taxation of roads and certain drainage and levee rights of way.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 333, a bill for an act to make permanent transfers of money from the electric light fund and the water fund to the general fund of the town of Aurelia, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

### THIRD READING OF BILLS

On motion of Senator Brookins, Senate File No. 403, a bill for an act to legalize the election held by the voters of Floyd county, Iowa, on the second day of November, 1926, with reference to the erection of a county home on the county farm in said county, the issuance of thirty thousand dollars (\$30,000) bonds of said county for that purpose and the levy of a tax to pay said bonds and the interest thereon, a committee bill was taken up and considered. Blue Sky Law of the State of Iowa, a committee bill, was taken up and considered.

Senator Brookins offered the following amendments and moved their adoption:

Amend by adding at the end of section 3 the words "without expense to the state".

Also amend by inserting in line 4 of section 3 before the word "Advertiser" the words "Nora Springs".

The amendments were adopted.

The bill was read for information.

Senator Brookins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Beatty	Campbell	Darting	Haskell
Benson	Carden	Dean	Kern
Booth	Cavanaugh	Fackler	Kimberly
Brookins	Clark	Fulton	Lange
Browne	Clearman	Hartman	Langfitt

McFarlane  
McLeland  
Merritt  
Mills

Rigby  
Roberts  
Shane

Shinn  
Slemmons  
Thompson  
Topping

Ulstad  
Wilson of Page  
Wilson of Polk

Nays, none.

Absent or not voting, 16.

Baird  
Bergman  
Breakenridge  
Brush

Dotts  
Ellis  
Frailey  
Gilchrist

Gunderson  
Johnston  
Klemme  
Ramsey

Shaff  
Skromme  
Stanley  
Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brookins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Carden, Senate File No. 369, a bill for an act to amend Chapter one hundred fifty-six (156) of the Code, 1924, by adding a section thereto relating to the sale and distribution of sodium fluoride, a committee bill, was taken up and considered.

The bill was read for information.

Senator Booth moved 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.

Beatty  
Benson  
Booth  
Brookins  
Browne  
Campbell  
Carden  
Cavanaugh  
Clark

Clearman  
Darting  
Dean  
Fackler  
Fulton  
Hartman  
Haskell  
Kern

Kimberly  
Klemme  
Lange  
Langfitt  
McFarlane  
McLeland  
Mills  
Rigby

Roberts  
Shinn  
Slemmons  
Thompson  
Topping  
Ulstad  
Wilson of Page  
Wilson of Polk

Nays, none.

Absent or not voting, 17.

Baird  
Bergman  
Breakenridge  
Brush  
Dotts

Ellis  
Frailey  
Gilchrist  
Gunderson

Johnston  
Merritt  
Ramsey  
Shaff

Shane  
Skromme  
Stanley  
Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Haskell, House File No. 43, a bill for an act to amend sections fifty-six hundred twelve (5612) and fifty-six hundred thirteen (5613) of the code, 1924, relating to the annexation of territory to cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shinn offered the following amendment and moved its adoption :

Amend by adding at the end of section 13 the words "without expense to the state".

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 4.

Browne	Hartman	Shinn	Wilson of Page
--------	---------	-------	----------------

Nays, 23.

Benson	Clark	Lange	Rigby
Booth	Clearman	Langfitt	Slemmons
Brookins	Darting	McFarlane	Thompson
Campbell	Haskell	McLeland	Topping
Carden	Kimberly	Merritt	Wilson of Polk
Cavanaugh	Klemme	Mills	

Absent or not voting, 23.

Baird	Dotts	Gunderson	Shane
Beatty	Ellis	Johnston	Skromme
Bergman	Fackler	Kern	Stanley
Breakenridge	Frailey	Ramsey	Stoddard
Brush	Fulton	Roberts	Ulstad
Dean	Gilchrist	Shaff	

The amendment was lost.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 29.

Beatty	Brookins	Carden	Fackler
Benson	Browne	Cavanaugh	Hartman
Booth	Campbell	Darting	Haskell

Kern	McLeland	Shinn	Ulstad
Klemme	Merritt	Slemmons	Wilson of Page
Lange	Mills	Thompson	Wilson of Polk
Langfitt	Rigby	Topping	
McFarlane	Roberts		

Nays, none.

Absent or not voting, 21.

Baird	Dean	Gilchrist	Shaff
Bergman	Dotts	Gunderson	Shane
Breakenridge	Ellis	Johnston	Skromme
Brush	Frailey	Kimberly	Stanley
Clark	Fulton	Ramsey	Stoddard
Clearman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Roberts, Senator Shane was excused for the rest of the day.

On motion of Senator Topping, Senate File No. 222, a bill for an act to amend section ninety-six hundred ninety-three (9693) of the Code, 1924, relating to sales to satisfy warehousemen's lien by permitting sales to be made by sheriff or constable and by giving warehousemen the right to purchase property at such sales, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Topping moved 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.

Beatty	Dean	Langfitt	Shinn
Benson	Fackler	McFarlane	Slemmons
Booth	Gilchrist	McLeland	Thompson
Browne	Hartman	Merritt	Topping
Campbell	Haskell	Mills	Ulstad
Carden	Kimberly	Rigby	Wilson of Page
Clearman	Lange	Roberts	Wilson of Polk
Darting			

Nays, none.

Absent or not voting, 21.

Baird	Clark	Gunderson	Shaff
Bergman	Dotts	Johnston	Shane
Breakenridge	Ellis	Kern	Skromme
Brookins	Frailey	Klemme	Stanley
Brush	Fulton	Ramsey	Stoddard
Cavanaugh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Topping 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 Clearman called up for consideration Senate File No. 142, amended by the House, and moved that the Senate concur in the following amendments:

Strike out all of section two and insert in lieu thereof the following:

Sec. 2. Section fifty-six hundred thirty-three (5633) of the code, 1924, is hereby amended to read as follows: "5633. Officers appointed by council. In all cities and towns, the council at its first meeting after the biennial election shall appoint a clerk and may appoint a city solicitor, a city engineer, and an auditor".

Also amend by striking Section three from the bill.

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Beatty	Dean	Lange	Shinn
Benson	Fackler	Langfitt	Slemmons
Browne	Gilchrist	McFarlane	Thompson
Campbell	Hartman	McLeland	Topping
Carden	Haskell	Merritt	Ulstad
Cavanaugh	Kern	Mills	Wilson of Page
Clearman	Kimberly	Rigby	Wilson of Polk
Darting	Klemme		

Nays, none.

Absent or not voting, 20.

Baird	Brush	Fulton	Shaff
Bergman	Clark	Gunderson	Shane
Booth	Dotts	Johnston	Skromme
Breakenridge	Ellis	Ramsey	Stanley
Brookins	Frailey	Roberts	Stoddard

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Cavanaugh called up for consideration Senate File No. 313, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by striking from lines five (5) and six (6), the following: “, said transfer having been approved by the director of the budget”.

Amend section two (2) by inserting after the word “Iowa” in line five (5) thereof, the following: “, without expense to the state”.

On the question “Shall the Senate concur?” the vote was:

Ayes, 30.

Benson	Dean	Klemme	Shinn
Booth	Fackler	Lange	Shemmons
Browne	Fulton	Langfitt	Thompson
Campbell	Gilchrist	McFarlane	Topping
Carden	Hartman	McLeland	Ulstad
Cavanaugh	Haskell	Merritt	Wilson of Page
Clearman	Kern	Mills	Wilson of Polk
Darting	Kimberly		

Nays, none.

Absent or not voting, 20.

Baird	Brush	Gunderson	Shaff
Beatty	Clark	Johnston	Shane
Bergman	Dotts	Ramsey	Skromme
Breakenridge	Ellis	Roberts	Stanley
Brookins	Frailey		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 Beatty, House File No. 59, a bill for an act to require every person engaged in the market poultry or domestic

fowl business to obtain a license from the state department of agriculture, and to prescribe the fee therefor, to authorize the department of agriculture to prescribe records of purchases to be kept, to make said records open to inspection by peace officers, to authorize said department to enforce the said act, and to provide penalties for violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Page offered the following amendments and moved their adoption :

Amend by striking out the word "or" immediately after the word "poultry" in the second line of Section One and inserting in lieu thereof a comma. Further amend said Section One by inserting the words "or swine" immediately after the word "fowls" in line three.

Amend by striking from line four in Section Three thereof the word "or" and inserting in lieu thereof a comma and further amend by inserting after the word "fowls" in the fourth line of Section Three thereof the words "or swine".

The amendments were lost.

By unanimous consent on request of Senator Beatty, further action was deferred.

On motion of Senator Haskell Senate File No. 304, a bill for an act to authorize the maintenance and upkeep of law libraries belonging to a county, the cost thereof to be paid from 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 Haskell further action was deferred.

On motion of Senator McLeland Senate File No. 89, a bill for an act to amend section thirteen thousand six hundred thirty-one (13631), and to repeal sections thirteen thousand six hundred thirty-two (13632), thirteen thousand six hundred thirty-three (13633), thirteen thousand six hundred thirty-five (13635), and thirteen thousand six hundred thirty-six (13636) of the code relating to forfeiture of bail, 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 first six lines which comprise the title and substituting therefor the following:

"An Act to amend section 13632 of the code relating to the notice to show cause why judgment should not be entered upon forfeiture of bail or money deposited instead of bail."

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 13632 of the code is amended by striking from lines four and five, the following: 'or otherwise, as directed by the court,' and substituting in lieu thereof the following: 'or such other notice of such kind and for such time as the court may prescribe and direct,'".

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Clark	Kern	Mills
Benson	Clearman	Kimberly	Shinn
Booth	Darting	Klemme	Slemmons
Brookins	Dean	Lange	Topping
Browne	Fulton	Langfitt	Ulstad
Campbell	Gilchrist	McFarlane	Wilson of Page
Carden	Hartman	McLeland	Wilson of Polk
Cavanaugh	Haskell		

Nays, none.

Absent or not voting, 20.

Baird	Ellis	Merritt	Shane
Bergman	Fackler	Ramsey	Skromme
Breakenridge	Frailey	Rigby	Stanley
Brush	Gunderson	Roberts	Stoddard
Dotts	Johnston	Shaff	Thompson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McLeland 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 Clark House File No. 116, a bill for an act to legalize the transfer by the county of Monroe to its county fund

of fourteen thousand dollars (\$14,000.00) from the state insane fund and county insane fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Clark moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Benson .	Clearman	Kern	Mills
Booth	Dean	Kimberly	Shinn
Brookins	Darting	Klemme	Stemmons
Browne	Fackler	Lange	Thompson
Campbell	Gilchrist	Langfitt	Ulstad
Cavanaugh	Hartman	McFarlane	Wilson of Page
Clark	Haskell	McLeland	Wilson of Polk

Nays, none.

Absent or not voting, 22.

Baird	Dotts	Merritt	Shane
Beatty	Ellis	Ramsey	Skromme
Bergman	Frailey	Rigby	Stanley
Breakenridge	Fulton	Roberts	Stoddard
Brush	Gunderson	Shaff	Topping
Carden	Johnston		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### S. F. 312 ORDERED ON CALENDAR

Senator Browne called up for consideration Senate File No. 312, recommended for indefinite postponement by the committee on insurance.

On the question "Shall the report of the committee be adopted?" the vote was:

Ayes, 10.

Benson	Clearman	McFarlane	Roberts
Brookins	Darting	Rigby	Wilson of Polk
Cavanaugh	Haskell		

## Nays, 22.

Beatty	Fackler	Langfitt	Slemmons
Booth	Fulton	McLeland	Thompson
Browne	Hartman	Merritt	Topping
Campbell	Kimberly	Mills	Ulstad
Clark	Klemme	Shinn	Wilson of Page
Dean	Lange		

## Absent or not voting, 18.

Baird	Dotts	Johnston	Shane
Bergman	Ellis	Kern	Skromme
Breakenridge	Frailey	Ramsey	Stanley
Brush	Gilchrist	Shaff	Stoddard
Carden	Gunderson		

The report of the committee was rejected and the bill placed on the calendar.

## THIRD READING OF BILLS

On motion of Senator Shinn, House File No. 204, a bill for an act to legalize certain transfer of funds by the Town of Manilla, Iowa, was substituted for Senate File No. 368, taken up and considered.

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, 31.

Beatty	Clark	Kern	Rigy
Benson	Clearman	Kimberly	Shinn
Booth	Dean	Klemme	Slemmons
Brookins	Fackler	Lange	Thompson
Browne	Fulton	McFarlane	Topping
Campbell	Gilchrist	McLeland	Ulstad
Carden	Hartman	Merritt	Wilson of Page
Cavanaugh	Haskell	Mills	

## Nays, none.

## Absent or not voting, 19.

Baird	Dotts	Langfitt	Skromme
Bergman	Ellis	Ramsey	Stanley
Breakenridge	Frailey	Roberts	Stoddard
Brush	Gunderson	Shaff	Wilson of Polk
Darting	Johnston	Shane	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shinn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### S. F. 368 WITHDRAWN

By unanimous consent Senator Shinn withdrew Senate File No. 368 from further consideration.

#### AMENDMENTS FILED

I move to amend Senate File No. 264, a bill for an act to regulate the sale of certain securities such as construction or building mortgage bonds and mortgage bonds which are junior to other liens, as follows:

Amend by renumbering Section three (3) as Section Four (4) of said bill.

Further amend by adding as Section Three of said bill the following:

Section 3. No person, firm, association or corporation shall, in connection with the sale or offering for sale of any of the bonds or securities mentioned in the two preceding sections, display, deliver or in any way use prospectuses, descriptive circulars or printed matter of any kind unless there be printed across the face thereof in red letters not less than one-half inch high the words: "This is a Construction Mortgage Bond Issue" or "This is a Junior Lien Issue", as the case may be. Across the face of the subscription contract for the purchase of bonds and securities referred to, in the two sections immediately preceding, there shall be printed in red letters not less than one-fourth inch high the words: "This is a Construction Mortgage Bond Issue" or "This is a Junior Bond Issue", as the case may be.

C. L. RIGBY.

I move to amend Senate Joint Resolution No. 5 (5) by striking out Section Three (3).

OTTO LANGE.

I move to amend House File No. 55 by striking therefrom all after the word "parties" in line six and by substituting in lieu thereof the following:

"have nominated candidates whose names are entitled to be placed on the official ballot".

F. C. GILCHRIST.

I move to amend House File No. 53 by inserting as a preamble before the enacting clause the following:

"Whereas, It is desirable to destroy political parties, increase the itch for office, and multiply candidates, therefore,"

C. J. FULTON.

Senator Haskell moved that a new calendar be printed for Monday.

The motion prevailed.

The journal of March 25th was corrected and approved.

Senator Clark moved that the Senate adjourn until 4:00 p. m. today.

Senator Lange moved to amend by making the hour 3:00 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 3:00 p. m.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball 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 refused to concur in Senate amendment to House amendment to the following bill in which the concurrence of the House was asked:

Senate File No. 56, a bill for an act to regulate the occupation of barbering by creating a board of examiners for the licensing of persons to carry on such practice, and fixing the fees to be charged therefor: for regulating the sanitation of barber shops, barber schools and barber colleges, for preventing the spreading of contagious and infectious diseases, for promoting the health and safety of the general public and providing penalties for the violation thereof.

Also: That the House has passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 2 providing for the recognition and establishment of Independence Sunday, to be observed by religious-patriotic services and the display of the American flag, the Sunday preceding the Fourth of July of each year, or on the Fourth when that date falls on Sunday.

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 the investment of funds of building and loan associations.

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 relating to special assessments for street improvements and sewers in cities under special charter.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 453, a bill for an act relating to the meetings of the board of mine examiners.

Also: 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 relating to the assessment of machinery for the purpose of taxation.

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 membership fees and expenses of building and loan associations.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 149, a bill for an act relating to liability for road poll tax in townships outside the corporate limits of cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 144, a bill for an act relating to the bond of the treasurer of farm aid associations.

Also: 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 providing that each county officer in charge of any county office or department shall, on or before December fifteenth of each year, prepare and submit to the board of supervisors estimate of proposed expenditures for the following year; and providing that the board of supervisors shall, not later than January fifteenth of each year, appropriate sums for the maintenance of the various offices and departments for the current year, and providing the content of such resolution of appropriation; and providing for the transfer of excess funds appropriated to different accounts of a single office or department; and providing for the transfer of excess funds appropriated to any single office or department.

A. C. GUSTAFSON, *Chief Clerk.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 97, 217, 230, and 83.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President announced that he had as President of the Senate signed in the presence of the Senate, Senate Files Nos. 97, 217, 230 and 83.

## REPORTS OF COMMITTEES

Senator Gilchrist submitted the following reports :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 148, a bill for an act to authorize and direct the issuance of a patent from the state of Iowa to George Eden on certain land located in Kossuth County, Iowa, in order to clarify and correct the chain of title to said premises, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 238, a bill for an act to legalize and make permanent a transfer of funds from the light fund to the general fund of the incorporated town of Sergeant Bluff, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *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 permanent transfer of Six Thousand Dollars from the bridge fund to the bond fund

of Union county, made by resolution of the board of supervisors of Union county at a meeting held on February 8, 1927, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 309, a bill for an act to legalize the proceedings of the Hamilton County Board of Supervisors in the transfer of certain funds, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 457, a bill for an act to legalize the levying of a tax on all taxable property in Clayton County, Iowa, for the erection of a soldiers' monument and authorizing the Board of Supervisors to expend the money raised by such taxation for the purchase of a soldiers' monument to be erected in what is known as Brown's Cemetery in Mallory Township, Clayton County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

F. C. GILCHRIST, *Chairman.*

Ordered passed on file.

Senator Campbell submitted the following reports:

MR. PRESIDENT: Your committee on public health to which was referred House File No. 232, a bill for an act to amend section 2465, of the Code, so as to authorize each examining board in the department of health to maintain memberships in their national organizations, and making an appropriation for such membership fees, begs leave to report it has had the same under consideration and recommends the same do pass.

ED H. CAMPBELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred Senate File No. 229, a bill for an act to amend chapter 269 of the code relating to county public hospitals, and to the duties of the superintendents and trustees thereof relative to surgical operations, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ED H. CAMPBELL, *Chairman.*

Ordered passed on file.



Senator Roberts submitted the following report :

MR. PRESIDENT: Your committee on commerce and trade to which was referred Senate File No. 351, a bill for an act to require every person, firm, association or corporation operating chain stores in this state to obtain a license from the treasurer of state, and providing penalties, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

GUY H. ROBERTS, *Chairman*.

Ordered passed on file.

Senator Beatty submitted the following reports :

MR. PRESIDENT: Your committee on police regulations to which was referred House File No. 102, a bill for an act to amend Section 13307 of the code relative to the false assumption as to officers, begs leave to report it has had the same under consideration and recommends the same do pass.

F. M. BEATTY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on police regulations to which was referred Senate File No. 126, a bill for an act to amend Sections 12951 and 12953 of the Code relating to the selling of concealed weapons, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

F. M. BEATTY, *Chairman*.

Ordered passed on file.

Senator Merritt submitted the following reports:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File No. 283, a bill for an act authorizing the extension of the time of payment of drainage assessments and the issuance of drainage refunding bonds for the purpose of renewing and extending all or any part of the legal indebtedness for account of drainage districts, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by inserting after the word "district" in the sixth line of section two of the bill the following:

"as shown by the transfer books in the Auditor's office".

Also amend section five of the bill by inserting after the word "appears" in line two the following:

"upon the transfer books in the Auditor's office".

Further amend the bill by striking the period therefrom at the end of section four and by adding the following:

"of the Code."

J. G. MERRITT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on drainage to which was referred House File No. 230, a bill for an act to amend section seventy-five hundred sixty-two (7562) of the code, 1924, relating to the reclassification of levee and drainage districts for assessment, repairs and 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:

Amend the title by striking out of line one (1) the word "section" and inserting in lieu thereof the following:

"sections seventy-five hundred sixty-one (7561) and".

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section seventy-five hundred sixty-one (7561) of the code, 1924, is amended by inserting the word "tile" after the word "or" in line 13 thereof, and also by inserting the word "tile" after the word "or" in line 17.

Sec. 2. Section seventy-five hundred sixty-two (7562) of the code, 1924, is amended by inserting the word "tile" after the word "the" and before the word "lateral" in line six (6) thereof.

J. G. MERRITT, *Chairman.*

Ordered passed on file.

Senator Shaff submitted the following reports:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 390, a bill for an act to amend section four thousand six hundred fifty-seven of the code, relative to the acquisition of gravel pits by counties, begs leave to report it has had the same under consideration and recommends the same do pass.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 331, a bill for an act to empower the state highway commission, in certain cases, to make reimbursement to property owners on account of paving assessments levied on highways which are continuations of a primary road, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred

Senate File No. 273, a bill for an act to amend section four thousand seven hundred forty-eight of the code, relating to primary and secondary roads, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 271, a bill for an act to amend section four thousand eight hundred thirty-eight of the code, relating to obstructions in a highway, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 272, a bill for an act to amend section four thousand eight hundred thirty-eight of the code, relating to obstructions in a highway, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

J. O. SHAFF, *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. 479, a bill for an act to amend chapter three hundred ten (310) of the code, 1924, as amended by chapter one hundred fifty-two (152), acts of the forty-first general assembly, relating to the protection of cities and towns from floods, and to provide that such cities and towns may condemn property outside of the limits of such cities and towns for an outlet to the streams or water courses changed or improved, under the provisions of said chapter, 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 between the word "including" and the word "railroad" in line seven (7) the words "right to cross"; also by inserting between the word "property" and the word "as" in the seventh line the words "so as not to impair the previous public use".

W. G. HASKELL, *Chairman.*

Ordered passed on file.

#### S. F. 351 ON CALENDAR

Senator Lange called up for consideration Senate File No. 351, recommended for indefinite postponement by the committee on commerce and trade.

The report of the committee was rejected and the bill placed on the calendar.

#### INTRODUCTION OF BILLS

Senate File No. 413, by committee on public health, a bill for an act to repeal sections twenty-five hundred eighty-four (2584) and twenty-five hundred eighty-five (2585) of the code, 1924, relating to the practice of embalming and to enact substitutes therefor.

Read first and second times and placed on the calendar.

Senate File No. 414, by committee on public health, a bill for an act to repeal section twenty-two hundred ninety-three (2293) of the code, 1924, and enact a substitute therefor relating to the appointment and compensation of a physician and nurses and other attendants as may be necessary to provide proper treatment and care for persons suffering from venereal diseases who are isolated in detention hospitals.

Read first and second times and placed on the calendar.

Senate File No. 415, by committee on claims, a bill for an act to provide an appropriation of three hundred twenty-five and no cents (\$325.00) dollars to indemnify Arthur Ashcraft for damages and injuries received as and while a prisoner at Ft. Madison.

Read first and second times and referred to committee on appropriations.

Senate File No. 416, by committee on claims, a bill for an act making an appropriation to compensate Vera Gage for injuries received while a student at the Iowa school for the deaf, Council Bluffs, Iowa.

Read first and second times and referred to committee on appropriations.

Senate File No. 417, by committee on claims, a bill for an act to provide an appropriation for six hundred ninety dollars to indemnify George Simpson for damages occasioned by reason of injury suffered by reason of the collision of an automobile in which he was riding with road drag operated by the Iowa State Highway Commission.

Read first and second times and referred to committee on appropriations.

Senate File No. 418, by committee on claims, a bill for an act to make appropriation for the payment of state and other expenses.

Read first and second times and referred to committee on appropriations.

Senate File No. 419, by committee on claims, a bill for an act to provide an appropriation of five thousand dollars (\$5,000.00) to indemnify C. T. Murphy for damages occasioned by reason of injury suffered by reason of collision of automobile in which he was riding with road drag operated by Iowa State Highway Commission.

Read first and second times and referred to committee on appropriations.

Senate File No. 420, by committee on claims, a bill for an act to provide an appropriation of fifteen hundred dollars to indemnify Charles Feenstra for damages occasioned by reason of injury suffered when attacked in the Iowa state penitentiary by another inmate.

Read first and second times and referred to committee on appropriations.

Senate File No. 421, by committee on claims, a bill for an act to make an appropriation to Havner, Flick & Powers for attorneys' fees as attorneys for Robert L. Leach in the cause of city of Washington, Iowa vs. Robert L. Leach.

Read first and second times and referred to committee on appropriations.

Senate File No. 422, by committee on claims, a bill for an act to make appropriation from the sinking fund in the office of the treasurer of state to the city of Keokuk, Iowa, to reimburse said city for interest paid thereto.

Read first and second times and referred to committee on appropriations.

Senate File No. 423, by committee on claims, a bill for an act to make an appropriation to James A. Devitt for attorneys' fees as attorney for Robert L. Leach in the cause of city of Washington, Iowa, vs. Robert L. Leach.

Read first and second times and referred to committee on appropriations.

Senate File No. 424, by committee on claims, a bill for an act making an appropriation to compensate Francine Talbot for injuries received from being struck by a stray bullet from rifle range, Iowa National Guard, Marshalltown, Iowa.

Read first and second times and referred to committee on appropriations.

Senate File No. 425, by committee on cities and towns, a bill for an act to amend the provisions of section one hundred thirteen (113) of the code, 1924, providing for examination of offices of cities and towns.

Read first and second times and placed on the calendar.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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 Nos. 39, 74.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

#### AMENDMENTS FILED

Amend House File No. 177 by striking therefrom all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 13015 of the code of 1924 is hereby amended by striking the word "domestic" in line two of said section and by inserting in lieu thereof the words "any domestic animal", and by striking from lines three and four thereof the words "from any building, shed, coop, or enclosed premises".

Sec. 2. The provisions of section 13960 of the code shall not apply in fixing punishment and passing sentence under section 13015 of the code.

A. J. SHINN.

Amend S. F. 360 by inserting after the word "nature" in line six (6) of section two (2) the following: "which drew eight hundred and fifty dollars (\$850.00) or more state aid in 1926 or societies".

OSCAR ULSTAD.

**MOTION TO RECONSIDER FILED**

I move to reconsider the vote by which the Senate rejected the committee report on Senate File No. 312.

D. W. KIMBERLY.

On motion of Senator Benson the Senate adjourned until 10 a. m Monday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 28, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Daniel Hogan, Chaplain 168 Infantry, I. N. G., Clinton, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day on request of Senator Brookins; Senator Fackler for the day on request of Senator Roberts.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the designated committees:

By Senator Carden, from Bob Tribby Post No. 58, American Legion of Mt. Pleasant, favoring boxing bill. Judiciary No. 1.

By Senator Fulton, from rural mail carriers of Fairfield, favoring control of township roads by county. Highways.

By Senator Stoddard, from voters of Woodbury county, opposing a motor vehicle tax bill. Judiciary No. 1.

By Senator Stoddard, from 984 citizens of Woodbury county, favoring bill providing for fish and game department. Fish and game.

By Senator Haskell from 2078 citizens of Linn county, approving bill for fish and game commission. Fish and game.

By Senator Hartman, from citizens of Hawkeye, opposing House File No. 121, relating to hogs and cattle. Agriculture.

By Senator Stoddard, from voters of Woodbury county, opposed to vaccination in public schools. Public schools.

By Senator Hartman, from voters of Fayette county, opposing bill taxing near beer. Dairy and food.



## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 28th day of March, sent to the governor for his approval, Senate Files Nos. 97, 217, 320, and 83.

D. L. WILSON, *Chairman.*

The report was adopted.

## SENATE CONCURRENT RESOLUTION NO. 26

Senator Thompson offered the following resolution:

A resolution extending to both the Republican and Democratic National Committees, respectively, an invitation to hold their next national convention in the city of Des Moines, state of Iowa; authorizing an appropriation for such purposes and creating a committee to accomplish such aim.

*Whereas*, Immediate farm relief is imperative and the greatest problem that ever has, or is ever likely to confront us; and,

*Whereas*, The Legislature of the state of Iowa has unanimously put itself on record in protest against the refusal of the east to grant farm relief to us; and,

*Whereas*, It is desirable that the nation be impressed as forcibly as possible with the necessity and justice of obtaining adequate farm relief, if our nation is to prosper; and,

*Whereas*, The East should be brought in closer contact with the West, and better mutual understanding established; and,

*Whereas*, Our nation can be most forcibly impressed with the absolute necessity of our farmers counteracting existing deflation conditions, by having representatives from all sections of the nation visit us; and,

*Whereas*, This result seems most feasible and practicable by having both, or either one, of the national political conventions assemble here next year; therefore,

*Be It Resolved by the Senate, the House concurring*, That there be and is hereby extended to both the Republican and Democratic National Committees a cordial invitation to hold their next national convention in the city of Des Moines, state of Iowa, at such time as said committee or committees shall determine upon; and,

*Be It Further Resolved*, That in order to carry out the intent and purpose of this resolution there shall be and is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, the sum of two hundred fifty thousand (250,000.00) dollars, or so much thereof as

shall be necessary, provided that the citizens of Des Moines subscribe an equal amount and,

*Be It Further Resolved*, That for the purpose of carrying out the provisions of this resolution the Forty-second General Assembly of the state of Iowa shall appoint a committee which shall be composed of five (5) members, consisting of one (1) member of each political party from the Senate, and one (1) member of each political party from the House of Representatives, who together shall select a fifth member who shall be a citizen of the city of Des Moines and who shall belong to the political party whose convention is held in Iowa. The members of said committee shall act without compensation.

The resolution was laid over under the rules.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 196, a bill for an act relating to a closed season on muskrat.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 185, a bill for an act relating to exemptions from poll tax.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 362, a bill for an act relating to the labeling and sale of food, agricultural seeds, and paints.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 361, a bill for an act to repeal section 8834 (eighty-eight hundred thirty-four) of the code as amended by 41 (forty-first) general assembly, chapter 166 (one hundred sixty-six), and to enact a substitute therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 327, a bill for an act relating to the bringing of actions against reciprocal or interinsurance exchanges and upon reinsurance and interinsurance contracts.

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 repeal section 3744 (thirty-seven hundred forty-four) of the code.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 360, a bill for an act relating to county aid to the blind, and to enact a substitute therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 214, a bill for an act relative to the establishment of a levee or drainage district by petition.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 195, a bill for an act empowering judges of the district court to transfer misdemeanor cases to the municipal court for trial.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 262, a bill for an act to require officers, boards, and commissions of the state government to pay into the state treasury all fees and charges not belonging to said officers.

Also: 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 relating to the payment of taxes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 325, a bill for an act relative to jury commissions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 263, a bill for an act relating to the employment of clerical help by the board of railroad commissioners.

Also: That the House has 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 duty of county attorneys in appeals in criminal cases and to regulate the service of all filings in such cases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 168, a bill for an act relating to the Firemen's and Policemen's pensions.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 146, a bill for an act relating to the method of computing motor vehicle license fees.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 147, a bill for an act relating to authority of agents or inspectors of the motor vehicle department.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 171, a bill for an act to legalize the renewal of the corporate period of Roshek Brothers Company of Dubuque, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 53, a bill for an act relating to the subject of civil procedure.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 166, a bill for an act relating to exemptions from taxation.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 151, a bill for an act relating to Compensation Payments.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 87, a bill for an act relating to additional schedules of classifications of motor vehicles in connection with the licensing thereof.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 183, a bill for an act to require the clerks of the district court to report convictions for liquor violations to the state bureau of investigation.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 27, a bill for an act relating to the preparation and printing of codes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 37, a bill for an act relating to search warrants.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 54, a bill for an act relating to abstract of record and to the filing and effect thereof on appeal to 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. 50, a bill for an act relating to the power of the court to order amendments to indictments.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 57, a bill for an act relating to electric storage batteries.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 110, a bill for an act relating to the recording of mortgages and bills of sale of personal property.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 54

Amend Senate File No. 54 by striking from Section One (1), lines nineteen (19) and twenty-four (24), the following: "one hundred fifty (150)" and inserting in lieu thereof the following: "one hundred twenty (120)".

Further amend by striking from Section One (1), line thirty-three (33), the following: "fifteen (15)" and inserting in lieu thereof the following: "forty (40)".

#### HOUSE AMENDMENT TO SENATE FILE NO. 50

Amend Senate File No. 50 by adding thereto as section three (3), the following:

"Sec. 3. Publication clause. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa Legionaire, a newspaper published in Des Moines, Iowa, and the Humboldt Independent, a newspaper published in Humboldt, Iowa".

#### HOUSE AMENDMENT TO SENATE FILE NO. 57

Amend Senate File No. 57 by striking therefrom all of Section Two (2).

#### HOUSE AMENDMENT TO SENATE FILE NO. 110

Amend Senate File No. 110 as follows:

Amend by striking from line ten (10) the word "duplicate" and inserting in lieu thereof the words "true copy".

Further amend by adding thereto the following sections:

"Sec. 2. That section ten thousand sixteen (10016) of the code, 1924, is hereby amended by inserting after the word "and" in line eleven (11), the words: "such instrument or a true copy thereof be".

Sec. 3. That section ten thousand seventeen (10017) of the code, 1924, is hereby amended by striking from line two (2) thereof the word "instrument" and inserting in lieu thereof the words "such instrument or a true copy thereof".

Sec. 4. That section ten thousand eighteen (10018) of the code, 1924, is hereby amended by striking from line two (2) thereof the word "instrument" and inserting in lieu thereof the words "such instrument or a true copy thereof".

Sec. 5. That section ten thousand twenty (10020) of the code, 1924, is hereby amended by striking from line two (2) thereof the words "written instrument" and inserting in lieu thereof the words "such instrument or a true copy thereof".

Also amend title as follows:

Amend second line of the title by changing the word "section" to read "sections"; also amend by placing a comma following the parenthesis in line three, and adding the following: "ten thousand sixteen (10,016), ten thousand seventeen (10,017), ten thousand eighteen (10,018) and ten thousand twenty (10,020)".

#### HOUSE MESSAGES CONSIDERED

House File No. 114, a bill for an act to amend chapter two hundred sixty-four (264) of the code, 1924, providing that each county officer in charge of any county office or department shall, on or before December fifteenth of each year, prepare and submit to the board of supervisors estimates of proposed expenditures for the following year; and providing that the board of supervisors shall, not later than January fifteenth of each year, appropriate sums for the maintenance of the various offices and departments for the current year, and providing the content of such resolution of appropriation; and providing for the transfer of excess funds appropriated to different accounts of a single office or department; and providing for the transfer of excess funds appropriated to any single office or department.

Read first and second time and referred to sifting committee.

House File No. 144, a bill for an act to amend section twenty-nine hundred thirty-four (2934) of the code, 1924, relating to the bond of the treasurer of farm aid associations.

Read first and second time and referred to sifting committee.

House File No. 149, a bill for an act to amend section forty-eight hundred thirteen (4813) of the code, 1924, relating to liability for road poll tax in townships outside the corporate limits of cities and towns.

Read first and second time and referred to sifting committee.

House File No. 330, a bill for an act to repeal section ninety-three

hundred forty-six (9346) of the code, 1924, and to enact a substitute therefor, relating to membership fees and expense of building and loan associations.

Read first and second time and referred to sifting committee.

House File No. 174, a bill for an act to repeal section sixty-nine hundred seventy-seven (6977) of the code, 1924, relating to the assessment of machinery for the purpose of taxation.

Read first and second time and referred to sifting committee.

House File No. 453, a bill for an act to amend section twelve hundred eighty-eight (1288) of the code, 1924, relating to the meetings of the board of mine examiners.

Read first and second time and referred to sifting committee.

House File No. 282, a bill for an act to amend and revise sections sixty-nine hundred three (6903), sixty-nine hundred four (6904), and sixty-nine hundred six (6906) of the code, 1924, relating to special assessments for street improvements and sewers in cities under special charter.

Read first and second time and referred to sifting committee.

House File No. 331, a bill for an act to amend section ninety-three hundred forty (9340) of the code, 1924, relating to the investment of funds of building and loan associations.

Read first and second time and referred to sifting committee.

#### RESIGNATION OF COMMITTEE CLERK

March 28, 1927.

MR. PRESIDENT: I hereby tender my resignation as committee clerk, same to take effect immediately.

FRANK HOLLOWAY.

MR. PRESIDENT: Your committee appointed to examine candidates for clerkship in the Senate, respectfully recommend Miss Lillian Browne, assigned to Senator Chas. S. Browne.

D. L. WILSON, *Chairman*.

The report was adopted.

#### THIRD READING OF BILLS

On motion of Senator Cavanaugh Senate File No. 337, a bill for an act to amend section ten thousand eight hundred four (10804)

relative to the salary of judges of the district court, a committee bill, was taken up and considered.

Senator Wilson of Polk moved that further action be deferred and the bill be made a special order for Wednesday morning, which motion prevailed.

On motion of Senator Frailey Senate File No. 342, a bill for an act to amend sections eighty-five hundred twenty-five (8525) and eighty-five hundred twenty-six (8526) of the code, 1924, so as to bring the sale of certain contracts within the provisions of the Blue Sky Law of the State of Iowa, a committee bill, was taken up and considered.

Senator Frailey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Raird	Clark	Kimberly	Shane
Betty	Clearman	Klemme	Shinn
Benson	Darting	Lange	Skromme
Bergman	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Brookins	Fulton	Merritt	Thompson
Browne	Gunderson	Rigby	Ulstad
Campbell	Hartman	Roberts	Wilson of Page
Carden	Haskell	Shaff	Wilson of Polk
Cavanaugh			

Nays, none.

Absent or not voting, 9.

Brush	Gilchrist	Kern	Ramsey
Ellis	Johnston	Mills	Topping
Fackler			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### H. F. 53 MADE SPECIAL ORDER

On motion of Senator Ulstad House File No. 53 was made a special order for 10:30 a.m. Tuesday.

On motion of Senator Gunderson House File No. 5, a bill for an act to amend the law as it appears in section seven hundred



eighty-two (782) of the code, 1924, relating to the number of election ballots to be furnished to the various voting precincts of the state by the officers charged with the printing 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 Gunderson moved 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	Clark	Kimberly	Shinn
Benson	Clearman	Klemme	Skromme
Bergman	Darting	Lange	Slemmons
Booth	Dotts	Langfitt	Stanley
Breakenridge	Fulton	McFarlane	Stoddard
Brookins	Gunderson	McLeland	Thompson
Browne	Hartman	Rigby	Ulstad
Campbell	Haskell	Roberts	Wilson of Page
Carden	Johnston	Shane	Wilson of Polk
Cavanaugh			

Nays, none.

Absent or not voting, 13.

Beatty	Fackler	Kern	Ramsey
Brush	Frailey	Merritt	Shaff
Dean	Gilchrist	Mills	Topping
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On the motion of Senator McFarlane House File No. 41, a bill for an act to amend chapter thirty-five (35) of the code relating to elections, to regulate the manner of electing township trustees and township clerks, and to define their qualifications, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator McFarlane moved 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.**

Benson	Clearman	Haskell	Shinn
Bergman	Darting	Johnston	Skromme
Booth	Dean	Kimberly	Slemmons
Breakenridge	Dotts	Klemme	Stanley
Brookins	Frailey	Langfitt	Thompson
Campbell	Fulton	McFarlane	Ustad
Carden	Gunderson	McLeland	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark			

**Nays, 2.**

Browne                      Lange

**Absent or not voting, 15.**

Baird	Fackler	Mills	Shane
Beatty	Gilchrist	Ramsay	Stoddard
Brush	Kern	Roberts	Topping
Ellis	Merritt	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman Senate File No. 209, a bill for an act to make the primary roads arterial highways and to regulate traffic as it enters upon such highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by inserting after the word "of" in line 10 of section 5 the words "not more than".

The amendment was adopted.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend by striking from section 5 all of lines 8 and 9 and the first four words of line 10.

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, 43.

Baird	Clark	Kimberly	Shane
Beatty	Clearman	Klemme	Shinn
Benson	Darting	Lange	Skromme
Bergman	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Brookins	Fulton	Merritt	Thompson
Browne	Gunderson	Mills	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Carden	Haskell	Roberts	Wilson of Polk
Cavanaugh	Johnston	Shaff	

Nays, none.

Absent or not voting, 7.

Brush	Fackler	Kern	Topping
Ellis	Gilchrist	Ramsey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bergman 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 Shaff, Senate File No. 305, a bill for an act to amend section four thousand seven hundred forty-eight (4748) of the code, relating to improvement of township roads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Roberts offered the following amendment and moved its adoption:

Amend by striking from line 5 the words "fifty per cent" and inserting in lieu thereof the words "the majority".

The amendment was adopted.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by inserting after the word "county" in line 7 the following: "and who represent at least fifty per cent of the lands within the proposed district,".

The amendment was adopted.

The bill was read for information.

Senator Shaff moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Baird	Cavanaugh	Hartman	Rigby
Beatty	Clark	Haskell	Roberts
Benson	Clearman	Johnston	Shaff
Bergman	Darting	Kimberly	Shane
Booth	Dean	Klemme	Slemmons
Breakenridge	Dotts	Lange	Stanley
Brookins	Ellis	Langfitt	Stoddard
Browne	Frailey	McFarlane	Thompson
Campbell	Fulton	Merritt	Wilson of Page
Carden	Gunderson	Mills	Wilson of Polk

Nays, 3.

McLeland	Shinn	Skromme
----------	-------	---------

Absent or not voting, 7.

Brush	Gilchrist	Ramsey	Ulstad
Fackler	Kern	Topping	

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. 277, a bill for an act to amend chapter 251 (two hundred fifty-one) of the code, relating to motor vehicles, to the state highway maintenance fund, and the use of such fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bergman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Baird	Cavanaugh	Haskell	Roberts
Beatty	Clark	Johnston	Shane
Benson	Clearman	Kimberly	Skromme
Bergman	Dean	Lange	Slemmons
Booth	Dotts	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Brookins	Fulton	Merritt	Thompson
Campbell	Gunderson	Mills	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Browne	Fackler	Langfitt	Shinn
Brush	Gilchrist	Ramsey	Topping
Darting	Kern	Shaff	Ulstad
Ellis	Klemme		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bergman 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. 205, a bill for an act to provide for coordinating the work and service of the various departments of the state, reported out without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend by inserting after the word "authority" in line 6 the words "subject to the approval of the Executive Council".

President Pro Tem Shane took the chair at 11:45 a. m.

President Kimball resumed the chair at 11:50 a. m.

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.

Baird	Clark	Johnston	Roberts
Beatty	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Dotts	Lange	Slemmons
Booth	Frailey	McLeland	Stanley
Browne	Fulton	Merritt	S'oddard
Campbell	Gunderson	Mills	Thompson
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Haskell		

Nays, none.

Absent or not voting, 16.

Breakenridge	Ellis	Langfitt	Skromme
Brookins	Fackler	McFarlane	Topping
Brush	Gilchrist	Ramsey	Wilson of Page
Dean	Kern	Shinn	Wilson of Polk

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 Gunderson Senate File No. 116, a bill for an act to repeal sections ten thousand four hundred ninety-six (10496) to ten thousand five hundred and one (10501), both inclusive, code of 1924, relating to adoption 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 committee amendment, found on page 760 of the Senate journal was considered.

On motion of Senator Johnston the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### CALL OF THE SENATE FILED

MR. PRESIDENT: We, the undersigned members of the Senate, request a call of the Senate for the consideration of House File No. 53.

OSCAR ULSTAD.  
GEO. F. SLEMMONS.  
A. J. SHINN.  
O. E. GUNDERSON.  
S. E. FACKLER.  
W. E. MCLELAND.  
ED H. CAMPBELL.  
J. N. LANGFITT.  
J. G. MERRITT.  
G. S. HARTMAN.  
LARS J. SKROMME.  
WILLIAM CARDEN.  
R. C. MILLS.  
H. E. DEAN.  
RALPH U. THOMPSON.  
WM. H. KLEMME.  
A. G. DOTTS.  
C. B. KERN.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 313, 142, 257, 178, 196, 345, 240, and 231, and

House Files Nos. 120, and 35.

D. L. WILSON,  
*Chairman Senate Committee.*  
FRED R. BLYTHE,  
*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. 39, 74, 120 and 35, and Senate Files Nos. 313, 142, 257, 178, 196, 345, 240, and 231.

## BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills, submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 28th day of March, sent to the governor for his approval, Senate Files Nos. 313, 142, 257, 178, 196, 345, 240, and 231.

D. L. WILSON, *Chairman.*

The report was adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that on March 25, he had approved of the following bill:

Senate File No. 62, relating to sales or shipments of lime for agricultural purposes.

## HOUSE MESSAGES CONSIDERED

House File No. 196, a bill for an act to amend chapter thirty-six (36), acts of the forty-first (41) general assembly, relating to a closed season on muskrat.

Read first and second time and referred to sifting committee.

House File No. 185, a bill for an act to amend sections four hundred sixty-one (461), sixteen hundred fifty-six (1656), and sixteen hundred fifty-eight (1658) of the code relating to exemptions from poll tax.

Read first and second time and referred to sifting committee.

House File No. 362, a bill for an act to amend sections 3067 (three thousand sixty-seven), 3093 (three thousand ninety-three), 3127 (three thousand one hundred twenty-seven), 3129 (three thousand one hundred twenty-nine), and 3188 (three thousand one hundred eighty-eight) of the code relating to the labeling and sale of food, agricultural seeds, and paints.

Read first and second time and referred to sifting committee.

House File No. 361, a bill for an act to repeal section 8834 (eighty-eight hundred thirty-four) of the code as amended by 41 (forty-first) general assembly, chapter 166 (one hundred sixty-six), and to enact a substitute therefor.

Read first and second time and referred to sifting committee.

House File No. 327, a bill for an act to amend section nine thousand eighty-seven (9087) of the code, relating to the bringing of actions against reciprocal or interinsurance exchanges and upon reinsurance and interinsurance contracts.

Read first and second time and referred to sifting committee.

House File No. 264, a bill for an act to repeal section 3744 (thirty-seven hundred forty-four) of the code.

Read first and second time and referred to sifting committee.

House File No. 360, a bill for an act to repeal lines four (4) to fourteen (14), inclusive, of chapter seventy-four (74), acts of the forty-first (41) general assembly, relating to county aid to the blind, and to enact a substitute therefor.

Read first and second time and referred to sifting committee.

House File No. 214, a bill for an act to amend section seventy-four hundred twenty-seven (7427) of the code, 1924, relative to the establishment of a levee or drainage district by petition.

Read first and second time and referred to sifting committee.

House File No. 195, a bill for an act to amend chapter six hun-



dred thirty-four (634) of the code, 1924, empowering judges of the district court to transfer misdemeanor cases to the municipal court for trial.

Read first and second time and referred to sifting committee.

House File No. 262, a bill for an act to require officers, boards, and commissions of the state government to pay into the state treasury all fees and charges not belonging to said officers.

Read first and second time and referred to sifting committee.

House File No. 328, a bill for an act to amend sections seventy-two hundred eleven (7211), and seventy-two hundred fourteen (7214) of the code, 1924, relating to the payment of taxes.

Read first and second time and referred to sifting committee.

House File No. 325, a bill for an act to repeal section ten thousand eight hundred forty-eight (10848) and to amend section ten thousand eight hundred forty-nine (10849) of the code, relative to jury commissions.

Read first and second time and referred to sifting committee.

House File No. 263, a bill for an act to amend section 7866 (seventy-eight hundred sixty-six) of the code, relating to the employment of clerical help by the board of railroad commissioners.

Read first and second time and referred to sifting committee.

#### SENATE RECEDES FROM AMENDMENTS TO S. F. 56

Senator Stoddard called up for consideration Senate File No. 56, amended by the House, and moved that the Senate recede from its amendments to the House amendments.

On the question "Shall the Senate recede?" the vote was:

Ayes, 31.

Baird	Dean	Lange	Stanley
Booth	Dotts	McFarlane	Stoddard
Browne	Frailey	Merritt	Thompson
Campbell	Hartman	Shaff	Topping
Carden	Haskell	Shane	Ulstad
Clark	Johnston	Shinn	Wilson of Page
Clearman	Kimberly	Skromme	Wilson of Polk
Darting	Klemme	Slemmons	

Nays, 1.

Ellis

Absent or not voting, 18.

Beatty	Brush	Gunderson	Mills
Benson	Cavanaugh	Kern	Ramsey
Bergman	Fackler	Langfitt	Rigby
Breakenridge	Fulton	McLeland	Roberts
Brookins	Gilchrist		

The motion prevailed and the Senate recessed from its amendments.

Senator Stoddard moved that the vote by which the Senate recessed from its amendments be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 116.

Senator Gunderson offered the following amendment to the committee amendment and moved its adoption:

Amend section 7 by striking the words "upon hearing" in line six (6) thereof and inserting the words "upon hearing" immediately after the word "if" in line six (6) of said section.

The amendment was adopted.

Senator Wilson of Polk offered the following amendment to the committee amendment and moved its adoption:

Amend section 3 by striking from lines 7 and 8 the words "or has for one year immediately preceding been under indictment for abandoning the family".

The amendment was adopted.

Senator Wilson of Polk offered the following amendment to the committee amendment and moved its adoption:

Amend section 3 by striking from lines 14, 15 and 16 the words "If one parent has been judicially deprived of custody because of unfitness to be the guardian, the parent having exclusive legal custody, or", and by making the following word begin with a capital letter.

The amendment was adopted.

The committee amendment was adopted.

The bill was read for information.

Senator Gunderson moved 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.

Baird	Clearman	Haskell	Shinn
Benson	Darting	Johnston	Slemmons
Bergman	Dean	Kimberly	Stanley
Booth	Dotts	Klemme	Stoddard
Breakenridge	Ellis	McFarlane	Thompson
Browne	Frailay	Merritt	Topping
Campbell	Fulton	Mills	Ulstad
Carden	Gunderson	Shaff	Wilson of Page
Clark	Hartman	Shane	

Nays, none.

Absent or not voting, 15.

Beatty	Fackler	Langfitt	Roberts
Brookins	Gilchrist	McLeland	Skromme
Brush	Kern	Ramsey	Wilson of Polk
Cavanaugh	Lange	Rigby	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On the motion of Senator Shaff Senate File No. 352, a bill for an act to amend the law as it appears in Senate File Number one hundred four (104) as enacted by the forty-second general assembly of Iowa, relating to the primary road system and the appointment of members of the highway commission, a committee bill, was taken up and considered.

Senator Ellis offered the following amendment and moved its adoption:

Amend by inserting after the comma following the word "members" in line 7 of section 1 the following: "not more than three of whom shall be from the same political party."

Senator Shaff offered the following amendment as a substitute and moved its adoption:

Amend by inserting after the comma following the word "members" in line 7 of section 1 the following: "not all of whom shall be from the same political party,".

On the question "Shall the substitution be made?" the vote was:

## Ayes, 28.

Baird	Clark	Johnston	Shane
Beatty	Clearman	Kimberly	Slemmons
Benson	Darting	McFarlane	Stanley
Bergman	Dotts	McLeland	Stoddard
Booth	Fulton	Merritt	Topping
Breakenridge	Hartman	Mills	Wilson of Page
Brush	Haskell	Shaff	Wilson of Polk

## Nays, 9.

Brookins	Ellis	Klemme	Shinn
Browne	Gunderson	Lange	Thompson
Campbell			

## Absent or not voting, 13.

Carden	Frailey	Langfitt	Roberts
Cavanaugh	Gilchrist	Ramsey	Skromme
Dean	Kern	Rigby	Ulstad
Fackler			

The substitution was made.

The amendment was adopted.

Senator Shaff 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.

Baird	Cavanaugh	Johnston	Shane
Beatty	Clark	Kimberly	Shinn
Benson	Clearman	Klemme	Slemmons
Bergman	Darting	Lange	Stanley
Breakenridge	Dotts	McFarlane	Stoddard
Brookins	Frailey	McLeland	Topping
Browne	Fulton	Merritt	Ulstad
Brush	Gunderson	Mills	Wilson of Page
Campbell	Hartman	Shaff	Wilson of Polk
Carden	Haskell		

## Nays, 1.

Ellis

## Absent or not voting, 11.

Booth	Gilchrist	Ramsey	Skromme
Dean	Kern	Rigby	Thompson
Fackler	Langfitt	Roberts	

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 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 Shaff, Senate File No. 353, a bill for an act to amend the law as it appears in Senate File Number one hundred four (104) as enacted by the Forty-second General Assembly of the State of Iowa, relating to the improvement of the primary road system and the appointment of members of the highway commission and an auditor therefor, a committee bill, was taken up and considered.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking out all of section 5, the publication clause.

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking out all of section 4.

The amendment was adopted.

Senator Shaff moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Baird	Cavanaugh	Hartman	Shaff
Beatty	Clark	Haskell	Shane
Benson	Clearman	Johnston	Slemmons
Bergman	Darting	Kimberly	Stanley
Booth	Dean	Klemme	Stoddard
Browne	Dotts	Lange	Thompson
Brush	Ellis	McFarlane	Topping
Campbell	Frailey	McLeland	Wilson of Page
Carden	Fulton	Mills	Wilson of Polk

Nays, 1.

Shinn

Absent or not voting, 13.

Breakenridge	Gunderson	Merritt	Roberts
Brookins	Kern	Ramsey	Skronme
Fackler	Langfitt	Rigby	Ulstad
Gilchrist			

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 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 Shaff, Senate File No. 354, a bill for an act to create a comprehensive plan for the improvement of the primary road system, a committee bill, was taken up and considered.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking from lines 14 and 15 of section 1, the following: "Denison by way of Odebolt", and substituting in lieu thereof: "Harlan by way of Denison and Odebolt,".

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking from lines 71 and 72 the words "Luxenburg, Garnavillo,".

Senator Lange offered the following amendment to the amendment and moved its adoption:

Amend by striking out the word "Luxenburg,".

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 22.

Beatty	Clark	Mills	Stanley
Booth	Dotts	Shaff	Thompson
Breakenridge	Fulton	Shane	Topping
Brookins	Gunderson	Shinn	Ulstad
Browne	Klemme	Slemmons	Wilson of Page
Campbell	Lange		

Nays, 8.

Baird	Haskell	Langfitt	Stoddard
Brush	Johnston	Merritt	Wilson of Polk

Absent or not voting, 20.

Benson	Darting	Gilchrist	McLeland
Bergman	Dean	Hartman	Ramsey
Carden	Ellis	Kern	Rigby
Cavanaugh	Fackler	Kimberly	Roberts
Clearman	Frailey	McFarlane	Skromme

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by inserting in section 1, line 4 after the word "from" the following: "a point nine (9) miles north of".

The amendment was adopted.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking the word "and" in line 126 of section 1 and substituting therefor the word "or".

The amendment was adopted.

Senator Mills offered the following amendment and moved its adoption:

Amend section one (1) by inserting after the word "Des Moines" in line 63 the words "Adel, Redfield,".

The amendment was adopted.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by striking out the period at the end of line seventy-five (75), substituting a comma, and adding the following: "also East of Eldora to a point on primary road No. 14 and East on primary road No. 14 to Grundy Center."

The amendment was adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend line 70 by inserting after the words "Red Oak" the words "through Essex".

The amendmnet was adopted.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by adding to line thirty-five (35) "Primary road No. 14 from Grundy Center North to the junction of primary road No. 57 and primary road No. 57 East through Dike to Cedar Falls."

The amendment was lost.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by placing a comma (,) after the word "Belmond" in line 36; striking the words "and" and "to" and the period (.) in line 37, and adding to the end of said sentence the words "and Lake Mills, to a point on the Minnesota line north of Lake Mills."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13.

Campbell	Lange	Shane	Slemmons
Fulton	Langfitt	Shinn	Thompson
Gunderson	Merritt	Skromme	Ulstad
Klemme			

Nays, 17.

Benson	Dotts	Kimberly	Stanley
Bergman	Ellis	McFarlane	Stoddard
Brush	Haskell	Mills	Wilson of Page
Cavanaugh	Johnston	Shaff	Wilson of Polk
Clearman			

Absent or not voting, 20.

Baird	Browne	Fackler	McLeland
Beatty	Carden	Frailey	Ramsey
Booth	Clark	Gilchrist	Rigby
Breakenridge	Darting	Hartman	Roberts
Brookins	Dean	Kern	Topping

The amendment was lost.

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking the word "of" from line 9 and inserting in lieu thereof the word "from".

The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from line 127 the word "of" before the word "effect".

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption:



Amend by adding at the end of section 1 the following: "Primary road No. 35 shall be established from Mapleton by way of Castena and Turin to intersect Primary road No. 37."

Senator Ellis raised the point of order that this amendment was attempting to add to the primary road system roads not now included, while the provisions of the bill apply only to primary roads as designated.

The President held the point well taken.

Senator Thompson offered the following amendment and moved its adoption:

Amend section 1 by inserting between lines 52 and 53 the following: "Primary road No. 22 from Muscatine to Blue Grass".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13.

Browne	Haskell	Langfitt	Shinn
Campbell	Kimberly	McLeland	Thompson
Carden	Lange	Shane	Topping
Gunderson			

Nays, 19.

Baird	Clearman	Hartman	Mills
Bergman	Darting	Johnston	Stanley
Booth	Dotts	Klemme	Stoddard
Brush	Ellis	McFarlane	Wilson of Page
Clark	Frailey	Merritt	

Absent or not voting, 18.

Beatty	Dean	Ramsey	Skronime
Benson	Fackler	Rigby	Slemmons
Breakenridge	Fulton	Roberts	Ulstad
Brookins	Gilchrist	Shaff	Wilson of Polk
Cavanaugh	Kern		

The amendment was lost.

Senator Slemmons offered the following amendment and moved its adoption:

Amend line 30 by inserting after the word "of" and before the word "Independence" in line 30 the words "Centerpoint, Walker, Rowley".

Senator Ellis raised the point of order that this amendment is attempting to surface a road not now a part of the primary road

system, while the bill deals only with the primary road system as designated.

The President held the point not well taken.

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking out section 5.

The amendment was adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by striking from line 3 of section 1 the words "so far" and inserting in lieu thereof the words "as rapidly" and by striking the words "with pavement".

The amendment was lost.

Senator Shaff 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, 29.

Baird	Clark	Haskell	Rigby
Beatty	Clearman	Johnston	Shaff
Bergman	Darting	Kimberly	Shane
Booth	Ellis	Lange	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Brush	Fulton	Merritt	Topping
Carden	Hartman	Mills	Wilson of Page
Cavanaugh			

Nays, 14.

Benson	Dotts	Langfitt	Skromme
Brookins	Gunderson	McLeland	Slemmons
Browne	Klemme	Shinn	Thompson
Campbell			Ulstad

Absent or not voting, 7.

Dean	Gilchrist	Ramsey	Wilson of Polk
Fackler	Kern	Roberts	

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 vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### EXPLANATION OF VOTE

MR. PRESIDENT: I desire to explain my vote of "no" on Senate File No. 354. We have a highway commission and I have enough confidence in the commission to leave these road matters in their hands.

WM. H. KLEMME.

#### AMENDMENTS FILED

I move to amend Senate File No. 409 by adding thereto the following:

"Provided, however, that before any such relief as herein provided shall be granted, the proposition shall first be submitted to the electors of said City or Town and such relief shall not be granted unless a majority of said voters shall approve of the same."

C. H. TOPPING.

Amend Senate File No. 69 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. The law as it appears in Section five thousand Twelve (5012) of the Code, 1924, is hereby amended by striking from line three (3) thereof the following: "County General" and inserting in lieu thereof the following: "Motor Vehicle Expense". Also by adding to said Section at the end thereof the following:

"The county treasurer is hereby authorized to employ necessary assistants and clerks at such compensation, as may be determined by the Department, for the issuance of motor vehicle license in his county. Their compensation and the necessary expenses incident thereto shall be paid from the Motor Vehicle Expense Fund. At the close of each calendar year any unexpended balance remaining in said fund shall be remitted to the State Treasurer for credit to the primary road fund."

A. T. BROOKINS.

I move to amend House File No. 59 as follows:

Amend by substituting for Section 1, the following:

Sec. 1. Every person, partnership or corporation engaged in the business of buying for the market, poultry or domestic fowls from the producer thereof, shall obtain a license from the Department of Agriculture for each establishment at which said business is conducted.

The word producer as herein used shall include anyone who has acquired such poultry or domestic fowls other than through a licensed dealer.

Amend by substituting for Section 3, the following:

Sec. 3. Each licensee shall keep such records as the Department of Agriculture shall require, as to date of purchase, name and residence of seller and number and description of such poultry or domestic fowls purchased.

Amend by striking all of Section 7.

C. J. FULTON.

I move to amend House File No. 289 as follows:

Section two (2) thereof is amended by adding the following:

"The department shall not appoint as such inspector or inspectors any veterinarian, whether accredited or not, who shall have taken part, either directly or indirectly, in the circulation of or securing signatures to any of the petitions provided for in this chapter. The certificates of accredited veterinarians who shall have violated any of the provisions of this act shall be cancelled by the Secretary of Agriculture."

R. U. THOMPSON.

I move to amend Senate File No. 304 by inserting after the word "fund" at the end of section one (1) and also after the word "fund" at the end of the title the following: "or out of the court expense fund".

W. A. CLARK.

I move to amend Senate File No. 351 as follows:

Strike out the title and insert in lieu thereof the following:

#### "A BILL FOR

An Act to provide for the licensing of certain retail places of business in this state, and to provide penalties for a failure to comply with the provisions of this act."

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. No person, firm, association or corporation shall operate or maintain within this state any mercantile establishment or place of business where anything of value is sold or offered for sale at retail, without first obtaining from the secretary of agriculture a license therefor. The fee therefor shall be as follows for each such place:

(a) When the number of establishments or places of business owned or operated by the same general management, supervision or ownership does not exceed five, the fee shall be one dollar per year.

(b) When the number of establishments or places of business owned or operated by the same general management, supervision or ownership is six or more, the fee shall be fifty dollars for each such store, establishment or place, except the fee shall be one dollar for each establishment or place when the real estate on or the building in which the store, es-

tablishment or place is operated is owned by the operator or owner of such store, establishment or place.

Each such license shall expire on the thirty-first of December after its issuance.

Sec. 2. It shall be the duty of the secretary of agriculture to enforce the provisions hereof and to collect the fees provided herein. The secretary of agriculture shall furnish each licensee with a license certificate which shall be placed in a prominent place in each store, and shall be subject to inspection by any person.

Sec. 3. Any person, firm, association or corporation failing to obtain a license to comply with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be guilty of a fine of not less than fifty nor more than one hundred dollars."

OTTO LANGE.

The following messages were received from the House:

#### 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 in which the concurrence of the House was asked:

House File No. 120, a bill for an act relating to the compensation of township clerks.

Also: That the House has concurred in Senate Amendment to the following bill in which the concurrence of the House was asked:

House File No. 35, a bill for an act relating to the compensation of township trustees.

A. C. GUSTAFSON, *Chief Clerk.*

The journal of March 26th was corrected and approved.

On motion of Senator Ellis the Senate adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 29, 1927.

The Senate met in regular session, President Pro Tem Frank Shane presiding.

Prayer was offered by Rev. S. A. Fulton, pastor of the First Presbyterian Church, of Des Moines.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Gilchrist for the day on request of Senator Brookins.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee: by Senator Shaff, from voters of Clinton county, favoring a fish and game commission to replace the present department; by Senator Dean, from voters of Osceola county, favoring a fish and game commission to replace the present department; by Senator Rigby, from voters of Cedar county, favoring a fish and game commission to replace the present department; by Senator Stoddard, from voters of Correctionville, opposing a motor vehicle tax; by Senator Ulstad, from voters of Hardin county, opposed to House Files 277, and 431; by Senator Ulstad, from voters of Hardin county, supporting fish and game commission; by Senator Ulstad, from voters of Wright county, supporting fish and game commission; by Senator Hartman, from voters of Maynard, opposing measures Nos. 283, 431, and 297.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 226, 5, 41, 43, 116, 204.

**D. L. WILSON,**  
*Chairman Senate Committee.*

**FRED R. BLYTHE,**  
*Chairman House Committee.*

Report adopted.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has concurred in Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 226, a bill for an act to provide for the transfer of surplus earnings of municipal utilities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 359, a bill for an act relating to second and subsequent convictions for violation of intoxicating liquor laws, and to amend section thirty-eight hundred (3800) of the code, 1924, relating to parole by court.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 468, a bill for an act relating to the audit of claims against the state and certain agencies thereof.

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 relating to the municipal court; to fix and determine the jurisdiction of said court in civil and criminal cases; to make chapter six hundred thirty-four (634) of the code applicable in certain cases to municipal courts; and to provide for payment of witness fees.

Also: That the House has amended by striking the enacting clause of Senate File No. 81, a bill for an act relating to the levy of taxes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 158, a bill for an act relating to the practice of certain professions affecting the public health.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 34, a bill for an act to authorize two or more indictable offenses to be charged in separate counts in the same indictment or trial information, and to regulate the number of peremptory challenges in such cases.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 98, a bill for an act to empower cities and towns to limit therein the number of public dance balls, or billiard halls, or pool halls, or bowling alleys and to prohibit all such places in excess of the established limitation.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 81

Amend by striking the enacting clause.

#### HOUSE AMENDMENT TO SENATE FILE NO. 158

Amend Section one (1) by striking the comma at the end of line fourteen (14); also the words "warts or moles," in line fifteen (15).

Amend section five (5) by striking the words "warts and moles" in line two (2).

Amend section six (6) by striking from lines six (6) and seven (7) thereof the sentence beginning with the word "Cosmetology" and ending with the word "person" and substituting in lieu thereof the following: "Cosmetology may be practiced in the home providing a room, other than the living rooms, be fitted up for that purpose."

Amend by adding as section eighteen (18) the following:

"Sec. 18. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Marshalltown Times Republican, a newspaper published at Marshalltown, Iowa, and in the Des Moines Daily Record, a newspaper published at Des Moines, Iowa, but such publication shall be without expense to the state."

#### HOUSE AMENDMENT TO SENATE FILE NO. 34

Amend Senate File No. 34 by striking out all of section one (1) and inserting in lieu thereof the following:

"Section 1. An indictment may charge in separate counts two or more different indictable offenses connected together in their commission, or different statements of the same offense, or two or more different indictable offenses of the same class of crimes or offenses, and if two or more indictments are filed in such cases the court may order them to be consolidated. The prosecution is not required to elect between the different offenses or counts set forth in the indictment, but the defendant may be convicted of any number of the offenses charged, and each offense upon which the defendant is convicted must be stated in the verdict; provided, that the court in the interest of justice and for good cause shown may in its discretion order that the different offenses or counts set forth in the indictment be tried separately, or divided into two or more groups and each of the said groups tried separately."



Further amend by striking out all of section three (3) and inserting in lieu thereof the following:

"Section 3. It shall not be necessary to use more than one count in charging larceny and of the other kindred offenses herein named, but under an indictment for larceny it shall be permissible to show the larceny as charged, the embezzlement of the same property, the obtaining of the same property by false pretences, or the receiving of the same property with knowledge that it had been obtained by means of larceny; and if the jury finds the defendant guilty of any one of these four offenses they shall so state in their verdict and judgment shall be rendered accordingly."

#### HOUSE AMENDMENT TO SENATE FILE NO. 98

Amend Senate File No. 98 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section fifty-seven hundred forty-five (5745) of the code, 1924, be amended by inserting after the word "to" in line one (1) the following: "limit the number of,".

Amend the title to Senate File No. 98 by substituting therefor the following:

"A bill for an act to amend section fifty-seven hundred forty-five (5745) of the code, 1924, relating to the powers of cities and towns to regulate, license or prohibit certain places of amusements."

#### SENATE CONCURRENT RESOLUTION NO. 27

Senator Carden offered the following resolution:

*Resolved by the Senate, the House concurring,* That a joint convention be held Thursday morning, March 31st, at 11:30 o'clock and that United States Senator Smith W. Brookhart of Washington, Iowa, be invited to address the joint convention.

By unanimous consent, on request of Senator Carden, the resolution was taken up and considered.

The resolution was adopted.

#### THIRD READING OF BILLS

On motion of Senator Stoddard, Senate File No. 360, a bill for an act to amend the law as it appears in section 2894 and 2902 of the code, relating to state aid to county and district fairs or agricultural societies, a committee bill, was taken up and considered.

Senator Ulstad offered the following amendment and moved its adoption:

Amend by inserting after the word "nature" in line six (6) of section two (2) the following: "which drew eight hundred and fifty dollars (\$850.00) or more state aid in 1926 or societies".

President Kimball took the chair at 9:50 a. m.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 25.

Baird	Dotts	Klemme	Ramsey
Brookins	Fulton	Lange	Shinn
Browne	Gunderson	Langfitt	Skromme
Brush	Hartman	McLeland	Slemmons
Campbell	Johnston	Merritt	Thompson
Carden	Kern	Mills	Ulstad
Darting			

Nays, 14.

Benson	Clark	Kimberly	Stoddard
Bergman	Clearman	Roberts	Wilson of Page
Booth	Dean	Shane	Wilson of Polk
Cavanaugh	Haskell		

Absent or not voting, 11.

Beatty	Fackler	McFarlane	Stanley
Breakenridge	Frailey	Rigby	Topping
Ellis	Gilchrist	Shaff	

The amendment was adopted.

The bill was read for information.

Senator Dean moved 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	Darting	Klemme	Shane
Bergman	Dean	Lange	Shinn
Booth	Dotts	Langfitt	Skromme
Breakenridge	Fackler	McFarlane	Slemmons
Browne	Fulton	McLeland	Stanley
Brush	Gunderson	Merritt	Stoddard
Campbell	Hartman	Mills	Thompson
Carden	Haskell	Ramsey	Ulstad
Cavanaugh	Johnston	Rigby	Wilson of Page
Clark	Kern	Roberts	Wilson of Polk
Clearman	Kimberly	Shaff	

Nays, 1.

Benson

Absent or not voting, 6.

Beatty	Ellis	Gilchrist	Topping
Brookins	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson of Polk, Senate File No. 287, a bill for an act to amend section five thousand nine hundred eighty-four (5984) of the Code, 1924, relating to the construction of sewers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Polk moved 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	Dean	Klemme	Shaff
Benson	Dotts	Lange	Shane
Bergman	Fackler	Langfitt	Shinn
Booth	Fulton	McFarlane	Slemmons
Breakenridge	Gunderson	McLeland	Stanley
Brush	Hartman	Merritt	Stoddard
Campbell	Haskell	Mills	Thompson
Carden	Johnston	Ramsey	Ulstad
Cavanaugh	Kern	Rigby	Wilson of Page
Clark	Kimberly	Roberts	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 9.

Beatty	Darting	Frailey	Skromme
Brookins	Ellis	Gilchrist	Topping
Browne			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 234, a bill for an act to amend chapter one hundred eighteen (118) of the acts of the forty-first general assembly, relating to the extension of water mains and the levying of special assessments therefor

against privately owned property, 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 words "provided that" before the word "where" in line 4 of section 3.

The amendment was adopted.

Senator Johnston offered the following amendment and moved its adoption:

Amend by striking out all after the word "least" in line 8 of section 2, up to and including the word "property" in line 9 and inserting in lieu thereof the following: "fifty per cent (50%) of the resident owners and by the owners of fifty per cent (50%) of the property affected which is".

The amendment was adopted.

Senator Fulton offered the following amendments and moved their adoption:

Amend by striking the words "and cities" from line 4 of section 1.

Also amend by striking the words "or cities" from line 7 of section 2, and from line 7 of section 3.

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.

Baird	Clark	Hartman	Rigby
Benson	Clearman	Johnston	Shaff
Bergman	Darting	Kimberly	Shane
Booth	Dean	Klemme	Slemmons
Breakenridge	Ellis	Merritt	Stanley
Brush	Fackler	Mills	Stoddard
Carden	Fulton	Ramsey	Wilson of Page
Cavanaugh	Gunderson		

Nays, 6.

Dotts	Lange	Shinn	Wilson of Polk
Kern	Roberts		

Absent or not voting, 14.

Beatty	Frailey	McFarlane	Thompson
Brookins	Gilchrist	McLeland	Topping
Browne	Haskell	Skromme	Ulstad
Campbell	Langfitt		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Seantor 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.

A call of the Senate having been filed on the consideration of House File No. 53 the roll was called.

The roll call revealed the presence of the following members :

Baird	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Dean	Lange	Shinn
Booth	Dotts	Langfitt	Skromme
Breakenridge	Ellis	McFarlane	Slemmons
Brookins	Fackler	McLeland	Stanley
Browne	Fulton	Merritt	Stoddard
Brush	Gunderson	Mills	Thompson
Campbell	Hartman	Ramsey	Ulstad
Carden	Haskell	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern		

On request of Senator Wilson of Polk Senator Topping was excused on account of illness; on request of Senator Lange Senator Beatty was excused; on request of Senator Carden Senator Frailey was excused and the call was declared complete.

On motion of Senator Ulstad, House File No. 53, a bill for an act to amend section five hundred eighty (580) and five hundred ninety-three (593) of the code, 1924, relating to nominations by primary elections and the number of votes necessary to nominate, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton offered the following amendment and moved its adoption :

Amend by inserting as a preamble before the enacting clause the following :

*"Whereas, It is desirable to destroy political parties, increase the itch for office, and multiply candidates, therefore,"*

On the question "Shall the amendment be adopted?" the vote was :

## Ayes, 15.

Benson	Haskell	Ramsey	Shane
Breakenridge	Johnston	Rigby	Stanley
Darting	Kimberly	Roberts	Wilson of Polk
Fulton	McFarlane	Shaff	

## Nays, 29.

Baird	Clearman	Kern	Shinn
Bergman	Dean	Klemme	Skromme
Booth	Dotts	Lange	Slemmons
Brookins	Ellis	Langfitt	Stoddard
Browne	Fackler	McLeland	Thompson
Campbell	Gunderson	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Page
Clark			

## Absent or not voting, 6.

Beatty	Carden	Gilchrist	Topping
Brush	Frailey		

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out the enacting clause.

Senator Beatty appeared in the Senate Chamber.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 29.

Baird	Cavanaugh	Haskell	Roberts
Beatty	Clark	Johnston	Shaff
Benson	Clearman	Kimberly	Shane
Bergman	Darting	Langfitt	Stanley
Booth	Ellis	McFarlane	Stoddard
Breakenridge	Fulton	Ramsey	Wilson of Page
Brush	Hartman	Rigby	Wilson of Polk
Carden			

## Nay, 18.

Brookins	Fackler	McLeland	Skromme
Browne	Gunderson	Merritt	Slemmons
Campbell	Kern	Mills	Thompson
Dean	Klemme	Shinn	Ulstad
Dotts	Lange		

## Absent or not voting, 3.

Frailey	Gilchrist	Topping
---------	-----------	---------

The amendment prevailed and the enacting clause was stricken.

Senator Fulton moved that the vote by which the amendment prevailed and the enacting clause was stricken be reconsidered and that the motion to reconsider be laid on the table.

Senator Ulstad asked for a division of the motion.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 27.

Baird	Cavanaugh	Johnston	Shaff
Benson	Clark	Kimberly	Shane
Bergman	Clearman	Langfitt	Stanley
Booth	Darting	McFarlane	Stoddard
Breakenridge	Fulton	Ramsey	Wilson of Page
Brush	Hartman	Rigby	Wilson of Polk
Carden	Haskell	Roberts	

Nays, 19.

Beatty	Dotts	Lange	Skromme
Brookins	Fackler	McLeland	Slemmons
Browne	Gunderson	Merritt	Thompson
Campbell	Kern	Mills	Ulstad
Dean	Klemme	Shinn	

Absent or not voting, 4.

Ellis	Frailey	Gilchrist	Topping
-------	---------	-----------	---------

The motion to lay on the table prevailed.

On motion of Senator Baird, Senate File No. 213, a bill for an act to amend section six thousand one hundred thirteen (6113) of the 1924 code, relating to bonds and certificates for street improvements and sewers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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.

Baird	Cavanaugh	Johnston	Roberts
Beatty	Clark	Kimberly	Shane
Benson	Clearman	Klemme	Slemmons
Bergman	Darting	Lange	Stanley
Booth	Dotts	Langfitt	Stoddard
Brookins	Fackler	McFarlane	Thompson
Browne	Frailey	Merritt	Ulstad
Brush	Fulton	Mills	Wilson of Page
Campbell	Gunderson	Ramsey	Wilson of Polk
Carden	Hartman	Rigby	

Nays, none.

Absent or not voting, 11.

Breakenridge	Gilchrist	McLeland	Skromme
Dean	Haskell	Shaff	Topping
Ellis	Kern	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, Senate File No. 212, a bill for an act to amend section six thousand eleven (6011) of the code, relating to street improvements, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Lange offered the following amendment and moved its adoption :

Amend by striking out the enacting clause.

Senator Lange invoked rule 8.

On the question "Shall the amendment be adopted and the enacting clause be stricken?" the vote was:

**Ayes, 28.**

Benson	Dotts	Kimberly	Roberts
Brookins	Fackler	Klemme	Shinn
Brush	Gunderson	Lange	Skromme
Campbell	Hartman	Langfitt	Slemmons
Carden	Haskell	McLeland	Stanley
Clark	Johnston	Mills	Thompson
Clearman	Kern	Ramsey	Wilson of Polk

**Nays, 19.**

Baird	Cavanaugh	Fulton	Shane
Beatty	Darting	McFarlane	Stoddard
Bergman	Dean	Merritt	Ulstad
Booth	Ellis	Rigby	Wilson of Page
Breakenridge	Frailey	Shaff	

Absent or not voting, 3.

Browne	Gilchrist	Topping
--------	-----------	---------

The amendment was adopted and the enacting clause was stricken.

Senator Lange moved that the vote by which the amendment was adopted and the enacting clause stricken be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Ulstad Senate File No. 341, a bill for an act to reimburse Hardin county, Iowa, for money expended in the care of a state patient at the state hospital for the insane at Inde-



pendence, Iowa, and making an appropriation to pay the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ulstad moved 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	Dean	Klemme	Shane
Beatty	Dotts	Lange	Shinn
Benson	Frailey	Langfitt	Skromme
Bergman	Fulton	McFarlane	Slemmons
Booth	Gunderson	McLeland	Stanley
Browne	Hartman	Merritt	Stoddard
Brush	Haskell	Mills	Thompson
Campbell	Johnston	Ramsey	Ulstad
Carden	Kern	Roberts	Wilson of Page
Cavanaugh	Kimberly	Shaff	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 9.

Breakenridge	Darting	Fackler	Rigby
Brookins	Ellis	Gilchrist	Topping
Clark			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Ulstad 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 Frailey House File No. 192, a bill for an act to repeal section 6697 (sixty-six hundred ninety-seven) of the code and to enact a substitute therefor, relating to special elections in special charter cities to fill vacancies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Frailey moved 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	Clark	Kern	Shaff
Beatty	Clearman	Klemme	Shane
Benson	Dean	Lange	Shinn
Bergman	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Browne	Frailey	McLeland	Stoddard
Brush	Fulton	Merritt	Thompson
Campbell	Hartman	Mills	Ulstađ
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Breakenridge	Fackler	Kimberly	Stanley
Brookins	Gilchrist	Rigby	Topping
Darting	Gunderson		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### HOUSE AMENDMENTS CONSIDERED

Senator Cavanaugh called up for consideration Senate File No. 50, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding thereto as section three (3), the following:

"Sec. 3. Publication clause. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa Legionaire, a newspaper published in Des Moines, Iowa, and the Humboldt Independent, a newspaper published in Humboldt, Iowa".

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Baird	Dean	Kern	Roberts
Benson	Dotts	Kimberly	Shane
Booth	Ellis	Klemme	Shinn
Bergman	Fackler	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stoddard
Browne	Fulton	McLeland	Thompson
Brush	Hartman	Merritt	Ulstađ
Carden	Haskell	Mills	Wilson of Page
Cavanaugh	Johnston	Ramsey	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 13.

Beatty	Darting	McFarlane	Skromme
Brookins	Gilchrist	Rigby	Stanley
Campbell	Gunderson	Shaff	Topping
Clearman			

The House amendment having received a constitutional ma-

majority was declared to have been adopted and concurred in by the Senate.

Senator Cavanaugh called up for consideration Senate File No. 54, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking from section one (1), lines nineteen (19) and twenty-four (24), the following: "one hundred fifty (150)" and insert in lieu thereof the following: "one hundred twenty (120)".

Further amend by striking from section one (1), line thirty-three (33), the following: "fifteen (15)" and insert in lieu thereof the following: "forty (40)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Baird	Cavanaugh	Kern	Roberts
Beatty	Clark	Kimberly	Shaff
Benson	Dean	Klemme	Shane
Booth	Dotts	Lange	Shinn
Bergman	Ellis	Langfitt	Stoddard
Breakenridge	Fackler	McFarlane	Thompson
Browne	Frailey	McLeland	Ulstad
Brush	Hartman	Merritt	Wilson of Page
Campbell	Haskell	Mills	Wilson of Polk
Carden	Johnston	Ramsey	

Nays, none.

Absent or not voting, 11.

Brookins	Fulton	Rigby	Stanley
Clearman	Gilchrist	Skromme	Topping
Darting	Gunderson	Slemmons	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 158, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by striking the comma at the end of line fourteen (14); also the words "warts or moles," in line fifteen (15).

Amend section five (5) by striking the words "warts and moles" in line two (2).

Amend section six (6) by striking from lines six (6) and seven (7) thereof the sentence beginning with the word "Cosmetology" and ending with the word "person" and substituting in lieu thereof the following: "Cosmetology may be practiced in the home providing a room, other than the living rooms, be fitted up for that purpose."

Amend by adding as section eighteen (18) the following:

"Sec. 18. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Marshalltown Times Republican, a newspaper published at Marshalltown, Iowa, and in the Des Moines Daily Record, a newspaper published at Des Moines, Iowa, but such publication shall be without expense to the state."

On the question "Shall the Senate concur?" the vote was:

Ayes, 33.

Baird	Clearman	Klemme	Shaff
Beatty	Dean	Lange	Shane
Benson	Dotts	Langfitt	Slemmons
Bergman	Frailey	McFarlane	Stoddard
Booth	Hartman	McLeland	Thompson
Breakenridge	Haskell	Merritt	Ulstad
Brush	Johnston	Mills	Wilson of Page
Campbell	Kimberly	Ramsey	Wilson of Polk
Carden			

Nays, none.

Absent or not voting, 17.

Brookins	Ellis	Gunderson	Shinn
Browne	Fackler	Kern	Skromme
Cavanaugh	Fulton	Rigby	Stanley
Clark	Gilchrist	Roberts	Topping
Darting			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Wilson of Polk called up for consideration Senate File No. 57, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking out all of section two (2).

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Baird	Clearman	Kimberly	Shaff
Beatty	Dean	Klemme	Shane
Benson	Dotts	Lange	Shinn
Bergman	Fackler	Langfitt	Slemmons
Booth	Frailey	McFarlane	Stoddard
Breakenridge	Fulton	McLeland	Thompson
Brush	Hartman	Merritt	Ulstad
Campbell	Haskell	Mills	Wilson of Page
Carden	Johnston	Ramsey	Wilson of Polk
Cavanaugh	Kern		

Nays, none.

Absent or not voting, 12.

Brookins	Darting	Gunderson	Skromme
Browne	Ellis	Rigby	Stanley
Clark	Gilchrist	Roberts	Topping

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator McFarlane called up for consideration Senate File No. 98, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section fifty-seven hundred forty-five (5745) of the code, 1924, be amended by inserting after the word "to" in line one (1) the following: "limit the number of,".

Amend the title by substituting therefor the following:

"A bill for an act to amend section fifty-seven hundred forty-five (5745) of the code, 1924, relating to the powers of cities and towns to regulate, license or prohibit certain places of amusements."

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Baird	Clearman	Kimberly	Shaff
Benson	Dean	Klemme	Shane
Bergman	Dotts	Lange	Shinn
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Browne	Frailey	McLeland	Stoddard
Brush	Fulton	Merritt	Thompson
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern		

Nays, none.

Absent or not voting, 8.

Beatty	Darting	Gunderson	Skromme
Brookins	Gilchrist	Rigby	Topping

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On motion of Senator Slemmons, the Senate adjourned until 1:45 p. m. today.

## AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## 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. 204, 226, 5, 41, 43, and 116.

## THIRD READING OF BILLS

On motion of Senator Campbell, House File No. 232, a bill for an act to amend section twenty-four hundred sixty-five (2465) of the code, 1924, so as to authorize each examining board connected with the state department of health to maintain memberships in the respective national organizations of such boards, and making an appropriation for the membership fees therein, with report of committee recommending passage, was substituted for Senate File No. 138, 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.

The amendment was 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, 35.

Baird	Clark	Johnston	Slemmons
Benson	Dotts	Kern	Stanley
Bergman	Ellis	Klemme	Stoddard
Booth	Fackler	Lange	Thompson
Brookins	Frailley	Langfitt	Topping
Browne	Fulton	Merritt	Ulstad
Brush	Gunderson	Mills	Wilson of Page
Campbell	Hartman	Rigby	Wilson of Polk
Carden	Haskell	Shane	

Nays, none.

Absent or not voting, 15.

Beatty	Darting	McFarlane	Shaff
Breakenridge	Dean	McLeland	Shinn
Cavanaugh	Gilchrist	Ramsey	Skromme
Clearman	Kimberly	Roberts	

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.

By unanimous consent Senator Campbell withdrew Senate File No. 138, from further consideration.

On motion of Senator Booth, House File No. 117, a bill for an act to make an appropriation for the payment of the expenses incurred in the election contest of Nagle vs. Whiting, 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 from section 2 all after the word "publication" and inserting in lieu thereof the following: "in the Harlan Representative, a newspaper published at Harlan, Iowa, and the Fairfield Daily Ledger, a newspaper published at Fairfield, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Booth moved 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	Clearman	Johnston	Roberts
Benson	Darting	Kern	Shane
Bergman	Dean	Kimberly	Shinn
Booth	Dotts	Klemme	Stanley
Breakenridge	Ellis	Lange	Stoddard
Brookins	Frailey	Langfitt	Thompson
Browne	Fulton	Merritt	Ulstad
Brush	Gunderson	Mills	Wilson of Page
Carden	Hartman	Ramsey	Wilson of Polk
Clark	Haskell	Rigby	

Nays, none.

Absent or not voting, 11.

Beatty	Fackler	McLeland	Slemmons
Campbell	Gilchrist	Shaff	Topping
Cavanaugh	McFarlane	Skromme	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Ulstad, House File No. 309, a bill for an

act to legalize the proceedings of the Hamilton county board of supervisors with respect to the transfer of certain funds from the Hamilton county bridge fund to the Hamilton county road fund, with report of committee recommending passage, was substituted for Senate File No. 329, taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ulstad moved 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	Darting	Johnston	Shane
Benson	Dean	Kern	Shinn
Bergman	Dotts	Kimberly	Slemmons
Booth	Ellis	Klemme	Stanley
Breakenridge	Fackler	Langfitt	Stoddard
Brookins	Frailey	Merritt	Thompson
Browne	Fulton	Mills	Ulstad
Brush	Gunderson	Ramsey	Wilson of Page
Clark	Hartman	Rigby	Wilson of Polk
Clearman	Haskell	Roberts	

Nays, none.

Absent or not voting, 11.

Beatty	Cavanaugh	McFarlane	Skromme
Campbell	Gilchrist	McLeland	Topping
Carden	Lange	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 Ulstad withdrew Senate File No. 329 from further consideration.

On motion of Senator Bergman Senate File No. 163, a bill for an act to repeal chapter two hundred forty-four (244) and chapter two hundred forty-five (245) of the code, relating to township roads and road poll taxes, and to enact a substitute therefor; and to amend section nine (9) of chapter six (6) of the acts of the forty-first (41st) general assembly, relating to the gasoline license fees going to township roads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.



Senator Clark offered the following amendment and moved its adoption:

Amend by striking therefrom lines 6, 7, 8 and 9 of section 15 and substituting the following:

- "2. A road drag levy of not to exceed (2) two mills.  
3. A road drainage levy of not to exceed (3) three mills."

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.

Senator Clark invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 21.

Baird	Dean	Johnston	Shane
Benson	Fackler	Kimberly	Stanley
Bergman	Frailey	Lange	Stoddard
Breakenridge	Hartman	Rigby	Topping
Cavanaugh	Haskell	Shaff	Wilson of Polk
Clark			

Nays, 24.

Beatty	Carden	Kern	Shinn
Booth	Clearman	Klemme	Skromme
Brookins	Dotts	Langfitt	Slemmons
Browne	Ellis	McLeland	Thompson
Brush	Fulton	Mills	Ulstad
Campbell	Gunderson	Roberts	Wilson of Page

Absent or not voting, 5.

Darting	McFarlane	Merritt	Ramsey
Gilchrist			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Shinn moved that the vote by which the bill failed to pass the Senate be reconsidered and the motion to reconsider be laid on the table, and asked for a division of the motion.

Senator Baird invoked rule 8.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

## Ayes, 17.

Beatty	Dotts	Langfitt	Slemmons
Booth	Fulton	McLeland	Stanley
Brookins	Gunderson	Shinn	Thompson
Browne	Kern	Skromme	Ulstad
Campbell			

## Nays, 29.

Baird	Clearman	Johnston	Roberts
Benson	Dean	Kimberly	Shaff
Bergman	Ellis	Klemme	Shane
Breakenridge	Fackler	Lange	Stoddard
Brush	Frailey	McFarlane	Topping
Carden	Hartman	Mills	Wilson of Page
Cavanaugh	Haskell	Rigby	Wilson of Polk
Clark			

## Absent or not voting, 4.

Darting	Gilchrist	Merritt	Ramsey
---------	-----------	---------	--------

The motion to lay on the table was lost.

## REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 415, a bill for an act to provide an appropriation of \$325 to indemnify Arthur Ashcraft for damages and injuries received as and while a prisoner at Fort Madison, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 416, a bill for an act to make an appropriation to compensate Vera Gage for injuries received while a student at the Iowa School for the Deaf, Council Bluffs, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 417, a bill for an act to provide an appropriation of \$690 to indemnify George Simpson for damages occasioned by reason of injury suffered by reason of the collision of an automobile in which he was riding with road drag operated by the Iowa State Highway Com-

mission, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 419, a bill for an act to provide an appropriation of \$5,000.00 to indemnify C. T. Murphy for damages occasioned by reason of injury suffered by reason of collision of automobile in which he was riding with road drag operated by Iowa State Highway Commission, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 422, a bill for an act to make an appropriation from the sinking fund in the office of the treasurer of state to the city of Keokuk, Iowa, to reimburse said city for interest paid thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 424, a bill for an act making an appropriation to compensate Francine Talbot for injuries received from being struck by a stray bullet from rifle range, Iowa National Guard, Marshalltown, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 406, a bill for an act to provide an appropriation of \$8,495.30 to indemnify Andrew Austin and 84 others for damages sustained through depredation of pheasants in Winnebago and Hancock counties, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 163, a bill for an act to make an appropriation for the purpose of paying to the Four-County Fair Association, for a fair held at Coon Rapids, Carroll county, Iowa, in October, 1925, the sum of \$999.11, the state aid to which the said fair association is entitled under the provisions of chapter 136 of the code, 1924, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman*.

Ordered passed on file.

#### INTRODUCTION OF BILLS

Senate File No. 426, by committee on motor vehicles, a bill for an act to require the equipping of road machinery being used upon any public highway open to the public with signal lights, and to require the placing of said signal lights upon such machinery when the same is being operated or parked after sundown, and providing penalties for violations.

Read first and second times and referred to sifting committee.

#### HOUSE MESSAGES CONSIDERED

House File No. 194, a bill for an act to amend sections ten thousand six hundred fifty-six (10656), ten thousand six hundred fifty-seven (10657), ten thousand six hundred sixty-nine (10669), thirteen thousand six hundred forty-five (13645), and ten thousand six hundred seventy (10670), and chapter four hundred seventy-five (475) of the code, 1924, relating to the municipal court; to fix and determine the jurisdiction of said court in civil and criminal cases; to make chapter six hundred thirty-four (634) of the code applicable in certain cases to municipal courts; and to provide for payment of witness fees.

Read first and second times and referred to sifting committee.

House File No. 359, a bill for an act to amend section nineteen hundred sixty-four (1964) of the code, 1924, relating to second and subsequent convictions for violation of intoxicating liquor laws, and to amend section thirty-eight hundred (3800) of the code, 1924, relating to parole by court.

Read first and second times and referred to sifting committee.

House File No. 468, a bill for an act to amend section three hundred ninety-three (393), and to repeal section three hundred ninety-seven (397) of the code, 1924, and to enact a substitute

therefor, relating to the audit of claims against the state and certain agencies thereof.

Read first and second times and referred to sifting committee.

#### MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 163 failed to pass the Senate.

LLOYD ELLIS.

#### AMENDMENTS FILED

I move to amend Senate File No. 419, by striking out section 3, and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sac Sun, a newspaper published in Sac City, Iowa, and the Mapleton Press, a newspaper published in Mapleton, Iowa."

I move to amend Senate File No. 417, by striking section 3, and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Adair County Free Press, a newspaper published in Greenfield, Iowa, and the Merville Mail, a newspaper published in Merville, Iowa."

I move to amend Senate File No. 416, by striking section 8, and inserting in lieu thereof the following:

"Sec. 8. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Woodbine Twiner, a newspaper published in Woodbine, Iowa, and the Sloan Star, a newspaper published in Sloan, Iowa."

I move to amend Senate File No. 415, by striking out section 3, and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Danbury Review, a newspaper published in Danbury, Iowa, and the Onawa Democrat, a newspaper published in Onawa, Iowa."

B. M. STODDARD.

The journal of March 28th was corrected and approved.

On motion of Senator Wilson of Polk the Senate adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 30, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. A. P. Blough, pastor of the Church of the Brethren, of Waterloo, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Hartman, from voters of Fayette county, favoring a bank guarantee act.

By Senator Shinn, from voters of Charter Oak and Ricketts, favoring a fish and game commission.

By Senator Frailey, from voters of Lee county, opposing a bill taxing near beer.

By Senator Baird, from voters of Pottawattamie county, opposing a motor vehicle tax.

By Senator Topping, from voters of Des Moines county, favoring a fish and game commission to replace the department.

By Senator Booth, from voters of Shelby county, opposing a motor vehicle tax on trucks.

By Senator Breakenridge, from 739 voters of Kossuth county, favoring a fish and game commission to replace the fish and game department.

By Senator Breakenridge, from 689 voters of Clay county, favoring a fish and game commission to replace the fish and game department.

By Senator Beatty, from voters of Keokuk county, opposing bond issue and favoring bank guarantee act.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 27, 33, 166, 171, 168, 151, 147, 146, 87, 183, 53, 37, and Senate Joint Resolution No. 2.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 27, 33, 166, 171, 168, 151, 147, 146, 87, 183, 53, 37 and Senate Joint Resolution No. 2.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson, 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 March, 1927, sent to the governor for his approval Senate Files Nos. 27, 33, 166, 171, 168, 151, 147, 146, 87, 183, 53, 37, and Senate Joint Resolution No. 2.

D. L. WILSON, *Chairman.*

The report was adopted.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 1927, he had approved the following bills:

Senate File No. 97, relating to levees and drainage ditches.

Senate File No. 83, relating to the issuance of bonds by counties and to the form, maturity, and payment of such bonds.

Senate File No. 217, relating to the powers and duties of the board of conservation and public parks.

Senate File No. 230, relating to loaning of funds belonging to the state educational institutions under control of State Board of Education.

Senate File No. 240, relating to the provisions of the United States law commonly known as the Purnell Act.

Senate File No. 345, relating to proceedings of the council of the town of New London, Henry county, Iowa.

Senate File No. 231, relating to the transfer of funds in cities and towns.

Senate File No. 178, relating to transfer of funds by city of Eldon, Iowa.

Senate File No. 257, relating to exchange of real estate now constituting a part of Dolliver Memorial State Park in Webster county, Iowa.

Senate File No. 142, relating to the election and appointment of officers in cities and towns.

Senate File No. 313, relating to proceedings of the Webster county board of supervisors.

Senate File No. 196, relating to permanent transfer of \$15,000 from the bridge fund to general fund of Appanoose county, Iowa.

### MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked :

Senate Concurrent Resolution No. 27 resolving that a joint convention be held Thursday morning, March 31st, at 11:30 o'clock and that United States Senator Smith W. Brookhart of Washington, Iowa, be invited to address the joint convention.

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 provide for the permanent transfer of county funds.

Also: That the Speaker upon the advice of the Attorney General has reversed his ruling on Senate File No. 6 and requests the return of the bill in order that the corrected record may be endorsed thereon.

A. C. GUSTAFSON, *Chief Clerk.*

### THIRD READING OF BILLS

On motion of Senator Klemme, Senate File No. 102, a bill for an act to require operators of all motor vehicles to stop said motor vehicles immediately before crossing a railroad track, and to provide a penalty for violations, 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 780 of the Senate Journal, were adopted.

Senator Ellis offered the following amendment and moved its adoption :



Amend by striking out sections 4 and 5.

On the question "Shall the amendment be adopted?" the vote was:

<b>Ayes, 41.</b>			
Baird	Darting	Kimberly	Shane
Beatty	Dean	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Bergman	Fackler	McFarlane	Slemmons
Booth	Fulton	McLeland	Stanley
Brookins	Gilchrist	Merritt	Stoddard
Brush	Gunderson	Mills	Thompson
Campbell	Haskell	Ramsey	Topping
Carden	Johnston	Rigby	Ulstad
Cavanaugh	Kern	Roberts	Wilson of Polk
Clearman			

<b>Nays, 7.</b>			
Browne	Frailey	Klemme	Wilson of Page
Clark	Hartman	Shaff	

**Absent or not voting, 2.**  
Breakenridge      Dotts

The amendment was adopted.

Senator Gunderson offered the following amendment and moved its adoption:

Amend by inserting the words "or supervisors" after the word "commission" in line 4 of section 2.

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend by adding the following section:

Sec. 4. The State Highway Commission shall determine whether railroads which operate not more than two regularly scheduled trains daily, and interurban cars, shall be required to reduce speed as the commission may prescribe before crossing primary roads. Such order shall be subject to review by the railroad commission.

The amendment was lost.

Senator Booth offered the following amendment and moved its adoption:

Amend by adding as an additional section the following:  
"Sec. 4. Failure to stop shall not be considered contributory negligence in any action for damage."

The amendment was lost.

Senator McFarlane moved the previous question, which motion prevailed.

The bill was read for information.

Senator Klemme moved 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.**

Baird	Clark	Kern	Rigby
Benson	Clearman	Kimberly	Roberts
Bergman	Darting	Klemme	Shaff
Booth	Ellis	Langfitt	Shane
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Frailey	McLeland	Stoddard
Brush	Hartman	Merritt	Thompson
Campbell	Haskell	Mills	Ulstad
Carden	Johnston	Ramsey	Wilson of Polk

**Nays, 10.**

Beatty	Dean	Fulton	Skromme
Cavanaugh	Dotts	Gilchrist	Slemmons
		Lange	Topping

**Absent or not voting, 4.**

Browne	Gunderson	Shinn	Wilson of Page
--------	-----------	-------	----------------

The bill having received a constitutional majority was declared to have passed the Senate. By unanimous consent the title was amended by striking out the following: " , and to provide a penalty for violations", and the title as amended was agreed to.

Senator Klemme moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 236, a bill for an act to appropriate a fund for the expenses of the National Champion Band of the American Legion of the United States of America, and the National Champion Drum Corps of the American Legion of the United States of America, in attending the National Convention of the American Legion of the United States of America, to be held in Paris, France, in September, 1927, having been recalled from the committee, was taken up and considered.

Senator Stoddard offered the following amendments and moved their adoption:

Amend by striking the title and substituting in lieu thereof the following: "An act to appropriate a fund for the expenses of the National Champion Band of the American Legion of the United States of America, the National Champion Drum Corps of the American Legion of the United States of America, and the National Champion American Legion

Auxiliary Drill Team, in attending the National Convention of the American Legion of the United States of America, to be held in Paris, France, in September, 1927."

Further amend by striking out of line 3, of the bill the words and figures "twenty-five thousand dollars (\$25,000.00)" and inserting in lieu thereof the words and figures "twenty-two thousand five hundred dollars (\$22,500.00)".

Further amend by inserting after the comma (,) after the word "America" in line 7, the words and figures, "and five thousand dollars (\$5,000.00) or so much thereof as may be deemed necessary to pay the expenses of the National Champion American Legion Auxiliary Drill Team."

Further amend by striking out the word "and" in line 12, and inserting in lieu thereof a comma (,), and by inserting after the word "Band" in line 12, the words "and the National Champion American Legion Auxiliary Drill Team".

The amendments were adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

Senator Thompson invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 42.

Baird	Clark	Kern	Shaff
Beatty	Clearman	Kimberly	Shane
Benson	Darting	Klemme	Slemmons
Bergman	Dean	Langfitt	Stanley
Booth	Dotts	McFarlane	Stoddard
Breakenridge	Ellis	McLeland	Thompson
Brookins	Fackler	Mills	Topping
Brush	Frailey	Ramsey	Ulstad
Campbell	Gilchrist	Rigby	Wilson of Page
Carden	Haskell	Roberts	Wilson of Polk
Cavanaugh	Johnston		

Nays, 5.

Browne	Gunderson	Shinn	Skromme
	Lange		

Absent or not voting, 3.

Fulton	Hartman	Merritt
--------	---------	---------

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.

## SENATE FILE NO. 6 RETURNED TO HOUSE

Senator Benson moved that Senate File No. 6 be returned to the House for correction, as per request, which motion prevailed.

On motion of Senator Ellis the Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## THIRD READING OF BILLS

On motion of Senator Shaff Senate File No. 270, a bill for an act to amend section five (5), acts of the forty-first (41st) general assembly relating to transportation of persons or property for hire by motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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, 35.

Bergman	Ellis	Langfitt	Shinn
Brush	Fackler	McFarlane	Slemmons
Campbell	Fulton	McLeland	Stanley
Carden	Gunderson	Merritt	Stoddard
Cavanaugh	Haskell	Mills	Thompson
Clark	Kern	Rigby	Ulstad
Clearman	Kimberly	Roberts	Wilson of Page
Dean	Klemme	Shaff	Wilson of Polk
Dotts	Lange	Shane	

Nays, none.

Absent or not voting, 15.

Baird	Breakeuridge	Frailey	Ramsey
Beatty	Brookins	Gilchrist	Skromme
Benson	Browne	Hartman	Topping
Booth	Darting	Johnston	

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 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 Cavanaugh Senate File No. 337, a bill for an act to amend section ten thousand eight hundred four (10804) relative to the salary of judges of the district court, a committee bill, was taken up and considered.

Senator Wilson of Page offered the following amendment and moved its adoption.

Amend by striking from line 4 the word and figure "six (6)" and inserting in lieu thereof the word and figure "five (5)".

The amendment was adopted.

The bill was read for information.

Senator Cavanaugh moved 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	Clark	Kimberly	Rigby
Beatty	Clearman	Klemme	Shaff
Benson	Darting	Lange	Shane
Bergman	Dean	McFarlane	Stoddard
Booth	Gilchrist	McLeland	Thompson
Brush	Hartman	Merritt	Wilson of Page
Campbell	Haskell	Mills	Wilson of Polk
Cavanaugh	Johnston	Ramsey	

Nays, 11.

Browne	Fulton	Roberts	Skronme
Carden	Gunderson	Shinn	Slemmons
Dotts	Kern		Stanley

Absent or not voting, 8.

Breakenridge	Ellis	Frailey	Topping
Brookins	Fackler	Langfitt	Ulstad

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gilchrist House File No. 55, a bill for an act to amend chapter twenty-five (25), acts of the Forty-first General Assembly, relating to the use of voting machines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking all after the word "parties" in line 6 and inserting in lieu thereof the following: "have nominated candidates whose names are entitled to be placed on the official ballot."

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, 44.

Baird	Clearman	Kimberly	Shaff
Beatty	Dean	Klemme	Shane
Benson	Dotts	Lange	Shinn
Bergman	Fackler	Langfitt	Slemmons
Booth	Fulton	McFarlane	Stanley
Browne	Gilchrist	McLeland	Stoddard
Brush	Gunderson	Merritt	Thompson
Campbell	Hartman	Mills	Topping
Carden	Haskell	Ramsey	Ulstad
Cavanaugh	Johnston	Rigby	Wilson of Page
Clark	Kern	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Breakenridge	Darting	Frailey	Skromme
Brookins	Ellis		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Beatty House File No. 59, a bill for an act to require every person engaged in the market poultry or domestic fowl business to obtain a license from the state department of agriculture, and to prescribe the fee therefor, to authorize the department of agriculture to prescribe records of purchases to be kept, to make said records open to inspection by peace officers, to authorize said department to enforce the said act, and to provide penalties for violation thereof, was taken up, considered, the report of the committee having been previously adopted.

Senator Fulton offered the following amendments and moved their adoption:

Amend by substituting for section 1, the following:

Sec. 1. Every person, partnership or corporation engaged in the business of buying for the market, poultry or domestic fowls from the producer thereof, shall obtain a license from the Department of Agriculture for each establishment at which said business is conducted.

The word producer as herein used shall include anyone who has acquired such poultry or domestic fowls other than through a licensed dealer.

Amend by substituting for section 3, the following:

Sec. 3. Each licensee shall keep such records as the Department of Agriculture shall require, as to date of purchase, name and residence of seller and number and description of such poultry or domestic fowls purchased.

Amend by striking all of section 7.

By unanimous consent on the request of Senator Fulton the words "from the producer" were inserted after the word "purchased" in section 3 of the amendment.

The amendments were adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by inserting in line 2 of section 3 after the word "name" the words "and full description of the seller".

The amendment was lost.

Senator Haskell offered the following amendment and moved its adoption:

Amend by adding at the end of section 3 the following: "All fowl, chickens shall have their Bertillon system toe prints thereon."

Senator Haskell withdrew the amendment.

Senator Beatty offered the following amendment and moved its adoption:

Amend by inserting after the word "anyone" in line 5 of section 1 the words "not a licensed dealer".

The amendment was adopted.

The bill was read for information.

Senator Beatty moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Carden	Fackler	Kimberly
Beatty	Cavanaugh	Fulton	Klemme
Benson	Clark	Gilchrist	Lange
Bergman	Clearman	Gunderson	Langfitt
Booth	Darting	Hartman	McFarlane
Brookins	Dean	Haskell	McLeland
Brush	Ellis	Johnston	Merritt

Mills	Shinn	Stoddard	Ulstad
Rigby	Skromme	Thompson	Wilson of Page
Shaff	Slemmons		

Nays, 7.

Browne	Frailey	Shane	Wilson of Polk
Campbell	Roberts	Topping	

Absent or not voting, 5.

Breakenridge	Dotts	Ramsey	Stanley
	Kern		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Beatty 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 Roberts, Senate File No. 233, a bill for an act to amend Section 8 (eight), Chapter 6 (six) of the Acts of the Forty-first (41st) General Assembly, relating to gasoline license fee, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Roberts moved 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.

Beatty	Clearman	Johnston	Shane
Benson	Darting	Kern	Shinn
Bergman	Dean	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Brookins	Frailey	McFarlane	Stanley
Brush	Fulton	Merritt	Thompson
Campbell	Gilchrist	Mills	Topping
Carden	Gunderson	Roberts	Ulstad
Cavanaugh	Hartman	Shaff	Wilson of Page
Clark	Haskell		

Nays, none.

Absent or not voting, 12.

Baird	Dotts	Klemme	Rigby
Breakenridge	Ellis	McLeland	Stoddard
Browne	Kimberly	Ramsey	Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shaff, Senate File No. 149, a bill for an act relating to the licensing of motor vehicle operators and chaf-



feurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways, and to make uniform the laws relating thereto, and to repeal sections four thousand nine hundred forty-three (4943) to four thousand nine hundred sixty (4960), inclusive, of the Code, 1924, with report of committee recommending amendment and passage, was taken up and considered.

On motion of Senator Gilchrist further action was deferred and the bill was made a special order for 10 a. m. Friday.

On motion of Senator Stoddard, Senate File No. 242, a bill for an act to amend sections ten thousand eight hundred fifty-nine (10859), ten thousand eight hundred sixty (10860), ten thousand eight hundred sixty-three (10863), ten thousand eight hundred sixty-five (10865), and ten thousand eight hundred seventy-two (10872) of the code, relating to the preparation, selection and return of jury lists, 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 therefrom all of section one and all of section four, and renumbering the remaining sections accordingly.

Senator Stoddard offered the following amendment to the committee amendment and moved its adoption:

Amend by inserting after the word "one" the words "following subsection 1".

The amendment to the amendment was adopted.

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Beatty	Dean	Kimberly	Shaff
Benson	Ellis	Klemme	Shane
Booth	Fackler	Lange	Shinn
Brush	Frailey	Langfitt	Slemmons
Campbell	Fulton	McFarlane	Stanley
Carden	Gilchrist	McLeland	Stoddard
Cavanaugh	Gunderson	Merritt	Thompson
Clearman	Haskell	Mills	Topping
Darting	Johnston	Roberts	Wilson of Page

Nays, 1.

Dotts

Absent or not voting, 13.

Baird	Browne	Kern	Skromme
Bergman	Clark	Ramsey	Ulstad
Breakenridge	Hartman	Rigby	Wilson of Polk
Brookins			

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 Haskell, Senate File No. 304, a bill for an act to authorize the maintenance and upkeep of law libraries belonging to a county, the cost thereof to be paid from the general fund, was taken up and considered, and the report of the committee having been previously adopted.

The following committee amendments were adopted:

Senator Clark offered the following amendment and moved its adoption:

Amend by inserting after the word "fund" at the end of section one (1) and also after the word "fund" at the end of the title the following: "or out of the court expense fund".

The amendment was adopted.

Senator Shinn offered the following amendment and moved its adoption:

Amend by inserting after the word "county" in line 1 of section 1 the words "having a population of forty thousand or over".

Senator Gilchrist offered the following amendment as a substitute amendment and moved its adoption:

Amend by inserting after the word "board" in line 4 of section 1 the following: "in counties of forty thousand population".

The substitution was lost.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 7.

Clearman	Gunderson	Lange	Stanley
Fulton	Hartman	Shinn	

Nays, 27.

Baird	Darting	Johnston	Shane
Beatty	Dean	Kern	Stoddard
Benson	Dotts	Kimberly	Thompson
Booth	Ellis	Langfitt	Topping
Campbell	Frailey	McFarlane	Wilson of Page
Cavanaugh	Gilchrist	Mills	Wilson of Polk
Clark	Haskell	Shaff	

Absent or not voting, 16.

Bergman	Brush	McLeland	Roberts
Breakenridge	Carden	Merritt	Skromme
Brookins	Fackler	Ramsey	Slemmons
Browne	Klemme	Rigby	Ulstad

The amendment was lost.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Baird	Darting	Kimberly	Stanley
Beatty	Dean	Klemme	Stoddard
Benson	Ellis	Lange	Thompson
Booth	Frailey	Langfitt	Topping
Campbell	Fulton	McFarlane	Wilson of Page
Cavanaugh	Hartman	McLeland	Wilson of Polk
Clark	Haskell	Shaff	
Clearman	Johnston	Shane	

Nays, 7.

Carden	Gilchrist	Kern	Shinn
Dotts	Gunderson	Mills	

Absent or not voting, 13.

Bergman	Brush	Ramsey	Skromme
Breakenridge	Fackler	Rigby	Slemmons
Brookins	Merritt	Roberts	Ulstad
Browne			

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 Clark, Senate File No. 284, a bill for an act to repeal section twenty-nine hundred and five (2905) of the code, and to enact a substitute therefor, relating to aid for county and district fairs and the levying of a tax 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 Clark moved 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.

Baird	Bergman	Campbell	Clark
Beatty	Browne	Carden	Clearman
Benson	Brush	Cavanaugh	Darting

Dean	Kimberly	Merritt	Stoddard
Fackler	Klemme	Mills	Thompson
Frailey	Lange	Rigby	Topping
Hartman	Langfitt	Shaff	Wilson of Page
Haskell	McFarlane	Shane	Wilson of Polk
Johnston	McLeland	Stanley	

Nays, 2.

Booth                      Fulton

Absent or not voting, 13.

Breakenridge	Gilchrist	Ramsey	Skromme
Brookins	Gunderson	Roberts	Slemmons
Dotts	Kern	Shinn	Ulstad
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark 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.

#### S. F. 354 ORDERED PRINTED

By unanimous consent on request of Senator Shaff 500 extra copies of Senate File No. 354, as amended, were ordered printed.

#### H. F. 42 ON CALENDAR

By unanimous consent on request of Senator Bergman House File No. 42 was ordered placed on the calendar as under date of March 24th.

#### S. F. 367 WITHDRAWN

By unanimous consent on request of Senator Dean Senate File No. 367 was withdrawn from further consideration.

#### AMENDMENTS FILED

Amend Senate File No. 154 as follows:

Insert after the word "therefor" in line five of section one the words "or has filed an application for a license and paid the required license fee."

Amend section two by striking subsection 3.

Amend section four by striking the words "without a license" in line four of section four and inserting in lieu thereof the words "in violation of said section one."

Amend section six by substituting a period for the comma at the end of line 4 and striking lines 5, 6, 7 and the first three words of line 8.

Amend further by striking section eight.

C. A. BENSON.

The journal of March 29th was corrected and approved.

On motion of Senator Bergman the Senate adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 31, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. S. H. Turbeville, pastor of the First Methodist Church, of Oskaloosa, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Kimberly, from 881 citizens of Davenport, favoring a fish and game commission to replace the fish and game department.

By Senator Johnston, from citizens of Corwith, favoring a fish and game commission to replace the fish and game department.

By Senator Rigby, from voters of Cedar county, opposing a bill taxing near beer.

## REPORT OF SIFTING COMMITTEE

March 31, 1927.

MR. PRESIDENT: Your Sifting Committee wishes to place the following bills on the calendar:

House Files Nos. 328 and 329.

H. GUY ROBERTS, *Chairman.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 56, 98, 57, 50, 158, 54.

**D. L. WILSON,**  
*Chairman Senate Committee.*

**FRED R. BLYTHE,**  
*Chairman House Committee.*

Report adopted.

### THIRD READING OF BILLS

On motion of Senator Clark, Senate File No. 266, a bill for an act to repeal section three hundred seventy-three (373) of the code, 1924, and to enact a substitute therefor, relating to the levying of a tax for an emergency fund providing for the transfer thereof to any other fund of the municipality, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ellis moved that the reading just had be considered the third reading, which motion prevailed.

Senator Clark invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Baird	Cavanaugh	Haskell	Shaff
Beatty	Clark	Johnston	Shane
Benson	Clearman	Lange	Stoddard
Booth	Darting	Langfitt	Topping
Breakenridge	Dean	McFarlane	Wilson of Page
Brush	Ellis	Merritt	Wilson of Polk
Carden	Frailey	Rigby	

Nays, 14.

Brookins	Dotts	Hartman	Roberts
Browne	Fulton	Kern	Shinn
Campbell	Gunderson	Klemme	Slemmons
		McLeland	Ulstad

Absent or not voting, 9.

Bergman	Kimberly	Ramsey	Stanley
Fackler	Mills	Skromme	Thompson
Gilchrist			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Clark 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 McFarlane, Senate File No. 279, a bill for an act to amend section six thousand forty-one (6041) of the code, 1924, relating to the assignment of tax sale certificates, having been reported out without recommendation by the committee, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator McFarlane the word "any" was inserted before the word "lot" in line 6 of section 1.

The bill was read for information.

Senator McFarlane moved 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	Carden	Hartman	Merritt
Beatty	Cavanaugh	Haskell	Rigby
Benson	Clark	Johnston	Shaff
Booth	Clearman	Kimberly	Shane
Breakenridge	Dean	Klemme	Topping
Brookins	Dotts	Lange	Wilson of Page
Brush	Frailey	Langfitt	Wilson of Polk
Campbell	Fulton	McFarlane	

Nays, 5.

Darting	McLeland	Slemmons	Thompson
Ellis			

Absent or not voting, 14.

Bergman	Gilchrist	Mills	Skronme
Browne	Gunderson	Ramsey	Stanley
Fackler	Kern	Roberts	Stoddard
		Shinn	Ulstad

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane 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 Rigby, House File No. 160, a bill for an act to repeal section 7103 (seventy-one hundred three) of the code and to enact a substitute therefor, relating to the assessment of electric transmission lines, with report of committee recommend-

ing passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Rigby moved 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	Clearman	Johnston	Rigby
Benson	Dean	Kern	Roberts
Bergman	Dotts	Kimberly	Shane
Booth	Ellis	Klemme	Slemmons
Breakenridge	Frailey	Lange	Thompson
Brush	Fulton	Langfitt	Topping
Campbell	Gilchrist	McFarlane	Ulstad
Carden	Gunderson	McLeland	Wilson of Page
Cavanaugh	Hartman	Merritt	Wilson of Polk
Clark	Haskell	Mills	

Nays, 1.

Shinn

Absent or not voting, 10.

Beatty	Darting	Shaff	Stanley
Brookins	Fackler	Skromme	Stoddard
Browne	Ramsey		

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, House File No. 328, a bill for an act to amend sections seventy-two hundred eleven (7211), and seventy-two hundred fourteen (7214) of the code, 1924, relating to the payment of taxes, with report of committee recommending amendment and passage, substituted for Senate File No. 276, was taken up and considered.

Senator Johnston offered the following amendments and moved their adoption:

Amend the title to read as follows: "An act to repeal sections seventy-two hundred eleven (7211) and seventy-two hundred fourteen (7214) of the code relative to the payment of taxes and to enact substitutes therefor."

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:



Section 1. Section seventy-two hundred eleven (7211) of the code is repealed and the following enacted in lieu thereof:

"Section 7211. In all cases where the half of any taxes has not been paid before the first day of April succeeding the levy, the amount thereof shall become delinquent from the first day of April after due; and in case the second installment is not paid before the first day of October succeeding its maturity, it shall become delinquent from the first day of October after due."

Sec. 2. Section seventy-two hundred fourteen (7214) of the code is repealed and the following enacted in lieu thereof:

"Section 7214. If the first installment of taxes shall not be paid by April first, said installment shall become due and draw interest, as a penalty, of one per cent per month until paid, from the first day of April following the levy; and if the last half shall not be paid by October first following such levy, then a like interest shall be charged from the date such last half became delinquent."

The amendments were 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, 45.

Baird	Clark	Kimberly	Shane
Beatty	Clearman	Klemme	Shinn
Benson	Darting	Lange	Skromme
Bergman	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Brookins	Fulton	Merritt	Thompson
Browne	Gilchrist	Mills	Topping
Brush	Gunderson	Rigby	Ulstad
Campbell	Haskell	Roberts	Wilson of Page
Carden	Johnston	Shaff	Wilson of Polk
Cavanaugh			

Nays, none.

Absent or not voting, 0.

Ellis	Hartman	Kern	Ramsey
Fackler			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent Senator Johnston withdrew Senate File No. 276 from further consideration.

On motion of Senator Benson, Senate File No. 357, a bill for an act to prohibit the selling of certain wares, merchandise and service and the operation of any temporary business or place of amusement upon any public highway or the street of any city or town near any state, county or district fair grounds, or on grounds adjacent thereto; during the time a state, county or district fair is being held and to provide a punishment for violators, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rigby offered the following amendment and moved its adoption:

Amend by changing the comma after the word "kind" in line 8 to a period, striking the next two words, and striking all of lines 9 and 10 and the first four words of line 11.

Senator McFarlane offered the following amendment as a substitute and moved its adoption:

Amend by striking from lines 6 and 7 the words "nor offer for sale refreshments or merchandise of any kind".

The substitution was made.

The amendment was adopted.

The bill was read for information.

Senator Benson moved that the reading just had be considered the third reading, which motion prevailed.

Senator Benson invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Beatty	Carden	Haskell	Shaff
Benson	Clark	Johnston	Shane
Booth	Clearman	Kimberly	Stoddard
Breakenridge	Darting	Langfitt	Thompson
Brookins	Dean	McFarlane	Topping
Brush	Ellis	Merritt	Wilson of Polk
Campbell	Frailey	Mills	

Nays, 19.

Baird	Fulton	Klemme	Slemmons
Browne	Gilchrist	McLeland	Stanley
Cavanaugh	Gunderson	Roberts	Ulstad
Dotts	Hartman	Shinn	Wilson of Page
Fackler	Kern	Skromme	

Absent or not voting, 4.

Bergman	Lange	Ramsey	Rigby
---------	-------	--------	-------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson 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 BROOKHART ADDRESSES LEGISLATURE

Owing to the death of Representative R. B. Crone of Emmet county, and the adjournment of the House on that account, the joint convention provided for in Senate Concurrent Resolution No. 27 was not held. The Senate proceeded to the House Chamber informally at the appointed hour.

The following resolution was presented:

*Whereas*, Iowa affords all that is necessary for an enjoyable vacation and the people desire the President to be with them as their guest and hope that he will permit the state and its people as an expression of their friendship and hospitality to place at his disposal all the good things that so abundantly exist in the Hawkeye state, therefore,

*Be It Resolved by the Forty-second General Assembly in Joint Session Assembled*, That in behalf of the people of Iowa, we extend to the President a sincere and cordial invitation to abide with us during the coming summer months.

B. M. STODDARD,  
J. R. FRALEY,  
W. J. BREAKENRIDGE,  
L. B. FORSLING,  
W. E. G. SAUNDERS,  
FRANCIS JOHNSON,  
J. A. KING.

On motion of Senator Stoddard, the resolution was unanimously adopted.

Senator Carden moved that a committee of three be appointed

to notify United States Senator Brookhart and Governor Ham-mill that the members of the general assembly were ready to receive them.

The motion prevailed and the President appointed as said committee Senator Carden and Representatives Bauer of Washington and Ratliff of Henry.

The committee escorted Senator Brookhart and Governor Ham-mill to the House Chamber and the Governor introduced Senator Brookhart, who addressed the members of the general assembly.

Senator Browne moved that the remarks of Senator Brookhart be printed in the Journals of the House and the Senate, which motion prevailed.

#### SPEECH BY SENATOR SMITH W. BROOKHART

Before the members of the Iowa Legislature, March 31, 1927.

About one-third of the American people are farmers.

These farmers own about one-fifth of the property of the United States.

They get about one-tenth of the national income.

Since the deflation of agriculture in 1920 there are about 60 billions of capital investment and about 12 million workers. This capital and these workers produce a gross value of about 12 billion dollars.

Less than one-third as much capital is invested in the railroads, and only about one-seventh as many workers, but they produce over six billion dollars of gross revenue. Labor's share is not unreasonable.

The National City Bank bulletin of New York shows that in 1925 national banks earned 8.34 per cent upon capital, surplus and undivided profits. The National Industrial Conference Board shows that from 1920 to 1925, agriculture earned only 1.7 per cent upon its capital investment, and then no adequate allowance was made for either labor or depreciation.

The latest figures show about 40 billion dollars of capital is invested in manufacturing, or only about two-thirds as much as in agriculture, and there are less than three-fourths as many workers. After making due adjustment of raw material costs for comparison with agriculture, this smaller amount of capital and smaller number of workers, produces 44 billion dollars a year in value, in comparison to about 12 billions for agriculture. Labor got only 11 billions.

The public utilities of the country as a whole are earning more than 7 per cent upon their actual investment, while agriculture earns about 1.7 per cent, and that without adequate allowance for labor or depreciation.

According to the Manufacturers' Record, the deflation policy of the Federal Reserve Bank in 1920 reduced agricultural values by 32 billion dollars, and other business only 18 billions, which means that agriculture was deflated about six times as much in proportion as other business.

From 1920 to 1925 New York had 9.83 per cent of the population of the United States. It produced 9.81 per cent of the wealth increase in the United States, but it got 14.79 per cent of the national income. At the same time Iowa had 2.27 per cent of the population, produced 3.48 per cent of the wealth increase, and got only 1.99 per cent of the national income. Therefore, although the people of Iowa were about 50 per cent more efficient in wealth production than the people of New York, still their percentage of the income was only about one-half as much. Iowa is only typical of the agricultural states. They all suffered a like discrimination.

According to the census of 1920 as compared with that of 1925, Iowa land declined from \$227 an acre to \$149 per acre, or over 2½ billion dollars. At the same time railroad stocks advanced more than that amount upon the New York Stock Exchange. Again Iowa is only typical of the agricultural states, and railroad stocks are only typical of stocks in general.

Farm lands have declined about 20 billion dollars in the United States, while real estate in industrial cities has advanced more than that amount, with a like advance for both stocks and bonds.

Since 1910, farm bankruptcies have increased by more than a thousand per cent, while commercial bankruptcies remain about the same. The statement of these facts disclose the most serious problem of our country since the abolition of slavery. Shall agriculture in the United States be driven back to peasantry?

It is the highest duty of the statesmanship of this time to accurately determine the causes of this great discrimination against agriculture and to prescribe an efficient remedy. As we scan the laws that protect and develop other interests, we are led to the inevitable conclusion that the causes of this agricultural depression are not transitory. They are permanent as the laws themselves. This discrimination against agriculture will therefore continue until these laws are modified and until agriculture receives an equal protection from the law.

When the law gives an industry a special protection, it has the right to determine and to regulate its profits. Many of our laws have been passed without reference to this idea. Congress has scarcely considered the question of a reasonable return, and I want to present my theory of it to you as a basis of my argument. According to Secretary Hoover's bulletin, the American people with all their capital, all their labor, all unearned increment and all depreciation of the dollar, are producing only 5½ per cent a year in new wealth. This is all there is in the American pool after the expenses of operation and of living. It will scarcely be claimed by anyone that capital is entitled to all this wealth increase as its rate of return. Labor is entitled to some just portion; but I will not stop to

discuss that division today. In order to be more than just, I shall assume that capital is entitled to two-thirds of the wealth increase of the country as its rate of return, and then I claim that agricultural capital is entitled to an average return equal to the average of other capital.

Under the Transportation Act, there was set up machinery to determine the value of the railroads and it was fixed at over 7 billion dollars more than their market value at the time. The Interstate Commerce Commission was then by law commanded to levy rates upon the people of the United States to finally pay a return of 5% per cent upon all this value, water and all. This means over 9 per cent upon the railroad values as measured in terms of farm values. This is more than twice as much as they are entitled to earn under the rule I have just stated, and more than five times as much as the farms have actually earned since the law was passed. Other items of capitalized unearned increment, excess profits of subsidiary companies on supplies furnished to the railroads, waste of competition and excess return allowed on bonded capital above the rates of the bonds, all produce an enormous discrimination under this law in favor of the railroads and against the farms.

The tariff laws are another example of special power given to individuals to fix the price of their protected products at their factories, while the farmers' price is fixed by his surplus sold in the competitive market of the world. The return earned by most of these industries is far above the power of the American people to produce wealth.

The patent laws are another example of special protection. They also yield a monopoly return.

All the public utilities of the United States have a guarantee of the law for a reasonable and adequate return upon their prudent investment. They have a right to charge rates to the public that will yield this return and the public is compelled to pay. Under the present holding of the Courts, this return is never fixed at less than 7 per cent, which we have seen is far above the ability of the American people to produce.

The last subject I will mention today is the cost of credit. The laws of the states and of the United States have given a monopoly of the deposit business of our country to the present banking system, and a law of Congress has created the Federal Reserve system, which is administered by a Governmental board. It is this Federal Reserve system that I desire to discuss somewhat in detail. Many times I have presented the deflation policy of this system as outlined in its secret meeting of May 18, 1920. I call this meeting secret because its vital policies were sealed up in secrecy, although other matters were given publicity. There are still those who say there was no secrecy about this meeting, but they are primarily the ones who are to blame and are trying to defend themselves against their own shortcomings. Today I want to present the merits of the Federal Reserve system in its broadest sense.

What is a reserve bank system? What are its functions: (1) To the member banks; and (2) to the public?

A reserve bank has two functions to perform for its member banks. These banks at times will have a surplus of funds which they like to re-deposit in their reserve banks for temporary investment and earning. This is probably the biggest item of reserve bank business. At other times these member banks are short of funds. They have a legitimate demand for loans which they cannot meet with their own funds. They would like to rediscount their paper in their reserve bank, or borrow money on a secured loan to meet and carry this legitimate business. This is the rediscount function of the reserve bank for its member banks, and is the other big purpose for which a reserve bank is established. So far as the public is concerned a reserve bank should provide an elastic currency to meet the public demands. It should also supply funds to care for the transaction of business too big for the member banks, and it should mobilize the supply of credit and reduce the interest rate to the public generally. I now wish to inquire if the Federal Reserve Bank has met these requirements.

In the first place the Federal Reserve law does not authorize the reserve banks to pay anything to member banks for the use of redeposits. It requires the member banks to redeposit their reserves with the Federal Reserve, but no compensation is paid. If the banks have a surplus over and above their reserve, which they all do at various times, they have the right to deposit it with the Federal Reserve but without any compensation. This enables the New York banks to put on a redeposit rate and take this biggest item of reserve business away from the Federal Reserve Banks and divert most of this surplus credit to the field of speculation. When the author of the Federal Reserve law presented his bill to the lower house of Congress, he said the great cancer in our banking system was the accumulation of surplus credit in New York for speculative purposes, and this cancer must be cut out. The operation was to be performed by denying speculative loans the rediscount privilege. I looked up the record to see how much the cancer had been reduced. On October 5, 1917, these speculative loans by member banks to the Stock Exchange amounted to \$934,919,000. There are no official figures prior to this date, but all estimates indicate the amount had been lower. On January 5, 1927, I found these loans had increased to \$2,818,561,000. Therefore, instead of cutting out the cancer, it has been multiplied more than three-fold. And these are not all the loans to the Stock Exchange. Outside banks make other loans. The average was over three billion dollars during 1926, and reached over four billion dollars at one time in 1925. Therefore, it appears that the Federal Reserve law and its administration, by refusing to pay for the redeposit business of its member banks, has driven nearly all of the surplus banking credit of the country into Wall Street speculation and at a general low rate of 3 or 4 per cent. This accounts largely for the great booms in railroad and other stocks since the last election. In addition to the multiplication of this evil many-fold, this Federal Reserve law is acting as a money trust that lowers the rate of interest to speculators by furnishing them such a vast supply of credit, and raises the interest rate to the rest of the country. I presented this question to the author of the law, and he denied

such was the fact. He said the fault was with the member banks, that they would rediscount their paper in the Federal Reserve at 3½ per cent and then lend it to the farmers or other people at 7, 8 or sometimes 10 and 12 per cent. They were profiteers upon their privileges in the Federal Reserve System. I was not satisfied with this answer, and secured from the Federal Reserve Board its official book of "Questions and Answers on the Federal Reserve System." On pages 135 and 136 this book explains why interest is not paid on reserve deposits, in the following language:

"170. Why is Interest Not Paid on the Reserve Balance carried with the Federal Reserve Bank?

"Because it is wrong in principle and would defeat one of the most important objects for which the Federal Reserve System was established; namely, 'to afford means of rediscounting commercial paper.' If a Federal Reserve bank were compelled to use at all times a large percentage of its resources to purchase paper in the open market for the purpose of earning interest to be paid to member banks on their reserve deposits, it is manifest that this would absorb funds to such a degree as to leave it without adequate resources to meet the needs of its member banks in case of sudden emergency or for heavy seasonal requirements.

"Moreover, even if this were not the case, member banks would probably lose far more than they would gain if Federal Reserve banks should pay them interest on their reserve deposits. The reserve deposits held by all Federal Reserve banks amount to, approximately, \$2,200,000,000. The payment of interest at 2 per cent on this amount would require the Federal Reserve banks to keep invested at all times at least \$1,100,000,000 at 4 per cent for this purpose. If this sum were invested by the Federal Reserve in Government securities, it would not only dissipate the reserves as above specified but would have the effect of increasing the supply of credit to such an extent as to force down interest rates. If the amount were used in the open market in the purchase of bankers' acceptances and bills of exchange, it would come in direct competition with member banks and by increasing the supply of credit would likewise tend to force down interest rates under ordinary conditions, and the loss to member banks on all their loans would doubtless far exceed the income they would derive from the 2 per cent interest on reserve deposits."

The first reason given for paying nothing for the use of deposits by members in the Federal Reserve Banks, is that it would require investment of the funds to earn the necessary money, and therefore tie up these deposits so that they could not be used in a sudden emergency or heavy seasonal requirement. The right to issue Federal Reserve notes is the complete answer to this suggestion.

From the language of the second paragraph quoted, it clearly appears that the Federal Reserve bank describes itself as a money trust for the purpose of maintaining higher interest rates upon the public generally while diverting this vast sum of redeposits into New York at a low rate of interest for speculation. A more sinister or evil device could not be



arranged for using the people's savings to their own injury and the destruction of their property values. Therefore I conclude that the Federal Reserve System upon its merits is against agriculture and against every legitimate business. It has been said that it prevented a panic, but it handed the farmers the greatest panic in the history of agriculture, and I have already given the figures of that deflation. It has saved the big banks of New York, but it has sent the little banks of Iowa into receivership.

Besides all of these things, it is admitted in the law to be inadequate for agriculture, and there was established another reserve bank for agriculture, commonly called the Intermediate Credit Bank. All the business of this bank is reserve bank business. It does no direct banking business for the farmers. However, it is a dehorned and denatured bank, and is wholly inadequate to meet agricultural needs. It has been, and is my demand that as a remedy for this credit situation, this Intermediate Credit Bank be enlarged into a complete cooperative reserve bank with all the powers of the Federal Reserve Bank, including the right to issue notes, and including the right to transact the redeposit business for the farmers and laborers of the country, and with permission for the labor and country banks to become members of it instead of the Federal Reserve.

From this review it is evident that transportation, industry, credit and public utilities of every kind have had the assistance and protection of the law. It is therefore only common justice that agriculture should receive equal consideration. So long have these advantages been given by the law that legislative enactment is now necessary to restore agriculture to its rightful position, and this is demanded by the platforms of all the great political parties. Following out this idea the farm organizations and the business organizations assisting them formulated the McNary-Haugen Bill. They trimmed it down to a minimum of their demands in order to ask as little as possible from the Congress. Then when it was passed it was vetoed because it was said to be inadequate. A single suggestion from the President for strengthening it would have made it adequate in every point he has criticized. He says it omitted part of the agricultural products. A suggestion from him would have put them all in. He objected to it because it is a price-fixing bill, but the tariff is also a price-fixing law, and about the same day he vetoed this bill, he raised the tariff on pig iron by 50 per cent to assist the steel trust in its price-fixing. He also objected to this bill as a tax collecting agency that this is unconstitutional. Even if this were true, there was an appropriation of 250 million dollars that was not unconstitutional and would have started the operations. In one paragraph he suggests that the bill would injure the farmers by causing over-production and a reduction of prices. In another paragraph he says it would violate the anti-trust laws because it would advance prices. He says it would put the government in business, but he has never objected to putting the government into business for the railroads and taking 529 million dollars from the treasury to pay their operating expenses and wartime return during the first six months after they were turned back,

nor did he object to lending them 350 million dollars more since that date. He has not objected to putting the government into the banking business by establishing a government federal reserve board, and on the same day he vetoed this bill for the farmers, he signed another to give the federal reserve system an indeterminate charter and to give national banks the right to establish branches where permitted by state laws, nor did he suggest that it could be taken out of business by changing to a cooperative as was done in the Federal Land Bank. The veto message also claimed that 250 million dollars was not enough to handle the surplus of cotton alone. If this be true, the President could have had the amount raised to 1500 million dollars by a mere suggestion. When we think of what was taken from the treasury for the railroads, 1500 million dollars is only about one-third as much in proportion for agriculture.

Therefore, the veto of the McNary-Haugen bill is a veto of the republican platform, a veto of the right of the farmer to economic equality, a veto of the West and the South with an underwriting of Wall Street speculation.

It was the West and the South that united to pass this bill. For the first time since the Civil war these two sections found their economic interests to be the same in reference to their greatest problem. This impelled them to override their party leaders in both houses of Congress and pass the McNary-Haugen bill by a substantial majority. Their interests are also identical upon all kindred problems, upon transportation, credit, tariff, patent laws, taxes, waterways, hydroelectric power, clean government and law enforcement. These two great sections of the country can unite in a common program and end the financial rule that now dominates both party machines. A concrete and effective way to begin would be to organize both the House and the Senate in the next session for the purpose of considering this program of economic freedom.

On motion of Senator Ellis, the meeting adjourned.

The Senate returned to the Senate Chamber and resumed session.

On motion of Senator Gunderson the Senate adjourned until 2 p. m. today.

### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

### RESIGNATION OF CLERK

March 31, 1927.

I hereby tender my resignation as committee clerk, same to take effect immediately.

NEVA COLTON.

The resignation was accepted.

## 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. 56, 98, 57, 50, 158, and 54.

## HOUSE AMENDMENTS CONSIDERED

Senator Gilchrist called up for consideration Senate File No. 34, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 34 by striking out all of section one (1) and inserting in lieu thereof the following:

"Section 1. An indictment may charge in separate counts two or more different indictable offenses connected together in their commission, or different statements of the same offense, or two or more different indictable offenses of the same class of crimes or offenses, and if two or more indictments are filed in such cases the court may order them to be consolidated. The prosecution is not required to elect between the different offenses or counts set forth in the indictment, but the defendant may be convicted of any number of the offenses charged, and each offense upon which the defendant is convicted must be stated in the verdict; provided, that the court in the interest of justice and for good cause shown may in its discretion order that the different offenses or counts set forth in the indictment be tried separately, or divided into two or more groups and each of the said groups tried separately."

Further amend by striking out all of section three (3) and inserting in lieu thereof the following:

"Section 3. It shall not be necessary to use more than one count in charging larceny and of the other kindred offenses herein named, but under an indictment for larceny it shall be permissible to show the larceny as charged, the embezzlement of the same property, the obtaining of the same property by false pretenses, or the receiving of the same property with knowledge that it had been obtained by means of larceny; and if the jury finds the defendant guilty of any one of these four offenses they shall so state in their verdict and judgment shall be rendered accordingly."

On the question "Shall the Senate concur?" the vote was:

Ayes, none.

## Nays, 38.

Baird	Cavanaugh	Kimberly	Shane
Beatty	Clark	Lange	Slemmons
Benson	Clearman	Langfitt	Stanley
Bergman	Darting	McFarlane	Stoddard
Booth	Dotts	McLeland	Thompson
Breakenridge	Fackler	Merritt	Topping
Brookins	Gilchrist	Mills	Ulstad
Brush	Hartman	Rigby	Wilson of Page
Campbell	Johnston	Shaff	Wilson of Polk
Carden	Kern		

## Absent or not voting, 12.

Browne	Frailey	Haskell	Roberts
Dean	Fulton	Klemme	Shinn
Ellis	Gunderson	Ramsey	Skromme

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 Brookins, Senate File No. 154, a bill for an act to provide for the licensing of all places of business, filling stations or pump stations where gasoline or gasoline compounds are sold at retail, to provide for the regulation thereof and to provide penalties for violations with report of committee recommending amendment, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend as follows:

Strike from line 8, section 1, the following:

"five (\$5.00)" and insert in lieu thereof "two (\$2.00)".

Further amend section 3 by striking from lines one and two the words "vending apparatus and all containers of gasoline or gasoline compounds" and inserting in lieu thereof the words "and meters".

Amend section 6 by striking the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)".

Senator Brookins offered the following amendments and moved their adoption:

Amend Senate File 154 as follows:

No. 1. Strike from lines 2, 3 and 4 of section 1, the following: (or conduct any place of business, filling station or pump station where gasoline or gasoline compounds are sold at retail) and insert in lieu thereof the following: (any pump or meter through which gasoline is sold or offered for sale).

No. 2. Strike from lines 1, 2 and 3 of section 2, the following: (of any place of business, filling station or pump station where gasoline or any gasoline product is kept for sale or sold at retail,) and insert (pump or meter through which gasoline is sold or offered for sale).

No. 3. Strike from lines 1, 2 and 3 of section 5, the following: (or employee of any place of business, filling station or pump station where gasoline or any gasoline product is kept for sale at retail,) and insert (of any pump or meter through which gasoline is sold or offered for sale).

No. 4. Strike from lines 1, 2 and 3 of section 7, the following: (any place of business, filling station or pump station where gasoline or gasoline compounds are sold at retail and) and insert in lieu thereof (the owner of any pump or meter through which gasoline is sold or offered for sale).

Amend title of Senate File No. 154 to read as follows: An Act to provide for the licensing of all pumps and meters through which gasoline is sold or offered for sale, to provide for the regulation thereof and to provide penalties for violations.

The first four amendments were adopted.

The amendment to the title was adopted.

Senator Slemmons offered the following amendment and moved its adoption:

Amend by inserting after the word "retail" and before the word "gasoline" in line 2 the following: "except from tank wagon or tank truck".

Senator Slemmons withdrew the amendment.

Senator Benson offered the following amendments and moved their adoption:

Amend by inserting after the word "therefor" in line five of section one the words "or has filed an application for a license and paid the required license fee."

Amend section two by striking subsection 3.

Amend section four by striking the words "without a license" in line four of section four and inserting in lieu thereof the words "in violation of said section one."

Amend section six by substituting a period for the comma at the end of line 4 and striking lines 5, 6, 7 and the first three words of line 8.

Amend further by striking section eight.

C. A. BENSON.

The amendments were 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, 11.

Benson	Clearman	Gilchrist	Stemmons
Brookins	Dotts	Gunderson	Ulstad
Campbell	Fackler	Langfitt	

Nays, 27.

Baird	Clark	Lange	Stanley
Bergman	Darting	McFarlane	Stoddard
Booth	Ellis	Mills	Thompson
Breakenridge	Hartman	Rigby	Topping
Browne	Johnston	Roberts	Wilson of Page
Carden	Kern	Shaff	Wilson of Polk
Cavanaugh	Klemme	Shane	

Absent or not voting, 12.

Beatty	Frailey	Kimberly	Ramsey
Brush	Fulton	McLeland	Shinn
Dean	Haskell	Merritt	Skromme

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Breakenridge, House File No. 12, a bill for an act to repeal Chapter Sixty (60) of the laws of the Forty-first General Assembly, and to enact a substitute therefor, relating to the delivery of skimmed milk, ice cream, or buttermilk, to require the pasteurization of skimmed milk, cream and all milk or cream from which ice cream or buttermilk is derived, to define pasteurization, to require a record thereof, and to authorize an injunction to restrain violations of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following amendment was adopted:

Amend by striking out lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, and substituting in lieu thereof the following:

"3076. Pasteurization of skimmed milk, and the cream or milk from which ice cream or buttermilk is derived. Every owner, manager, or operator of a creamery or ice cream factory shall before delivering to any person any skimmed milk, ice cream or buttermilk, cause such skimmed milk and the cream or milk from which such ice cream or buttermilk is derived to be pasteurized except that pasteurization shall not be required when ice cream is made from cream or milk procured from cows that have been tuberculin tested at least once a year and found free from tuberculosis and the production of which milk and cream has been supervised and certified to by the Iowa Department of Agriculture as having been produced and handled under proper sanitary conditions."

The bill was read for information.

Senator Breakenridge moved 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.

Baird	Carden	Kern	Shaff
Beatty	Cavanaugh	Klemme	Shane
Benson	Clearman	Lange	Slemmons
Bergman	Dotts	Langfitt	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Gilchrist	Merritt	Topping
Browne	Gunderson	Mills	Wilson of Page
Brush	Hartman	Rigby	Wilson of Polk
Campbell	Johnston	Roberts	

Nays, 1.

Thompson

Absent or not voting, 14.

Booth	Fackler	Kimberly	Shinn
Clark	Frailey	McLeland	Skromme
Darting	Fulton	Ramsey	Ulstad
Dean	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Ellis, Senate File No. 291, a bill for an act to amend section one thousand seven hundred sixty-six (1766) of the Code of 1924, relating to a closed season on fur-bearing animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ellis offered the following amendment and moved its adoption:

Amend by striking the figure "3" from line 4 and inserting in lieu thereof the figure "2"; and by striking from line 5 the figure "7" and inserting the figure "6" in lieu thereof.

The amendment was adopted.

Senator Brush offered the following amendment and moved its adoption:

Amend by striking from line 8 the following: "October 31st", and by inserting in lieu thereof "November 30th".

Senator McLeland offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking "November 30th" and inserting in lieu thereof "November 1st".

Senator McLeland withdrew the amendment to the amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Baird	Campbell	Hartman	Rigby
Beatty	Cavanaugh	Kern	Stoddard
Browne	Dotts	Langfitt	Thompson
Brush	Gilchrist	McFarlane	Wilson of Polk

Nays, 22.

Benson	Dean	Lange	Shaff
Bergman	Ellis	McLeland	Shane
Brookins	Gunderson	Merritt	Slemmons
Carden	Johnston	Mills	Ulstad
Clark	Kimberly	Roberts	Wilson of Page
Clearman	Klemme		

Absent or not voting, 12.

Booth	Fackler	Haskell	Skromme
Breakenridge	Frailey	Ramsey	Stanley
Darting	Fulton	Shinn	Topping

The amendment was lost.

The bill was read for information.

Senator Ellis moved 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.

Baird	Clearman	Lange	Shane
Benson	Dean	Langfitt	Slemmons
Bergman	Ellis	McFarlane	Stanley
Brookins	Gilchrist	McLeland	Stoddard
Browne	Gunderson	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Carden	Johnston	Rigby	Wilson of Page
Cavanaugh	Kimberly	Roberts	Wilson of Polk
Clark	Klemme	Shaff	

Nays, 3.

Brush	Dotts	Kern
-------	-------	------

Absent or not voting, 12.

Beatty	Darting	Fulton	Shinn
Booth	Fackler	Haskell	Skromme
Breakenridge	Frailey	Ramsey	Thompson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ellis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Brookins, Senate File No. 69, a bill for an act to amend the law as it appears in section five thousand twelve (5012) of the Code, 1924, relating to the fee to be retained by county treasurers from motor license fees, and to authorize the payment of extra help in the administration of the motor vehicle law by the county treasurer out of such fund, having been withdrawn from the committee, was taken up and considered.

Senator Brookins offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. The law as it appears in section five thousand twelve (5012) of the code, 1924, is hereby amended by striking from line three (3) thereof the following: "County General" and inserting in lieu thereof the following: "Motor Vehicle Expense". Also by adding to said section at the end thereof the following:

"The county treasurer is hereby authorized to employ necessary assistants and clerks at such compensation as may be determined by the department, for the issuance of motor vehicle license in his county. Their compensation and the necessary expenses incident thereto shall be paid from the Motor Vehicle Expense Fund. At the close of each calendar year any unexpended balance remaining in said fund shall be remitted to the state treasurer for credit to the primary road fund."

Senator Clark offered the following amendment to the amendment and moved its adoption:

Amend by striking out all after the word "fund" in line 5 of paragraph 2.

Senator Cavanaugh offered the following amendment as a substitute for the amendment to the amendment and moved its adoption:

Amend the amendment by striking the period after the word "fund" and striking the following sentence and inserting in lieu thereof the following: "and any balance remaining shall be transferred to the county general fund".

The substitution was made.

The amendment to the amendment 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, 6.

Brookins	Clearman	Roberts	Stanley
Brush	McFarlane		

Nays, 29.

Baird	Clark	Haskell	McLeland
Beatty	Dean	Johnston	Shaff
Benson	Dotts	Kern	Shane
Bergman	Fackler	Kimberly	Slemmons
Booth	Fulton	Klemme	Stoddard
Breakenridge	Gilchrist	Lange	Topping
Browne	Gunderson	Langfitt	Wilson of Polk
Cavanaugh			

Absent or not voting, 15.

Campbell	Frailey	Ramsey	Thompson
Carden	Hartman	Rigby	Ulstad
Darting	Merritt	Shinn	Wilson of Page
Ellis	Mills	Skromme	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

The journal of March 30th was corrected and approved.

On motion of Senator Topping the Senate adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 1, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. W. Ernest Stockley, rector of St. Marks Church, of Fort Dodge, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shinn for the day, on request of Senator Gunderson; Senator Darting for the day, on request of Senator Stanley.

## REPORT OF SIFTING COMMITTEE

March 31, 1927.

**MR. PRESIDENT:** Your Sifting Committee wish to place the following bills on the calendar:

House Files Nos. 259, 330 (Companion to S. F. No. 303), 331 (Companion to S. F. No. 302), 332, 333, and 354.

H. GUY ROBERTS, *Chairman.*

## REPORT OF PATRONAGE COMMITTEE

**MR. PRESIDENT:** Your committee appointed to examine candidates for clerkship in the Senate, respectfully recommend Miss Hana Cody, assigned to Senator Lars Skromme.

D. L. WILSON, *Chairman.*

The report was adopted.

## S. F. 365 MADE SPECIAL ORDER

By unanimous consent on request of Senator Dean Senate File No. 365 was made a special order for 10 a. m. Wednesday, April 6th.

## COMMUNICATION FROM NICHOLAS LONGWORTH

March 28, 1927.

House of Representatives, U. S.  
Washington, D. C.THE PRESIDENT OF THE SENATE,  
Des Moines, Iowa.

DEAR SIR: I have for acknowledgment your communication of March 24th, transmitting a copy of House Concurrent Resolution No. 11.

Very truly yours,

NICHOLAS LONGWORTH.

## THIRD READING OF BILLS

On motion of Senator Stanley House File No. 115, a bill for an act to amend, revise, and codify sections forty-two hundred eleven (4211) and forty-two hundred twelve (4212) of the code relating to elections in school townships and to the directors to be elected at such elections, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend by striking out section 2, the publication clause.

The amendment was adopted.

The bill was read for information.

Senator Stanley moved 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.

Benson	Dean	Klemme	Shaff
Booth	Dotts	Lange	Shane
Breakenridge	Ellis	Langfitt	Skromme
Brookins	Fackler	McFarlane	Stanley
Browne	Frailey	McLeland	Stoddard
Brush	Gunderson	Merritt	Thompson
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Clark	Johnston	Roberts	Wilson of Polk
Clearman	Kern		

Nays, 1.

Slemmons

Absent or not voting, 11.

Baird  
Beatty  
Bergman

Cavanaugh  
Darting  
Fulton

Gilchrist  
Kimberly  
Rigby

Shinn  
Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley 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 Ellis Senate File No. 185, a bill for an act to amend chapter five hundred sixty-six (566) of the code, 1924, relating to certain cases in rape, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilchrist offered the following amendment and moved its adoption: -

Amend by striking from line 5 the word "escaping" and inserting in lieu thereof the following: "rendering her incompetent as a witness against him in a".

On motion of Senator Ellis action was deferred.

On motion of Senator Stoddard the Senate adjourned until the call of the gavel to attend the funeral of Representative Crone in the House Chamber.

The Senate reconvened.

On motion of Senator Stoddard House File No. 331, a bill for an act to amend section ninety-three hundred forty (9340) of the code, 1924, relating to the investment of funds of building and loan associations, was substituted for Senate File No. 302, 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, 39.

Baird	Clearman	Kimberly	Roberts
Beatty	Dean	Klemme	Shaff
Benson	Ellis	Lange	Shane
Bergman	Fackler	Langfitt	Slemmons
Booth	Frailey	McFarlane	Stoddard
Brush	Gunderson	McLeland	Thompson
Campbell	Hartman	Merritt	Topping
Carden	Haskell	Mills	Wilson of Page
Cavanaugh	Johnston	Ramsey	Wilson of Polk
Clark	Kern	Rigby	

Nays, none.

Absent or not voting, 11.

Breakenridge	Darting	Gilchrist	Stanley
Brookins	Dotts	Shinn	Ulstad
Browne	Fulton	Skromme	

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. 302 from further consideration.

On motion of Senator Clark Senate File No. 106, a bill for an act to amend sections 1725 (seventeen hundred twenty-five) and 1726 (seventeen hundred twenty-six) of the code, relating to the accounting of fees collected for hunting and fishing license, and providing for issuance of duplicate license in certain cases, 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 sections one (1) and three (3).

Senator Clark offered the following amendment as a substitute for the committee amendment and moved its adoption:

Amend section one (1) by striking from line seven (7) the words and figures "twenty-five (25c) cents" and substitute therefor the words and figures "ten (10c) cents".

Also strike out section three (3).

On request of Senator McLeland Senator Haskell was excused for today and tomorrow.

Senator Clark invoked rule 8.

On the question "Shall the substitution be made?" the vote was:

Ayes, 24.

Baird	Carden	Johnston	Skromme
Beatty	Clark	Kern	Stanley
Bergman	Clearman	Kimberly	Stoddard
Breakenridge	Dotts	Lange	Thompson
Browne	Ellis	McLeland	Ulstad
Campbell	Gunderson	Shane	Wilson of Page

Nays, 19.

Benson	Dean	Klemme	Ramsey
Booth	Fackler	Langfitt	Slemmons
Brookins	Frailey	McFarlane	Topping
Brush	Gilchrist	Merritt	Wilson of Polk
Cavanaugh	Hartman	Mills	

Absent or not voting, 7.

Darting	Haskell	Roberts	Shinn
Fulton	Rigby	Shaff	

The substitution was made.

The amendment, as substituted, was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking the words "by fire" from line 4 of section 2.

The amendment was adopted.

The bill was read for information.

Senator Clark moved that the reading just had be considered the third reading, which motion prevailed.

Senator Clark invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 24.

Baird	Clark	Johnston	Shane
Beatty	Clearman	Kern	Skromme
Bergman	Dotts	Klemme	Stanley
Breakenridge	Ellis	Lange	Thompson
Campbell	Gunderson	McLeland	Ulstad
Carden	Hartman	Merritt	Wilson of Page

Nays, 19.

Benson	Cavanaugh	Kimberly	Slemmons
Booth	Dean	Langfitt	Stoddard
Brookins	Fackler	McFarlane	Topping
Browne	Frailey	Mills	Wilson of Polk
Brush	Gilchrist	Ramsey	

Absent or not voting, 7.

Darting	Haskell	Roberts	Shinn
Fulton	Rigby	Shaff	

The bill having failed to receive an constitutional majority was declared to have failed to pass the Senate.

#### SENATE FILE 149 MADE SPECIAL ORDER

On motion of Senator Stoddard Senate File No. 149 was made a special order for 1:30 p. m. Monday.

On motion of Senator Slemmons the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Wilson of Page for the afternoon on request of Senator Browne; Senator Shaff for the afternoon on request of Senator Stoddard; Senator Fulton for the afternoon on request of Senator Booth.

#### PROOF OF PUBLICATION

I hereby certify that as Secretary of the Senate, I have received the proof of publication of House File No. 457, a proposed bill for an act to legalize the levying of tax on all taxable property in Clayton county, for the erection of a soldier's monument.

WALTER H. BEAM, *Secretary*

#### REPORT OF SIFTING COMMITTEE

April 1, 1927.

MR. PRESIDENT: Your Sifting Committee wishes to place the following bill on the calendar.

Senate File No. 429.

H. GUY ROBERTS, *Chairman*.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson of Page, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully re-



ports that it has examined and finds correctly enrolled House Files Nos. 192, 309, and Senate File No. 295.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 295 and House Files Nos. 192 and 309.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 1st day of April, sent to the governor for his approval Senate File No. 295.

D. L. WILSON, *Chairman.*

The report was adopted.

#### SENATE FILE NO. 68 WITHDRAWN

By unanimous consent on request of Senator Lange, Senate File No. 68 was withdrawn from further consideration.

#### SENATE FILE NO. 108 WITHDRAWN

By unanimous consent on request of Senator Booth, Senate File No. 108 was withdrawn from further consideration.

#### INTRODUCTION OF BILLS

Senate File No. 427, by sifting committee, a bill for an act to provide for the transfer of surplus earnings of incorporated towns.

Read first and second times and placed on the calendar.

Senate File No. 428, by sifting committee, a bill for an act to legalize an election held on the 28th day of March, 1927, in the City of Newton, Iowa, on extending and reconstructing its Municipal Waterworks and contracting indebtedness for such purpose not exceeding \$155,000 and issuing bonds for such purpose not

exceeding \$155,000 and levying a tax annually upon the taxable property in the said City of Newton not exceeding ten mills per annum for the payment of such bonds and interest thereon and to legalize all acts and proceedings in respect to said election and to legalize the issuance of such bonds.

Read first and second times and placed on the calendar.

Senate File No. 429, by sifting committee, a bill for an act to amend sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-two hundred twenty (9220), ninety-two hundred twenty-one (9221), ninety-two hundred fifty-five (9255), ninety-two hundred fifty-seven (9257), and ninety-two hundred ninety-seven (9297) and to repeal section ninety-two hundred twenty-two (9222) of the Code, 1924, and to enact additional provisions relating to the superintendent of banking, the state banking department, the state banking board, and the duties of each and making certain appropriations therefor; providing additional regulations, restrictions and requirements on banking, banking institutions and stockholders, officers, directors and employees of banking institutions; creating certain preferences in the assets of closed banking institutions; providing for the establishment of district banking associations and the management and control thereof; and providing penalties and punishments for violations of certain provisions.

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 House was asked:

Senate File No. 6, a bill for an act to appropriate sufficient funds for expenses of the United States champion junior dairy cattle judging team in attending the nineteen hundred twenty-seven (1927) international live stock show.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 164, a bill for an act relating to false drawing or uttering of checks.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 187, a bill for an act relating to the general tax levy in cities under special charter.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 147, a bill for an act relating to investment of surplus funds of municipal utilities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 146, a bill for an act relating to bonds for establishment of public utility plants by cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 145, a bill for an act relating to the public utility plants of cities and towns.

Also: That the House has concurred in Senate amendments to House File No. 117, a bill for an act to make an appropriation for the payment of the expenses incurred in the election contest of Nagle vs. Whiting.

Also: That the House has concurred in Senate amendments to House File No. 232, a bill for an act to authorize each examining board connected with the state department of health to maintain memberships in the respective national organizations of such boards, and making an appropriation for the membership fees therein.

A. C. GUSTAFSON, *Chief Clerk.*

### THIRD READING OF BILLS

On motion of Senator Benson Senate File No. 385, a bill for an act to make an appropriation for the prevention, control and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith, a committee bill, was taken up and considered.

The bill was read for information.

Senator Benson moved 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.

Baird	Carden	Hartman	Rigby
Beatty	Cavanaugh	Johnston	Shane
Benson	Clark	Kern	Skromme
Bergman	Clearman	Kimberly	Stanley
Booth	Dean	Klemme	Stoddard
Breakenridge	Dotts	Lange	Thompson
Browne	Fackler	McFarlane	Topping
Brush	Gilchrist	McLeland	Ulstad
Campbell	Gunderson	Merritt	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Brookins	Fulton	Ramsey	Shinn
Darting	Haskell	Roberts	Slemmons
Ellis	Langfitt	Shaff	Wilson of Page
Frailey	Mills		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson 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 Rigby moved that all bills remaining on the calendar at adjournment Monday night, with the exception of committee bills, be handed to the sifting committee.

Senator Clark moved to amend the motion by making the time Tuesday instead of Monday.

Senator Slemmons moved that action on the amendment and motion be deferred.

On the question "Shall the motion prevail and action be deferred?" the vote was:

Ayes, 20.

Booth	Dotts	Kern	Skromme
Breakenridge	Fackler	Klemme	Slemmons
Browne	Gilchrist	Lange	Stoddard
Campbell	Gunderson	McLeland	Thompson
Clark	Hartman	Merritt	Ulstad

Nays, 17.

Baird	Carden	Kimberly	Shane
Beatty	Cavanaugh	McFarlane	Stanley
Benson	Clearman	Rigby	Topping
Bergman	Johnston	Roberts	Wilson of Polk
Brush			

Absent or not voting, 13.

Brookins	Frailey	Langfitt	Shaff
Darting	Fulton	Mills	Shinn
Dean	Haskell	Ramsey	Wilson of Page
Ellis			

The motion prevailed and action was deferred.

On motion of Senator Wilson of Polk Senate File No. 370, a bill for an act to amend section three thousand six hundred forty-one (3641) of the code, 1924, relating to levy of tax to provide for aid to widow in care of child, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Wilson of Polk the word "that" was stricken from line 4 and also from line 5.

The bill was read for information.

Senator Wilson of Polk moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Carden	Johnston	Rigby
Beatty	Cavanaugh	Kern	Roberts
Benson	Clark	Kimberly	Skromme
Bergman	Clearman	Klemme	Stanley
Booth	Dean	Lange	Stoddard
Breakenridge	Dotts	Langfitt	Thompson
Brookins	Fackler	McFarlane	Topping
Browne	Gilchrist	McLeland	Ulstad
Brush	Gunderson	Merritt	Wilson of Polk
Campbell	Hartman		

Nays, none.

Absent or not voting, 12.

Darting	Fulton	Ramsey	Shinn
Ellis	Haskell	Shaff	Slemmons
Frailey	Mills	Shane	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Benson House File No. 457, a bill for an act to legalize the levying of a tax on all taxable property in Clayton county, Iowa, for the erection of a soldiers' monument and authorizing the board of supervisors to expend the money raised by such taxation for the purchase of a soldiers' monument to be erected in what is known as Brown's Cemetery in Mallory township, Clayton county, Iowa, with report of committee recommending passage, was substituted for Senate File No. 346, taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Benson moved 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	Carden	Johnston	Roberts
Beatty	Cavanaugh	Kern	Shane
Benson	Clark	Kimberly	Skromme
Bergman	Clearman	Klemme	Stanley
Booth	Dean	Lange	Stoddard
Breakenridge	Dotts	Langfitt	Thompson
Brookins	Fackler	McFarlane	Topping
Browne	Gilchrist	McLeland	Ulstad
Brush	Gunderson	Merritt	Wilson of Polk
Campbell	Hartman	Rigby	

Nays, none.

Absent or not voting, 11.

Darting	Fulton	Ramsey	Slemmons
Ellis	Haskell	Shaff	Wilson of Page
Frailey	Mills	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson 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 Benson, Senate File No. 346 was withdrawn from further consideration.

On motion of Senator McFarlane, Senate File No. 300, a bill for an act to amend section seventy-two hundred fifty-five (7255) of

the Code, 1924, relating to notice and sale of prior advertised property for taxes, and to allow the county to become a purchaser at such tax sale, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator McFarlane moved 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	Carden	Johnston	Roberts
Beatty	Cavanaugh	Kern	Shane
Benson	Clark	Kimberly	Skromme
Bergman	Clearman	Klemme	Slemmons
Booth	Dean	Lange	Stanley
Breakenridge	Dotts	Langfitt	Stoddard
Brookins	Fackler	McFarlane	Thompson
Browne	Gilchrist	McLeland	Topping
Brush	Gunderson	Merritt	Ulstad
Campbell	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Darting	Fulton	Ramsey	Shinn
Ellis	Haskell	Shaff	Wilson of Page
Frailey	Mills		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane 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 Rigby, Senate File No. 366, a bill for an act to create at each of the state penal institutions at Fort Madison and Anamosa, establishing and maintaining industries revolving funds for the use of said institutions in supporting and maintaining the respective industries at each of said institutions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking the words "establishing and" from line 2 of section 2.

The amendment was lost.

The bill was read for information.

Senator Rigby moved 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	Carden	Hartman	Rigby
Beatty	Cavanaugh	Johnston	Roberts
Benson	Clark	Kern	Shane
Bergman	Clearman	Kimberly	Skromme
Booth	Dean	Klemme	Slemmons
Breakenridge	Dotts	Langfitt	Stanley
Brookins	Ellis	McFarlane	Stoddard
Browne	Fackler	McLeland	Thompson
Brush	Gilchrist	Merritt	Topping
Campbell	Gundersen	Mills	Wilson of Polk

Nays, 1.

Lange

Absent or not voting, 9.

Darting	Haskell	Shaff	Ulstad
Frailey	Ramsey	Shinn	Wilson of Page
Fulton			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### SENATE FILE NO. 82 WITHDRAWN

By unanimous consent on request of Senator Fackler, Senate File No. 82 was withdrawn from further consideration.

On motion of Senator Roberts, Senate File No. 132, a bill for an act to amend Chapter 415 (four hundred fifteen) of Title XXI of the Code, 1924, so as to prohibit branch banking, having been withdrawn from the committee, was taken up and considered.

By unanimous consent on request of Senator Roberts "9258-a" was stricken from line 7 and "9258-b1" was inserted in lieu thereof.

The bill was read for information.



Senator Rigby moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Clark	Kimberly	Shane
Beatty	Clearman	Klemme	Skromme
Benson	Dean	Lange	Slemmons
Bergman	Dotts	Langfitt	Stanley
Booth	Ellis	McFarlane	Stoddard
Breakenridge	Fackler	McLeland	Thompson
Browne	Gilchrist	Mills	Topping
Campbell	Gunderson	Rigby	Ulstad
Carden	Hartman	Roberts	Wilson of Polk
Cavanaugh	Johnston		

Nays, none.

Absent or not voting, 12.

Brookins	Fraily	Kern	Shaff
Brush	Fulton	Merritt	Shinn
Darting	Haskell	Ramsey	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Roberts 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 Roberts Senate File No. 264, a bill for an act to regulate the sale of certain securities such as construction or building mortgage bonds and mortgage bonds which are junior to other liens, having been withdrawn from the committee, was taken up and considered.

Senator Rigby offered the following amendments and moved their adoption:

Amend by renumbering section three (3) as section four (4).

Further amend by adding as section three the following:

Sec. 3. No person, firm, association or corporation shall, in connection with the sale or offering for sale of any of the bonds or securities mentioned in the two preceding sections, display, deliver or in any way use prospectuses, descriptive circulars or printed matter of any kind unless there be printed across the face thereof in red letters not less than one-half inch high the words: "This is a Construction Mortgage Bond Issue"

or "This is a Junior Lien Issue", as the case may be. Across the face of the subscription contract for the purchase of bonds and securities referred to, in the two sections immediately preceding, there shall be printed in red letters not less than one-fourth inch high the words: "This is a Construction Mortgage Bond Issue" or "This is a Junior Lien Issue", as the case may be.

By unanimous consent on request of Senator Rigby the words "and section four (4) as section five (5)" were inserted at the end of the first amendment.

The amendments were adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking the word "one-fourth" from section 3 as amended and inserting in lieu thereof the word "one-half".

The amendment was adopted.

Senator Baird offered the following amendments and moved their adoption:

Amend by striking the words "or security" from line 5 of section 1.

Amend by striking out of line 2 of section 2 the word "bond" and by inserting after the word "any" the words "bonds secured by".

Amend by striking the word "bond" from line 4 of section 2 and inserting the word "mortgage" in lieu thereof.

The amendments were adopted.

Senator Roberts moved that further action be deferred until Monday.

Senator Roberts withdrew the motion.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by adding at the end of section 1 the following:

"This section shall not be construed to refer to bonds secured by mortgages on farm land."

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 36.

Baird	Dean	Klemme	Shane
Booth	Dotts	Lange	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Browne	Gilchrist	McFarlane	Stanley
Campbell	Gunderson	McLeland	Stoddard
Carden	Hartman	Merritt	Thompson
Cavanaugh	Johnston	Mills	Topping
Clark	Kern	Rigby	Ulstad
Clearman	Kimberly	Roberts	Wilson of Polk

## Nays, 1.

Ellis

## Absent or not voting, 13.

Beatty	Brush	Fulton	Shaff
Benson	Darting	Haskell	Shinn
Bergman	Frailey	Ramsey	Wilson of Page
Brookins			

The amendment was adopted.

By unanimous consent on request of Senator Roberts the word "Iowa" was inserted after the word "on" and before the word "farm" in the last line of section 1 as amended.

Senator Baird offered the following amendment and moved its adoption:

Amend by inserting the words "secured by" in line 4 of section 1 after the word "is".

The amendment was adopted.

The bill was read for information.

Senator Rigby moved 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	Clark	Kern	Shane
Beatty	Clearman	Kimberly	Skromme
Bergman	Dean	Lange	Slemmons
Booth	Dotts	Langfitt	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Browne	Fackler	McLeland	Thompson
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Rigby	Wilson of Polk
Cavanaugh	Johnston	Roberts	

Nays, none.

Absent or not voting, 11.

Benson	Frailey	Klemme	Shinn
Brookins	Fulton	Ramsey	Wilson of Page
Darting	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 Stoddard, Senate File No. 394, a bill for an act making an appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses of the general assembly, a committee bill, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Baird	Carden	Hartman	Rigby
Beatty	Cavanaugh	Johnston	Roberts
Benson	Clark	Kern	Shane
Bergman	Clearman	Kimberly	Skromme
Booth	Dean	Klemme	Slemmons
Breakenridge	Dotts	Lange	Stanley
Brookins	Ellis	McFarlane	Stoddard
Browne	Fackler	McLeland	Thompson
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Darting	Haskell	Shaff	Ulstad
Frailey	Langfitt	Shinn	Wilson of Page
Fulton	Ramsey		

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.

## SENATE FILE NO. 362 MADE SPECIAL ORDER

On motion of Senator Brush, Senate File No. 362 was made a special order for 2:00 p. m. Tuesday, April 5th.

On motion of Senator Gilchrist, Senate File No. 395, a bill for an act to amend section 13851 of the code, 1924, relating to the introduction of additional testimony on criminal trials, a committee bill, 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, 38.

Baird	Cavanaugh	Johnston	Rigby
Benson	Clark	Kern	Roberts
Bergman	Clearman	Kimberly	Shane
Booth	Dean	Klemme	Slemmons
Breakenridge	Dotts	Lange	Stanley
Brookins	Ellis	McFarlane	Stoddard
Browne	Fackler	McLeland	Topping
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Polk
Carden	Hartman		

Nays, 2.

Beatty	Thompson
--------	----------

Absent or not voting, 10.

Darting	Haskell	Shaff	Skromme
Frailey	Langfitt	Shinn	Wilson of Page
Fulton	Ramsey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator McLeland, Senate File No. 396, a bill for an act to amend the law as it appears in section forty-eight hundred nine (4809) of the code, relating to compensation of township trustees, a committee bill, was taken up and considered.

The bill was read for information.

Senator McLeland moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Carden	Kern	Roberts
Beatty	Cavanaugh	Kimberly	Shane
Benson	Clark	Klemme	Slemmons
Bergman	Dean	Lange	Stanley
Booth	Dotts	McFarlane	Stoddard
Breakenridge	Ellis	McLeland	Thompson
Brookins	Fackler	Merritt	Topping
Browne	Gunderson	Mills	Ulstad
Brush	Hartman	Rigby	Wilson of Polk
Campbell	Johnston		

Nays, none.

Absent or not voting, 12.

Clearman	Fulton	Langfitt	Shinn
Darting	Gilchrist	Ramsey	Skromme
Frailey	Haskell	Shaff	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McLeland 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. 351 MADE SPECIAL ORDER

Senator Lange moved that Senate File No. 351 be made a special order for 2 p. m. Monday.

On the question "Shall the motion prevail?" the vote was:

Ayes, 17.

Beatty	Campbell	Hartman	Slemmons
Booth	Carden	Lange	Thompson
Brookins	Clark	Merritt	Topping
Browne	Ellis	Shane	Ulstad
Brush			

Nays, 14.

Baird	Dotts	McFarlane	Rigby
Benson	Johnston	McLeland	Stoddard
Bergman	Kimberly	Mills	Wilson of Polk
Breakenridge	Klemme		

Absent or not voting, 19.

Cavanaugh	Frailey	Kern	Shinn
Clearman	Fulton	Langfitt	Skromme
Darting	Gilchrist	Ramsey	Stanley
Dean	Gunderson	Roberts	Wilson of Page
Fackler	Haskell	Shaff	

The motion prevailed.

On motion of Senator Gunderson House File No. 101, a bill for an act to amend section eight hundred ninety-two (892) of the code, 1924, relating to time for administering oath to election counting boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Gunderson moved 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.

Beatty	Cavanaugh	Johnston	Roberts
Benson	Clark	Kern	Shane
Bergman	Clearman	Kimberly	Skromme
Booth	Dean	Klemme	Slemmons
Breakenridge	Dotts	Lange	Stanley
Brookins	Ellis	McFarlane	Stoddard
Browne	Fackler	McLeland	Thompson
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Baird	Fulton	Ramsey	Shinn
Darting	Haskell	Shaff	Wilson of Page
Frailey	Langfitt		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Cavanaugh Senate File No. 197, a bill for an act to repeal section fifty-six hundred eighty-three (5683) and to enact a substitute therefor, relating to authority of cities and towns to appropriate funds to pay dues in municipal leagues, and to pay expenses of delegates attending the meetings of the league.

with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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.

Beatty	Carden	Hartman	Skromme
Bergman	Cavanaugh	Lange	Slemmons
Booth	Dean	McLeland	Stoddard
Breakenridge	Ellis	Merritt	Thompson
Brookins	Fackler	Rigby	Topping
Browne	Gilchrist	Roberts	Ulstad
Campbell	Gunderson		

Nays, 3.

McFarlane	Mills	Stanley
-----------	-------	---------

Absent or not voting, 21.

Baird	Dotts	Kern	Shaff
Benson	Frailey	Kimberly	Shane
Brush	Fulton	Klemme	Shinn
Clark	Haskell	Langfitt	Wilson of Page
Clearman	Johnston	Ramsey	Wilson of Polk
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh 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 MESSAGES CONSIDERED

House File No. 187, a bill for an act to repeal section sixty-eight hundred fifty-five (6855) of the code, 1924, and to enact a substitute therefore, relating to the general tax levy in cities under special charter.

Read first and second time and referred to sifting committee.

House File No. 147, a bill for an act relating to investment of surplus funds of municipal utilities.



Read first and second time and referred to sifting committee.

House File No. 146, a bill for an act to amend section sixty-one hundred thirty-four (6134) of the code, 1924, relating to bonds for establishment of public utility plants by cities and towns.

Read first and second time and referred to sifting committee.

House File No. 145, a bill for an act to amend section sixty-one hundred twenty-seven (6127) of the code, 1924, relating to the public utility plants of cities and towns.

Read first and second time and referred to sifting committee.

Senator Bergman moved that 500 extra copies of Senate File No. 429 be printed, which motion prevailed.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 1st day of April, sent to the governor for his approval, Senate Files Nos. 56, 98, 57, 50, 158, and 54.

D. L. WILSON, *Chairman.*

The report was adopted.

#### AMENDMENTS FILED

I move to amend Senate Concurrent Resolution No. 25 by striking therefrom the words and figures "April 8th, 1927," and inserting in lieu thereof the words and figures "April 15th, 1927".

W. A. CLARK.

I move to amend Senate File No. 297 by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Chapter ninety-two (92) of the Acts of the Forty-first General Assembly is hereby amended by striking out the word fourteen (14) in line five (5) thereof and placing in lieu thereof the word sixteen (16)".

F. C. STANLEY.

I move to amend the title of Senate File No. 175 by substituting therefor the following:

#### A BILL FOR

An act to amend the law as the same appears in Chapter seventy-two (72) of the Code, 1924, and amendments thereto, relating to Workman's Compensation: fixing a compensation penalty tax against

those operating a coal mine to whom the compensation law applies, who fail to carry insurance or be relieved therefrom and providing for the collection and payment thereof.

LLOYD ELLIS.

I move to amend the bill, Senate File No. 400, by striking therefrom paragraph (b) of Section 9 and substituting therefor the following:

(b) The Commission shall establish tax zone districts, having due regard for the distance such vehicles ordinarily travel in the transportation of freight property or commodities or the public conveyance of passengers, as provided in paragraph (a) Section One of this act.

(c) The tax collected from motor carriers in the respective zones shall be paid to the Commission and by it deposited with the Treasurer of State, and except so much thereof as provided for administrative purposes in paragraph (a) one-half shall be credited to and in favor of the primary road fund, and expended by the Highway Commission as other primary road funds are expended. The other one-half thus collected shall be paid to each county treasurer in such zone in proportion to the amount collected from such zone and expended by the board of supervisors of such county in the construction, maintenance and repair of the highways in their respective counties.

OSCAR ULSTAD.

The journal of March 31st 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 2, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Benjamin J. Trickey, pastor of the First Congregational Church, of Spencer, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mills for the day, on request of Senator Carden; Senator Breakenridge for the day, on request of Senator Shane; Senator Shinn for the day, on request of Senator Gunderson; Senator Beatty for the day, on request of Senator Clark.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Hartman, from voters of Fayette county, favoring a bank guarantee act.

By Senator Campbell, from voters of Cherokee county, opposing the bill relating to township roads and highways.

By Senator Thompson, from voters of Muscatine county, opposing a bill taxing tobaccos.

## COMMUNICATION FROM MRS. S. F. WILSON

Wapello, Iowa, March 31, 1927.

MR. CLEM F. KIMBALL, Lieutenant Governor,  
President of the Senate.

DEAR MEMBERS OF THE SENATE: At this late date, I wish to express to you our sincere appreciation for the many acts of kindness, for the comforting words, the touching message, the roses on Mr. Wilson's vacant desk, Senator Ellis' and Rev. J. W. Johnson's consoling prayers, and for the beautiful wreath.

Your committee, Senators Carden, Topping and Clearman, were a source of comfort to us in our sorrow. Their kind words of sympathy and resolutions will ever be fresh in our memories. And we wish to thank other members of the Senate and House for their personal letters of sympathy. You have shown great respect to our departed husband and father and to his family which we gratefully acknowledge. Mr. Wilson's hope and desire was to serve, as a Senator, the people who placed their confidence in him, but this was not permitted.

While we have many pleasant memories of our dear one, yet we feel our loss so sorely, and we have an assurance that he has been called to a higher service.

All these courtesies and kindnesses from you have been a solace to us.

Sincerely,

MRS. S. F. WILSON AND FAMILY.

#### PROOFS OF PUBLICATION

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of House File No. 329, a proposed bill for an act to make permanent a temporary transfer of money from the electric light fund to the general fund of Lake View, Iowa.

WALTER H. BEAM, *Secretary.*

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of House File No. 259, a proposed bill for the legalization of the proceedings of the board of supervisors of Marion county, Iowa.

WALTER H. BEAM, *Secretary.*

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of House File No. 354, a proposed bill for the legalization of the proceedings of the city council of Forest City, Iowa.

WALTER H. BEAM, *Secretary.*

#### RESOLUTION

TO THE HONORABLE THE MEMBERS OF THE SENATE OF THE FORTY-SECOND GENERAL ASSEMBLY:

*Whereas*, Most of the other States have provided for their Executive what is known as an Executive mansion; and

*Whereas*, Iowa has failed and neglected to progress with the other States in this respect;

*Therefore, Be It Resolved*, That we indorse the policy and recommend

to the Legislature the securing for erection of a home suitable for the Governor of our great State.

Iowa Legislative Ladies' League:  
MRS. W. E. G. SAUNDERS.  
MRS. FREDERICK F. FAVILLE.  
MRS. FRANK SHANE.  
MRS. C. G. COLE.  
MRS. L. V. CARTER.

*Committee.*

#### BILLS APPROVED BY THE GOVERNOR

A communication has been received from the Governor announcing that on March 31, 1927, he has approved the following bills:

Senate File No. 37, relating to search warrants.

Senate File No. 151, relating to compensation payments.

Senate File No. 147, relating to authority of agents or inspectors of the Motor Vehicle Department.

Senate File No. 168, relating to firemen's and policemen's pensions.

Senate File No. 171, relating to Roshek Brothers Company of Dubuque, Iowa.

Senate File No. 166, relating to exemptions from taxation.

Senate File No. 33, relating to the duty of County Attorneys in appeals in criminal cases.

Senate File No. 27, relating to preparation and printing of the Codes.

Senate File No. 146, relating to the method of computing motor vehicle license fees.

Senate File No. 87, relating to additional schedules of classifications of motor vehicles.

Senate File No. 53, relating to the subject of civil procedure.

Senate File No. 183, relating to reports of clerks of the District court of convictions for liquor violations to the State bureau of investigation.

Senate Joint Resolution No. 2, relating to establishment of Independence Sunday.

## MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 106 failed to pass the Senate.

CHAS. S. BROWNE.

## MESSAGES FROM THE HOUSE

The following messages were received in the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 379, a bill for an act relating to the platting of land in and adjacent to certain cities having a population of twenty-five thousand (25,000) or over and to require approval thereof by the city council and by the city plan commission in cities where such commission exists and authorizing cities to maintain suits in equity in certain cases to declare plats, when filed and recorded in violation thereof, to be void and to expunge the same from the records, and to provide for appeal from action of council to the district court in certain cases.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 380, a bill for an act relating to the creation of city plan commissions, and to the powers and duties thereof, and to provide for the adoption by the commission of a comprehensive city plan, the approval thereof by the council of the municipality and for modifications and amendments thereof.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 318, a bill for an act relating to compensation of County Attorneys.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 257, a bill for an act relating to the relief commission for soldiers, sailors, and marines, and to provide compensation for their services.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 381, a bill for an act relating to streets and public grounds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 188, a bill for an act relative to the speed of motor vehicles outside of cities and towns.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 214, a bill for an act relating to street improvements, sewers and special assessments.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 198, a bill for an act relating to authorized establishment of Municipal Art Galleries, in cities and towns, and cities under special charter, having a population of twenty thousand (20,000) or more.

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 to amend the law as it appears in section ten thousand four hundred ten (10410) of the code of Iowa, 1924, relating to renewals of charters for private corporations.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 117

Amend Senate File No. 117 by adding thereto as section two (2), the following:

"Sec. 2. Publication clause. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa Legionaire, a newspaper published in Des Moines, Iowa, and the Rolfe Arrow, a newspaper published in Rolfe, Iowa."

#### HOUSE MESSAGES CONSIDERED

House File No. 379, a bill for an act relating to the platting of land in and adjacent to certain cities having a population of twenty-five thousand (25,000) or over and to require approval thereof by the city council and by the city plan commission in cities where such commission exists and authorizing cities to maintain suits in equity in certain cases to declare plats, when filed and recorded in violation thereof, to be void and to expunge the same from the records, and to provide for appeal from action of council to the district court in certain cases.

Read first and second time and referred to sifting committee.

House File No. 381, a bill for an act to repeal section fifty-nine hundred forty-two (5942) of the code, 1924, and to enact a substitute therefor, relating to streets and public grounds.

Read first and second time and referred to sifting committee.

House File No. 257, a bill for an act to amend chapter two hundred seventy-three (273) of the code, 1924, relating to the relief commission for soldiers, sailors, and marines, and to provide compensation for their services.

Read first and second time and referred to sifting committee.

House File No. 318, a bill for an act to amend section fifty-two hundred twenty-eight (5228) of the code relating to compensation of county attorneys.

Read first and second time and referred to sifting committee.

House File No. 380, a bill for an act to amend the law as it appears in chapter one hundred seventeen (117) of the acts of the forty-first general assembly, relating to the creation of city plan commissions, and to the powers and duties thereof, and to provide for the adoption by the commission of a comprehensive city plan, the approval thereof by the council of the municipality and for modifications and amendments thereof.

Read first and second time and referred to sifting committee.

House File No. 292, a bill for an act to provide uniform copy for conveyancing blanks, and to provide a method of filing same for convenient access of the public, and fixing the amount of fees for recording same.

Read first and second time and referred to sifting committee.

#### HOUSE AMENDMENTS CONSIDERED

Senator Wilson of Polk called up for consideration Senate File No. 117, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File No. 117 by adding thereto as section two (2) the following:

“Sec. 2. Publication clause. This act, being deemed of immediate importance, shall be in force from and after its publication in the Iowa Legionaire, a newspaper published in Des Moines, Iowa, and the Rolfe Arrow, a newspaper published in Rolfe, Iowa.”

On the question “Shall the Senate concur?” the vote was:



Ayes, 28.

Benson	Clearman	Klemme	Shane
Booth	Dotts	Lange	Slemmons
Brookins	Ellis	Langfitt	Stoddard
Browne	Fackler	McLeland	Thompson
Brush	Gunderson	Merritt	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Kimberly	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 22.

Baird	Darting	Johnston	Shinn
Beatty	Dean	Kern	Skromme
Bergman	Frailey	McFarlane	Stanley
Breakenridge	Fulton	Mills	Wilson of Page
Campbell	Gilchrist	Ramsey	
Clark	Haskell	Shaff	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

### THIRD READING OF BILLS

On motion of Senator Wilson of Polk, Senate File No. 129, a bill for an act to repeal the law as it appears in Section seven thousand two hundred twenty-six (7226) of the Code, 1924, relating to the collection of delinquent taxes, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section seven thousand two hundred twenty-six (7226) of the code is hereby amended by adding thereto the following: "Provided, however, that the provisions of this section shall not apply to counties having within its boundaries a city having a population of 100,000 or over."

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 Daily Record, a newspaper published in Des Moines, Iowa, and the Marshalltownian, a newspaper published in the city of Marshalltown, Iowa.

By unanimous consent on request of Senator Wilson of Polk, the word "counties" was stricken from section 1 and the words "any county" inserted in lieu thereof.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking the figures "100,000" from section 1 and inserting in lieu thereof the figures "75,000".

The amendment was adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.**

Benson	Clark	Kimberly	Skromme
Booth	Clearman	Klemme	Slemmons
Brookins	Dean	Lange	Stoddard
Browne	Dotts	Langfitt	Thompson
Brush	Ellis	McLeland	Topping
Campbell	Fackler	Merritt	Ulstad
Carden	Gunderson	Rigby	Wilson of Polk
Cavanaugh	Hartman	Shane	

Nays, none.

Absent or not voting, 19.

Baird	Frailey	Kern	Shaff
Beatty	Fulton	McFarlane	Shinn
Bergman	Gilchrist	Mills	Stanley
Breakenridge	Haskell	Ramsey	Wilson of Page
Darting	Johnston	Roberts	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson of Polk offered the following amendment to the title and moved its adoption:

Amend the title by striking out the word "repeal" and inserting in lieu thereof the word "amend".

The amendment was adopted and the title as amended was agreed to.

Senator Wilson of Polk moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table; which motion prevailed.

On motion of Senator Gilchrist House File No. 135, a bill for an

act providing for an amendment to section four thousand eight hundred thirty-one (4831), relating to destruction of trees along public highways by county supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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.

Benson	Clark	Kimberly	Skromme
Booth	Clearman	Lange	Slemmons
Brookins	Dean	Langfitt	Stoddard
Browne	Dotts	McLeland	Thompson
Brush	Ellis	Rigby	Topping
Campbell	Fackler	Roberts	Ulstad
Carden	Gilchrist	Shane	Wilson of Polk
Cavanaugh	Gunderson		

Nays, none.

Absent or not voting, 20.

Baird	Frailey	Kern	Ramsey
Beatty	Fulton	Klemme	Shaff
Bergman	Hartman	McFarlane	Shinn
Breakenridge	Haskell	Merritt	Stanley
Darting	Johnston	Mills	Wilson of Page

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.

President Pro Tem Shane took the chair at 10:10 a. m.

On motion of Senator Cavanaugh Senate File No. 402, a bill for an act to amend chapter twenty (20), acts forty-first (41st) general assembly, relating to the sale of legal publications, and to the distribution of the book of annotations and supplements thereto, a committee bill, was taken up and considered.

The bill was read for information.

Senator Cavanaugh moved 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.

Benson	Clark	Gunderson	Roberts
Booth	Clearman	Hartman	Shane
Brookins	Dean	Kimberly	Slemmons
Browne	Dotts	Klemme	Stoddard
Brush	Ellis	Lange	Thompson
Campbell	Fackler	Langfitt	Topping
Carden	Gilchrist	McLeland	Ulstad
Cavanaugh		Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 19.

Baird	Frailey	McFarlane	Shinn
Beatty	Fulton	Merritt	Skromme
Bergman	Haskell	Mills	Stanley
Breakenridge	Johnston	Ramsey	Wilson of Page
Darting	Kern	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gilchrist House File No. 118, a bill for an act to repeal section fifty-three hundred twenty-one (5321) of the code and to enact a substitute therefor, relating to the appointment of overseers of the poor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ellis moved 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.

Benson	Clark	Hartman	Shane
Booth	Clearman	Kimberly	Skromme
Brookins	Dean	Klemme	Stoddard
Browne	Dotts	Lange	Thompson
Brush	Ellis	Langfitt	Topping
Campbell	Fackler	McFarlane	Ulstad
Carden	Gilchrist	McLeland	Wilson of Polk
Cavanaugh	Gunderson	Rigby	

Nays, 1.

Slemmons

Absent or not voting, 18.

Baird	Frailey	Kern	Roberts
Beatty	Fulton	Merritt	Shaff
Bergman	Haskell	Mills	Shinn
Breakenridge	Johnston	Ramsey	Stanley
Darting			Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ellis 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. 203 WITHDRAWN

By unanimous consent on request of Senator Ulstad Senate File No. 203 was withdrawn from further consideration.

#### THIRD READING OF BILLS

On motion of Senator Lange, Senate File No. 358, a bill for an act to amend the law as it appears in sections fifty-five hundred eighty-three (5583) and fifty-five hundred eighty-six (5586) of the code, 1924, relating to the licensing by township trustees of certain places of amusement, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lange moved 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.

Benson	Clearman	Klemme	Skromme
Booth	Dean	Lange	Slemmons
Brookins	Ellis	Langfitt	Stanley
Browne	Fackler	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Thompson
Campbell	Gunderson	Merritt	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Kimberly	Shane	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 17.

Baird	Dotts	Johnston	Roberts
Beatty	Frailey	Kern	Shaff
Bergman	Fulton	Mills	Shinn
Breakenridge	Haskell	Ramsey	Wilson of Page
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 Ellis, Senate File No. 373, a bill for an act to amend chapter two hundred eleven (211) acts of the forty-first general assembly relating to the erection of monuments at the graves of soldiers of the Revolutionary War, with report of the 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 section 1, line 1, the figure (3) and substituting therefor the figure four (4), and also in the same line striking out the figure four (4) and substituting the figure five (5).

By unanimous consent on request of Senator Benson the words "the soil of" were stricken from line 6 of section 2.

By unanimous consent on request of Senator Ellis the word and figure "five (5)" were stricken from the committee amendment and the word and figure "three (3)" were inserted in lieu thereof.

The bill was read for information.

Senator Ellis moved 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.

Benson	Campbell	Dean	Hartman
Booth	Carden	Ellis	Kern
Brookins	Cavanaugh	Fackler	Kimberly
Browne	Clark	Gilchrist	Lange
Brush	Clearman	Gunderson	McFarlane

McLeland  
Rigby  
Shane

Skromme  
Slemmons  
Stanley

Stoddard  
Thompson  
Topping

Ulstad  
Wilson of Polk

Nays, none.

Absent or not voting, 19.

Baird  
Beatty  
Bergman  
Breakenridge  
Darting

Dotts  
Frailey  
Fulton  
Haskell  
Johnston

Klemme  
Langfitt  
Merritt  
Mills  
Ramsey

Roberts  
Shaff  
Shinn  
Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ellis 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 Gunderson, House File No. 7, a bill for an act to amend the law as it appears in section eight hundred eighty-seven (887) of the Code, 1924, relating to double counting boards in elections, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

President Kimball resumed the chair at 10:45 a. m.

The bill was read for information.

Senator Gunderson moved 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.

Benson  
Booth  
Browne  
Campbell  
Carden  
Clark  
Clearman

Dean  
Ellis  
Fackler  
Gilchrist  
Gunderson  
Hartman  
Kern

Kimberly  
Klemme  
Lange  
Langfitt  
McFarlane  
McLeland  
Merritt

Rigby  
Roberts  
Shane  
Skromme  
Slemmons  
Stanley  
Thompson  
Ulstad

Nays, none.

Absent or not voting, 21.

Baird	Brush	Fulton	Shaff
Beatty	Cavanaugh	Haskell	Shinn
Bergman	Darting	Johnston	Stoddard
Breakenridge	Dotts	Mills	Topping
Brookins	Frailey	Ramsey	Wilson of Page
			Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator McLeland, Senate File No. 241, a bill for an act to amend section nineteen (19) of chapter twenty-seven (27), acts forty-first (41) general assembly, relating to the signing of petitions of nominations, 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 "and" as it appears after the word "residence" in line 6.

Senator Booth offered the following amendment and moved its adoption:

Amend by striking out section 2.

The amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking out the words "his post-office address" from lines 6 and 7 of section 1.

The amendment was adopted.

The bill was read for information.

Senator McLeland moved 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.

Benson	Brush	Clearman	Fackler
Booth	Campbell	Dean	Gilchrist
Brookins	Carden	Dotts	Gunderson
Browne	Clark	Ellis	Hartman



Kern	McFarlane	Shane	Stoddard
Kimberly	McLeland	Skromme	Thompson
Klemme	Merritt	Slemmons	Ulstaad
Lange	Rigby	Stanley	Wilson of Polk
Langfitt	Roberts		

Nays, none.

Absent or not voting, 16.

Baird	Cavanaugh	Haskell	Shaff
Beatty	Darting	Johnston	Shinn
Bergman	Frailey	Mills	Topping
Breakenridge	Fulton	Ramsey	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McLeland moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Browne Senate File No. 246, a bill for an act to amend section eighty-six hundred eighteen (8618) of the code, relating to insurance, having been withdrawn from the committee, was taken up and considered.

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, 30.

Benson	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Browne	Fackler	McLeland	Stanley
Brush	Hartman	Merritt	Stoddard
Carden	Kern	Rigby	Thompson
Clark	Kimberly	Roberts	Ulstaad
Clearman	Klemme	Shane	Wilson of Polk
Dean	Lange		

Nays, none.

Absent or not voting, 20.

Baird	Campbell	Gilchrist	Ramsey
Beatty	Cavanaugh	Gunderson	Shaff
Bergman	Darting	Haskell	Shinn
Breakenridge	Frailey	Johnston	Topping
Brookins	Fulton	Mills	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shane House File No. 172, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1924, relating to levying taxes by cities and towns, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shane moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Benson	Clearman	Kern	Rigby
Booth	Dean	Kimberly	Roberts
Brookins	Dotts	Klemme	Shane
Browne	Ellis	Lange	Skromme
Brush	Fackler	Langfitt	Slemmons
Campbell	Gilchrist	McFarlane	Stanley
Carden	Gunderson	McLeland	Thompson
Clark	Hartman	Merritt	Ulstad
			Wilson of Polk

Nays, none.

Absent or not voting, 17.

Baird	Darting	Johnston	Shinn
Beatty	Frailey	Mills	Stoddard
Bergman	Fulton	Ramsey	Topping
Breakenridge	Haskell	Shaff	Wilson of Page
Cavanaugh			

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 Dean House File No. 71, a bill for an act to amend section sixty-two hundred eleven (6211) of the code,

1924, relating to the library building fund, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dean moved 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.

Benson	Dean	Kimberly	Roberts
Booth	Dotts	Klemm	Skromme
Brookins	Ellis	Lange	Slemmons
Brush	Fackler	Langfitt	Stoddard
Campbell	Gilchrist	McFarlane	Thompson
Carden	Gunderson	McLeland	Ulstad
Clark	Hartman	Merritt	Wilson of Polk
Clearman	Kern	Rigby	

Nays, none.

Absent or not voting, 19.

Baird	Cavanaugh	Haskell	Shane
Beatty	Darting	Johnston	Shinn
Bergman	Frailey	Mills	Stanley
Breakenridge	Fulton	Ramsey	Topping
Browne		Shaff	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dean 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 Rigby House File No. 247, a bill for an act to empower the executive council to adopt and enforce rules regulating the use by the public of the capitol buildings and grounds and providing punishment for violations 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 Rigby moved 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.

Benson	Dotts	Klemme	Shane
Booth	Ellis	Lange	Skromme
Brookins	Fackler	Langfitt	Slemmons
Brush	Gilchrist	McFarlane	Stoddard
Campbell	Hartman	McLeland	Thompson
Clark	Kern	Rigby	Ulstad
Clearman	Kimberly	Roberts	Wilson of Polk
Dean			

Nays, none.

Absent or not voting, 21.

Baird	Cavanaugh	Haskell	Shaff
Beatty	Darting	Johnston	Shinn
Bergman	Frailey	Merritt	Stanley
Breakenridge	Fulton	Mills	Topping
Browne	Gunderson	Ramsey	Wilson of Page
Carden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Gunderson House File No. 203, a bill for an act to authorize certain townships to levy an additional drainage tax for the purpose of paying excess costs assessed against the township by reason of the construction of drainage districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Gunderson moved 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.

Benson	Clearman	Kern	Rigby
Booth	Dotts	Kimberly	Roberts
Brookins	Ellis	Klemme	Shane
Brush	Fackler	Lange	Slemmons
Campbell	Gilchrist	Langfitt	Stanley
Carden	Gunderson	McLeland	Stoddard
Clark	Hartman	Merritt	Thompson
			Ulstad

Nays, none.

Absent or not voting, 21.

Baird	Darting	Johnston	Shinn
Beatty	Dean	McFarlane	Skromme
Bergman	Frailey	Mills	Topping
Breakenridge	Fulton	Ramsey	Wilson of Page
Browne	Haskell	Shaff	Wilson of Polk
Cavanaugh			

The bill having received a constitutional majority was declared to have passed the Senate, and the title was agreed to.

Senator Gunderson 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 FILE NO. 163 MADE SPECIAL ORDER

On motion of Senator Merritt House File No. 163 was made a special order for 10:00 a. m. Tuesday.

#### THIRD READING OF BILLS

On motion of Senator Ellis Senate File No. 356, a bill for an act to repeal section one thousand seven hundred fifty-two (1752) of the code, 1924, and to enact a substitute therefor relating to a wholesale fish market license and providing that a person operating the business of shipping his own catch of fish to eastern markets and fish peddlers shall procure a license to do so, 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 "or distributing fish or peddling fish" in line 6 of section 1, following the word "marketing".

The bill was read for information.

Senator Ellis moved 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.

Benson	Clark	Hartman	Rigby
Booth	Clearman	Kimberly	Skromme
Brookins	Dean	Klemme	Slemmons
Browne	Dotts	Lange	Stanley
Brush	Ellis	Langfitt	Stoddard
Campbell	Fackler	McFarlane	Thompson
Carden	Gilchrist	McLeland	Ulstad
	Gunderson	Merritt	Wilson of Polk

Nays, none.

Absent or not voting, 19.

Baird	Darting	Kern	Shaff
Beatty	Frailey	Mills	Shane
Bergman	Fulton	Ramsey	Shinn
Breakenridge	Haskell	Roberts	Topping
Cavanaugh	Johnston		Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Ellis offered the following amendment to the title and moved its adoption:

Amend the title by striking out the words "fish peddlers" in line 5.

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Stoddard, House File No. 208, a bill for an act to amend section five thousand two hundred twenty-two (5222) of the code, 1924, relating to compensation of county treasurers, 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 Lange, House File No. 210, a bill for an act to amend sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223) and fifty-two hundred thirty-one (5231) of the code, 1924, relating to the compensation of deputy county auditors, treasurers and clerks of the district 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 Lange moved 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.

Benson	Clearman	Kern	Roberts
Booth	Dean	Kimberly	Skromme
Brookins	Dotts	Klemme	Slemmons
Browne	Ellis	Lange	Stoddard
Brush	Gilchrist	Langfitt	Thompson
Campbell	Gunderson	McLeland	Ulstad
Carden	Hartman	Rigby	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 21.

Baird	Fackler	McFarlane	Shane
Beatty	Frailey	Merritt	Shinn
Bergman	Fulton	Mills	Stanley
Breakenridge	Haskell	Ramsey	Topping
Cavanaugh	Johnston	Shaff	Wilson of Page
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 April 1st was corrected and approved.

On motion of Senator Booth the Senate adjourned until 1:30 p. m.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 292, a bill for an act to provide uniform copy for conveyancing blanks, and to provide a method of filing same for convenient access of the public, and fixing the amount of fees for recording same.

Also: That the House has concurred in Senate amendment to House File No. 12, a bill for an act relating to the delivery of skimmed milk, ice cream, or buttermilk, to require the pasteurization of skimmed milk, cream and all milk or cream from which ice cream or buttermilk is derived, to define pasteurization, to require a record thereof, and to authorize an injunction to restrain violations of this act.

Also: That the House has concurred in Senate amendment to House File No. 59, a bill for an act to require every person engaged in the market poultry or domestic fowl business to obtain a license from the state department of agriculture, and to prescribe the fee therefor, to authorize the department of agriculture to prescribe records of purchases to be kept,

to make said records open to inspection by peace officers, to authorize said department to enforce the said act, and to provide penalties for violation thereof.

Also: That the House has concurred in Senate amendment to House File No. 55, a bill for an act relating to the use of voting machines.

Also: That the House has concurred in Senate amendment to House File No. 328, a bill for an act relating to the payment of taxes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 279, a bill for an act relating to the assignment of tax sale certificates.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 232, a bill for an act relating to shot firemen who fire shots in coal mines.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 357, a bill for an act to prohibit the selling of certain wares, merchandise and service and the operation of any temporary business or place of amusement upon any public highway or the street of any city or town near any state, county or district fair grounds, or on ground adjacent thereto, during the time a state, county or district fair is being held, and to provide a punishment for violators.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 116, a bill for an act relating to adoption and to enact a substitute therefor.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 145, a bill for an act relating to the driving of motor vehicles by minors.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 120, a bill for an act to authorize the adjutant general to make free distribution of the roster of Iowa soldiers, sailors, and marines in so far as said roster has been published.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 157, a bill for an act relating to the powers and duties of the Board of Railroad Commissioners.



Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 148, a bill for an act relative to the license fee of electric automobiles.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 152, a bill for an act relating to the issuance of free passes by common carriers.

Also: That the House has receded from its amendments to Senate File No. 34, a bill for an act to authorize two or more indictable offenses to be charged in separate counts in the same indictment or trial information, and to regulate the number of peremptory challenges in such cases.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 435, a bill for an act relating to the labeling of commercial feeds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 352, a bill for an act relating to the lien of personal taxes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 271, a bill for an act empowering boards of supervisors in certain cases to cancel special assessments for graveling and to refund installments of said assessments which have been paid and to pay unpaid installments of such assessments and to levy a tax for such purposes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 298, a bill for an act to create a thresherman's lien upon crops grown upon leased premises.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 376, a bill for an act relating to special tax levies in cities under special charter.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 280, a bill for an act relating to the issuance of bonds by cities or towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 438, a bill for an act relating to certain obstructions in highways.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 392, a bill for an act relating to notice of appraisement for inheritance tax.

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 relating to conveyance or incumbrance of homesteads.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 316, a bill for an act relating to the investment of funds of fraternal beneficiary societies, orders or associations.

Also: That the House has amended and 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 investment of funds of life insurance companies and associations.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 316

Amend section one by adding at the end of subsection five thereof the following:

"No such investment in utility bonds to be made except where the funded debt of said utility company is less than seventy per cent of the total value of its assets."

#### HOUSE AMENDMENT TO SENATE FILE NO. 263

Amend section one by adding at the end of subsection five thereof the following:

"No such investment in utility bonds to be made except where the funded debt of said utility company is less than seventy per cent of the total value of its assets."

#### HOUSE MESSAGES CONSIDERED

House File No. 271, a bill for an act empowering board of supervisors in certain cases to cancel special assessments for graveling and to refund installments of said assessments which have been paid and to pay unpaid installments of such assessments and to levy a tax for such purposes.

Read first and second time and referred to sifting committee.

House File No. 376, a bill for an act to amend subdivision five (5) of section sixty-eight hundred fifty-six (6856) of the code, 1924, relating to special tax levies in cities under special charter.

Read first and second time and referred to sifting committee.

House File No. 298, a bill for an act to create a thresherman's lien upon crops grown upon leased premises.

Read first and second time and referred to sifting committee.

House File No. 280, a bill for an act to amend sections sixty-two hundred sixty-one (6261) and sixty-two hundred sixty-two (6262) of the code, 1924, relating to the issuance of bonds by cities or towns.

Read first and second time and referred to sifting committee.

House File No. 438, a bill for an act to amend section thirteen thousand one hundred eighteen (13118) of the code, 1924, relating to certain obstructions in highways.

Read first and second time and referred to sifting committee.

House File No. 392, a bill for an act to amend section seventy-three hundred thirty-two (7332) of the code, 1924, relating to notice of appraisement for inheritance tax.

Read first and second time and referred to sifting committee.

House File No. 339, a bill for an act to amend section ten thousand one hundred forty-seven (10147) of the code, relating to conveyance or incumbrance of homesteads.

Read first and second time and referred to sifting committee.

House File No. 435, a bill for an act to amend section thirty-one hundred fourteen (3114) of the code, 1924, relating to the labeling of commercial feeds.

Read first and second time and referred to sifting committee.

House File No. 352, a bill for an act to repeal section seventy-two hundred three (7203) of the code, 1924, and to enact a substitute therefor, relating to the lien of personal taxes.

Read first and second time and referred to sifting committee.

## HOUSE AMENDMENTS CONSIDERED

Senator Wilson of Polk called up for consideration Senate File No. 263, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one by adding at the end of subsection five thereof the following:

"No such investment in utility bonds to be made except where the funded debt of said utility company is less than seventy per cent of the total value of its assets."

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Benson	Clark	Kern	Shane
Booth	Clearman	Kimberly	Stemmons
Brookins	Dean	Klemme	Stoddard
Browne	Dotts	Lange	Thompson
Brush	Ellis	McLeland	Topping
Campbell	Fackler	Merritt	Ulstad
Carden	Gunderson	Roberts	Wilson of Polk
Cavanaugh	Hartman		

Nays, none.

Absent or not voting, 20.

Baird	Frailey	Langfitt	Shaff
Beatty	Fulton	McFarlane	Shinn
Bergman	Gilchrist	Mills	Skromme
Breakenridge	Haskell	Ramsey	Stanley
Darting	Johnston	Rigby	Wilson of Page

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Lange moved that the vote by which the amendment was concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Fackler called up for consideration Senate File No. 316, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one by adding at the end of subsection five thereof the following:

"No such investment in utility bonds to be made except where the funded debt of said utility company is less than seventy per cent of the total value of its assets."

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Benson	Clark	Kern	Shane
Booth	Clearman	Kimberly	Slemmons
Brookins	Dean	Klemme	Stoddard
Browne	Dotts	Lange	Thompson
Brush	Ellis	McLeland	Topping
Campbell	Fackler	Merritt	Ulstad
Carden	Gunderson	Rigby	Wilson of Polk
Cavanaugh	Hartman	Roberts	

Nays, none.

Absent or not voting, 19.

Baird	Frailey	Langfitt	Shaff
Beatty	Fulton	McFarlane	Shinn
Bergman	Gilchrist	Mills	Skromme
Breakenridge	Haskell	Ramsey	Stanley
Darting	Johnston		Wilson of Page

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Fackler moved that the vote by which the amendment was concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### S. F. 175 MADE SPECIAL ORDER

On motion of Senator Ellis Senate File No. 175 was made a special order for 11 a. m. Wednesday.

#### S. F. 184 MADE SPECIAL ORDER

On motion of Senator Gilchrist Senate File No. 184 was made a special order for 1:30 p. m. Monday.

#### H. F. 208 MADE SPECIAL ORDER

On motion of Senator Stoddard House File No. 208 was made a special order to follow Senate File No. 184 on Monday.

#### THIRD READING OF BILLS

On motion of Senator Gilchrist Senate File No. 95, a bill for an act to amend chapter three hundred fifty-one (351) of the code, 1924, relating to the inheritance tax, assessment and collection thereof, and the procedure with reference thereto, and to amend

sections seven thousand three hundred five (7305), seven thousand three hundred nine (7309), seven thousand three hundred ten (7310), seven thousand three hundred thirty-two (7332), seven thousand three hundred fifty-two (7352), seven thousand three hundred fifty-six (7356), seven thousand three hundred sixty-three (7363), seven thousand three hundred twenty (7320), seven thousand three hundred twenty-two (7322), seven thousand three hundred ninety-four (7394), seven thousand three hundred eight (7308), seven thousand three hundred six (7306), seven thousand three hundred twenty-eight (7328), seven thousand three hundred thirty-four (7334), seven thousand three hundred seven (7307), relating to the inheritance tax, the assessment and collection thereof, and the procedure with reference thereto, and to repeal sections seven thousand three hundred eleven (7311), seven thousand three hundred thirty-one (7331), seven thousand three hundred forty-seven (7347), seven thousand three hundred fourteen (7314), seven thousand three hundred seventeen (7317), seven thousand three hundred sixty-four (7364), seven thousand three hundred ninety-six (7396), and to enact substitutes therefor relating to the inheritance tax, the assessment and collection thereof, and the procedure with reference thereto, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

President Pro Tem Shane took the chair at 1:55 p. m.

The committee amendments found on page 939 of the Senate journal, were adopted.

The bill was read for information.

Senator Cavanaugh moved that the reading just had be considered the third reading, which motion prevailed.

President Kimball resumed the chair at 2:15 p. m.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Benson	Cavanaugh	Kern	Rigy
Booth	Clark	Kimberly	Shane
Brookins	Clearman	Klemme	Slemmons
Browne	Dean	Lange	Stoddard
Brush	Fackler	Langfitt	Thompson
Campbell	Gilchrist	McLeland	Topping
Carden	Gunderson	Merritt	Ulstad

Nays, none.

Absent or not voting, 22.

Baird	Ellis	McFarlane	Shinn
Beatty	Frailey	Mills	Skromme
Bergman	Fulton	Ramsey	Stanley
Breakenridge	Hartman	Roberts	Wilson of Page
Darting	Haskell	Shaff	Wilson of Polk
Dotts	Johnston		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh 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 Dean, House File No. 479, a bill for an act to amend chapter three hundred ten (310) of the code, 1924, as amended by chapter one hundred fifty-two (152), acts of the forty-first (41) general assembly, relating to the protection of cities and towns from floods, and to provide that such cities and towns may condemn property outside of the limits of such cities and towns for an outlet to the streams or water courses changed or improved, under the provisions of said chapter, 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 between the word "including" and the word "railroad" in line seven (7) the words "right to cross"; also by inserting between the word "property" and the word "as" in the seventh line the words "so as not to impair the previous public use".

The bill was read for information.

Senator Dean moved 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.

Benson	Clark	Kimberly	Roberts
Booth	Clearman	Klemme	Shane
Brookins	Dean	Lange	Slemmons
Browne	Dotts	Langfitt	Stoddard
Brush	Fackler	McLeland	Thompson
Campbell	Gilchrist	Merritt	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Kern		

Nays, none.

Absent or not voting, 20.

Baird	Ellis	Johnston	Shinn
Beatty	Frailey	McFarlane	Skromme
Bergman	Fulton	Mills	Stanley
Breakenridge	Gunderson	Ramsey	Wilson of Page
Darting	Haskell	Shaff	Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dean moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, Senate File No. 408, a bill for an act to legalize the election of school directors in certain school districts at the annual election in March, 1927, in so far as there was a failure to open and close the polls in strict compliance with the law, a committee bill was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out section 2 and substituting in lieu thereof 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 Correctionville News, a newspaper published in Correctionville, Iowa, and the Oskaloosa Herald, a newspaper published in Oskaloosa, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 28.

Booth	Clark	Kimberly	Roberts
Brookings	Clearman	Klemme	Shane
Browne	Dean	Lange	Slemmons
Brush	Dotts	Langfitt	Stoddard
Campbell	Fackler	McLeland	Thompson
Carden	Gilchrist	Merritt	Topping
Cavanaugh	Kern	Rigby	Ulstad

Nays, none.



Absent or not voting, 22.

Baird	Ellis	Haskell	Shaff
Beatty	Frailey	Johnston	Shinn
Benson	Fulton	McFarlane	Skromme
Bergman	Gunderson	Mills	Stanley
Breakenridge	Hartman	Ramsey	Wilson of Page
Darting			Wilson of Polk

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 Carden, House File No. 123, a bill for an act to amend section four thousand two hundred thirty-one (4231), of the code, 1924, relating to the powers and duties of school directors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Carden moved 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.

Benson	Cavanaugh	Gunderson	Merritt
Booth	Clark	Kern	Rigby
Brookins	Clearman	Kimberly	Shane
Browne	Dean	Klemme	Slemmons
Brush	Dotts	Lange	Stoddard
Campbell	Fackler	Langfitt	Thompson
Carden	Gilchrist	McLeland	Topping
			Ulstad

Nays, none.

Absent or not voting, 21.

Baird	Frailey	McFarlane	Shinn
Beatty	Fulton	Mills	Skromme
Bergman	Hartman	Ramsey	Stanley
Breakenridge	Haskell	Roberts	Wilson of Page
Darting	Johnston	Shaff	Wilson of Polk
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Merritt, House File No. 329, a bill for an act to make permanent a temporary transfer of money from the electric light fund to the general fund of Lake View, Iowa, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Merritt moved 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.

Benson	Clark	Kern	Rigby
Booth	Clearman	Kimberly	Roberts
Brookins	Dean	Klemme	Shane
Browne	Dotts	Lange	Slemmons
Brush	Fackler	Langftt	Thompson
Campbell	Gilchrist	McLeland	Topping
Carden	Hartman	Merritt	Ulstad
Cavanaugh			

Nays, none.

Absent or not voting, 21.

Baird	Frailey	McFarlane	Skromme
Beatty	Fulton	Mills	Stanley
Bergman	Gunderson	Ramsey	Stoddard
Breakenridge	Haskell	Shaff	Wilson of Page
Darting	Johnston	Shinn	Wilson of Polk
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Merritt moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Campbell, House File No. 332, a bill for an act to make permanent the transfer of money from the electric light fund to the water fund of the town of Aurelia, Iowa, reported out by the sifting committee, was taken up and considered.

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, 28.

Benson	Clark	Kimberly	Roberts
Booth	Clearman	Klemme	Shane
Brookins	Dean	Lange	Slemmons
Browne	Dotts	Langfitt	Stoddard
Brush	Fackler	McLeland	Thompson
Campbell	Gilchrist	Merritt	Topping
Cavanaugh	Kern	Rigby	Ulstad

Nays, none.

Absent or not voting, 22.

Baird	Ellis	Haskell	Shaff
Beatty	Frailey	Johnston	Shinn
Bergman	Fulton	McFarlane	Skromme
Breakenridge	Gunderson	Mills	Stanley
Carden	Hartman	Ramsey	Wilson of Page
Darting			Wilson of Polk.

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 Campbell House File No. 333, a bill for an act to make permanent transfers of money from the electric light fund and the water fund to the general fund of the town of Aurelia, 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, 29.

Benson	Clearman	Kimberly	Roberts
Booth	Dean	Klemme	Shane
Brookins	Dotts	Lange	Slemmons
Browne	Fackler	Langfitt	Stoddard
Brush	Gilchrist	McLeland	Thompson
Campbell	Hartman	Merritt	Topping
Cavanaugh	Kern	Rigby	Ulstad
Clark			

Nays, none.

Absent or not voting, 21.

Baird	Ellis	Johnston	Shinn
Beatty	Frailey	McFarlane	Skromme
Bergman	Fulton	Mills	Stanley
Breakenridge	Gunderson	Ramsey	Wilson of Page
Carden	Haskell	Shaff	Wilson of Polk
Darting			

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 Lange Senate File No. 374, a bill for an act to repeal section sixty-six hundred seventy-six (6676) of the code, 1924, relating to political activity on the part of the manager of a city under the city manager plan 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 Lange moved 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.

Benson	Clark	Kimberly	Roberts
Booth	Clearman	Klemme	Shane
Brookins	Dean	Lange	Slemmons
Browne	Dotts	Langfitt	Stoddard
Brush	Fackler	McLeland	Thompson
Carden	Gilchrist	Merritt	Topping
Cavanaugh	Hartman	Rigby	Ulstad

Nays, none.

Absent or not voting, 22.

Baird	Darting	Haskell	Shaff
Beatty	Ellis	Johnston	Shinn
Bergman	Frailey	Kern	Skromme
Breakenridge	Fulton	McFarlane	Stanley
Campbell	Gunderson	Mills	Wilson of Page
		Ramsey	Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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. 427, a bill for an act to provide for the transfer of surplus earnings of incorporated towns, a bill by the sifting committee, 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, 29.

Benson	Clark	Kern	Roberts
Booth	Clearman	Kimberly	Shane
Brookins	Dean	Klemme	Slemmons
Browne	Dotts	Lange	Stoddard
Brush	Fackler	Langfitt	Thompson
Campbell	Gilchrist	McLeland	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh			

Nays, none.

Absent or not voting, 21.

Baird	Frailey	McFarlane	Shinn
Beatty	Fulton	Merritt	Skromme
Bergman	Gunderson	Mills	Stanley
Breakenridge	Haskell	Ramsey	Wilson of Page
Darting	Johnston	Shaff	Wilson of Polk
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Gilchrist offered the following amendment to the title and moved its adoption:

Amend the title by striking out the words "transfer of surplus earnings of" and by inserting in lieu thereof the words "purchase of school bonds by certain".

The amendment was adopted 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.

On motion of Senator Rigby, House File No. 151, a bill for an act to authorize and direct the governor to deed and convey by quit claim deed certain real estate which is a part of the land of the Soldiers' Orphans' Home located in the city of Davenport, to the city of Davenport for street purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Rigby moved 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.

Benson	Clark	Kimberly	Roberts
Booth	Clearman	Klemme	Shane
Brookins	Dean	Lange	Stemmons
Browne	Dotts	Langfitt	Stoddard
Brush	Fackler	McLeland	Thompson
Campbell	Gilchrist	Merritt	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Kern		

Nays, none.

Absent or not voting, 20.

Baird	Ellis	Johnston	Shinn
Beatty	Frailey	McFarlane	Skromme
Bergman	Fulton	Mills	Stanley
Breakenridge	Gunderson	Ramsey	Wilson of Page
Darting	Haskell	Shaff	Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Clark, House File No. 259, a bill for an act to legalize the levy of a tax for the purpose of erecting a memorial hall by the board of supervisors of Marion county, Iowa, reported out by the sifting committee was taken up and considered, and the report of the committee adopted.

The bill was read for information.

Senator Clark moved 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.

Benson	Clearman	Kimberly	Roberts
Booth	Dean	Klemme	Shane
Brookins	Dotts	Lange	Slemmons
Brush	Fackler	Langfitt	Stoddard
Campbell	Gilchrist	McLeland	Thompson
Carden	Hartman	Merritt	Topping
Cavanaugh	Kern	Rigby	Ulstad
Clark			

Nays, none.

Absent or not voting, 21.

Baird	Ellis	Johnston	Shinn
Beatty	Frailey	McFarlane	Skromme
Bergman	Fulton	Mills	Stanley
Breakenridge	Gunderson	Ramsey	Wilson of Page
Browne	Haskell	Shaff	Wilson of Polk
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### H. F. 215 MADE SPECIAL ORDER

On motion of Senator Benson House File No. 215 was made a special order to follow House File No. 208 on Monday.

#### THIRD READING OF BILLS

On motion of Senator Stoddard, House File No. 238, a bill for an act to legalize and make permanent a transfer of funds from the light fund to the general fund of the incorporated town of Sergeant Bluff, 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 Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Benson	Clearman	Kimberly	Roberts
Booth	Dean	Klemme	Shane
Brookins	Dotts	Lange	Slemmons
Browne	Fackler	Langfitt	Stoddard
Brush	Gilchrist	McLeland	Thompson
Campbell	Hartman	Merritt	Topping
Cavanaugh	Kern	Rigby	Ulstad
Clark			

Nays, none.

Absent or not voting, 21.

Baird	Ellis	Johnston	Shinn
Beatty	Frailey	McFarlane	Skromme
Bergman	Fulton	Mills	Stanley
Breakenridge	Gunderson	Ramsey	Wilson of Page
Carden	Haskell	Shaff	Wilson of Polk
Darting			

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 Rigby, Senate File No. 283, a bill for an act authorizing the extension of the time of payment of drainage assessments and the issuance of drainage refunding bonds for the purpose of renewing and extending all or any part of the legal indebtedness for account of drainage districts, 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 "district" in the sixth line of section two of the bill the following:

"as shown by the transfer books in the Auditor's office".

Also amend section five of the bill by inserting after the word "appears" in line two the following:

"upon the transfer books in the Auditor's office".

Further amend the bill by striking the period therefrom at the end of section four and by adding the following:

"of the Code."



Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out section 25 and inserting in lieu thereof the following: "Sec. 25. Publication Clause. This act is deemed of immediate importance and shall take effect from and after its publication in the Tipton Advertiser, a newspaper published at Tipton, Iowa, and the Sioux City Journal, a newspaper published at Sioux City, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Rigby moved 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.

Benson	Clearman	Kimberly	Roberts
Brookins	Dean	Klemme	Shane
Brush	Dotts	Lange	Slemmons
Campbell	Fackler	Langfitt	Stoddard
Carden	Gilchrist	McLeland	Thompson
Cavanaugh	Hartman	Merritt	Topping
Clark	Kern	Rigby	Ulstad

Nays, none.

Absent or not voting, 22.

Baird	Darting	Johnston	Shinn
Beatty	Ellis	McFarlane	Skromme
Bergman	Frailey	Mills	Stanley
Booth	Fulton	Ramsey	Wilson of Page
Breakenridge	Gunderson	Shaff	Wilson of Polk
Browne	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigby moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Campbell House File No. 113, a bill for an act to amend sections forty-eight hundred nineteen (4819), forty-eight hundred twenty-two (4822), and forty-eight hundred twenty-three (4823) of the code, 1924, relating to the destruction of noxious weeds, 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 as follows:

That after the word "supervisor" in the last line of section one, a comma be added in lieu of the period, together with the following provision: "provided that on the railway right of way the owner may select its own method of destroying weeds if such method is equally effective as that prescribed by said boards in the respective counties".

Senator Campbell offered the following amendment and moved its adoption:

Amend by striking the words "title holder" in the second line of subsection 4, and inserting in lieu thereof the following:

"owners of said real estate, and the word "owners" shall refer to the title holder of said real estate, unless said real estate shall be sold under contract whereby possession has been delivered to the purchaser, in which event it shall be construed that the purchaser is the owner of said real estate,".

The amendment was adopted.

The bill was read for information.

Senator Campbell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Benson	Cavanaugh	Hartman	Rigby
Booth	Clark	Kimberly	Shane
Brookins	Clearman	Lange	Slemmons
Browne	Dean	Langfitt	Stoddard
Brush	Dotts	McLeland	Thompson
Campbell	Fackler	Merritt	Topping
Carden	Gilchrist		Uistad

Nays, 2.

Kern	Klemme
------	--------

Absent or not voting, 21.

Baird	Ellis	Johnston,	Shaff
Beatty	Frailey	McFarlane	Shinn
Bergman	Fulton	Mills	Skromme
Breakenridge	Gunderson	Ramsey	Stanley
Darting	Haskell	Roberts	Wilson of Page
			Wilson of Polk

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.

Senator Fackler moved the Senate adjourn until 9:30 a. m. Monday.

Senator Topping moved to amend the motion by making the hour 1:30 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 1:30 p. m. Monday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 4, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Walter A. Morgan, pastor of the Trinity Methodist church, of Des Moines.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Breakenridge for the day on request of Senator Gilchrist; Senator Ellis for today and tomorrow on request of Senator Carden; Senator Wilson of Page for the day on request of Senator Gilchrist; Senator Rigby for the day on request of Senator Cavanaugh; Senator Dean for the day on request of Senator Skromme; Senator Ramsey for the day on request of Senator Clearman.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Merritt, from voters of Greene county, opposing a bill taxing tobaccos.

By Senator Thompson, from town council of West Liberty, favoring amendment of proposed tax bill.

By Senator Browne, from council of Preston, favoring bill giving cities and towns one-half cent gas tax.

By Senator Lange, from voters of Dubuque county, opposing a bill taxing tobaccos.

## REPORT OF SIFTING COMMITTEE

April 6, 1927.

**MR. PRESIDENT:** Your Sifting Committee wishes to place the following bills on the calendar:

House Files Nos. 286 and 453, as amended.

H. GUY ROBERTS, *Chairman.*

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that on April 2, 1927, he had approved the following bills:

Senate File No. 54, relating to abstract of record and to the filing and effect thereof on appeal to the Supreme court.

Senate File No. 295, relating to permanent transfer of county funds.

Senate File No. 50, relating to the power of the court to order amendments to indictments.

Senate File No. 57, relating to electric storage batteries.

Senate File No. 98, relating to powers of cities and towns to regulate, license or prohibit certain places of amusements.

#### TIRRILL MEMORIAL RESOLUTION

Senator Slemmons offered the following resolution:

*Whereas*, The Honorable Rodney W. Tirrill, former member of the Senate in the Eighteenth and Nineteenth General Assemblies, died October 2, 1926, at Manchester, Iowa.

*Therefore, Be It Resolved by the Senate of the Forty-second General Assembly*, That the President appoint a committee of three to draft suitable resolutions in commemoration of his life and services to this state and nation.

The resolution was adopted and the President appointed as such committee Senators Slemmons, Skromme and Ulstad.

#### CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, request a call of the Senate on Senate File No. 351.

GEO. F. SLEMMONS,  
 C. H. TOPPING,  
 F. C. STANLEY,  
 C. S. BROWNE,  
 GEO. S. HARTMAN,  
 A. J. SHINN,  
 W. E. MCLELAND,  
 ARCH W. MCFARLANE,  
 J. N. LANGFITT,  
 ED H. CAMPBELL,  
 CHAS. D. BOOTH,  
 E. E. CAVANAUGH,  
 A. T. BROOKINS,  
 WILLIAM CARDEN,  
 B. M. STODDARD,  
 WM. H. KLEMME,  
 LARS J. SKROMME.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Klemme 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. 247, 172, 203, 210, 135, 118, 71, 7, 12, 55, 59, 328, 160, 117, 232, 331, 457, and 101:

**WM. H. KLEMME,**  
*Vice Chairman Senate Committee.*

**FRED R. BLYTHE,**  
*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. 247, 172, 203, 210, 135, 118, 71, 7, 12, 55, 59, 328, 160, 117, 232, 331, 457, and 101.

## REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports :

**MR. PRESIDENT:** Your committee on appropriations to which was referred Senate File No. 421, a bill for an act to make an appropriation to Havner, Flick & Powers for attorneys' fees as attorneys for Robert L. Leach in the cause of City of Washington, Iowa, vs. Robert L. Leach, begs leave to report it has had the same under consideration and recommends the same do pass.

**B. M. STODDARD,** *Chairman.*

Ordered passed on file.

Also :

**MR. PRESIDENT:** Your committee on appropriations to which was referred Senate File No. 423, a bill for an act to make an appropriation to James A. Devitt for attorney's fees as attorney for Robert L. Leach in the cause of City of Washington, Iowa, vs. Robert L. Leach, begs leave to report it has had the same under consideration and recommends the same do pass.

**B. M. STODDARD,** *Chairman.*

Ordered passed on file.

## MESSAGES FROM THE HOUSE

The following messages were received from the House :

**MR. PRESIDENT:** I am directed to inform your honorable body that

the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 248, a bill for an act relating to maintenance of a party to a divorce action before determination of the case.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 444, a bill for an act relating to the purchase or remodeling of city or town halls and to the levy of a tax for a city hall fund.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 64, a bill for an act relating to elections, and to provide a system of permanent registration for cities having a population in excess of one hundred twenty-five thousand (125,000).

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 25, a bill for an act relating to the issuance of bonds, certificates or other evidence of indebtedness by any municipality of the state, etc.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 19, a bill for an act relating to the erection or repair of schoolhouses and to enact a substitute therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 396, a bill for an act relating to and defining nuisances.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 476, a bill for an act relating to the speed of passenger carrying motor vehicles.

Also: That the House has concurred in Senate amendment to House File No. 115, a bill for an act relative to the election of school directors in school townships.

Also: 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 to authorize the executive council to transfer funds and to use certain funds for preservation of Iowa war flags.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 128, a bill for an act to compensate Jonah Smith for

service as chaplain at Camp McKinley for the period from June 24th, 1898 to September 5th, 1898, and to make an appropriation therefor.

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 insurance.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 59, a bill for an act relating to motor vehicles.

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 the appointment of probation officers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 72, a bill for an act with reference to the deposit by life insurance companies to cover the valuation of policies.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 352, a bill for an act relating to the primary road system and the appointment of members of the 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. 177, a bill for an act to promote the use of materials, products and supplies produced, manufactured or made in Iowa in the construction, repair, maintenance and upkeep of any public buildings, public monuments, public structures, or additions thereto; also to require the use of only such materials, supplies and provisions in the maintenance and provisioning of any state, county, school district or other municipal institution.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 58, a bill for an act relative to the amount of license fees to be paid on motor vehicles.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 225, a bill for an act providing restrictions upon the conference of degrees, by corporations of an academic character and individuals conducting academic courses. Also providing a penalty for the violation thereof.



## HOUSE AMENDMENT TO SENATE FILE NO. 191

Amend Senate File No. 191 by inserting the following as section two (2):

Sec. 2. There is hereby enacted and inserted in the code, immediately following section thirty-six hundred sixteen (3616), the following:

"3616-b1. The salaries and expenses of probation officers and deputies in counties which contain an educational institution under the control of the state board of education with a student enrollment of at least forty-two hundred, may be paid either from the general county fund or from the court expense fund."

Also amend by striking the publication clause.

## HOUSE AMENDMENT TO SENATE FILE NO. 72

Amend Senate File No. 72 as follows:

Strike the word "annually" from line four (4) of section one (1) and insert in lieu thereof the word "semiannually".

## HOUSE AMENDMENT TO SENATE FILE NO. 352

Amend section one (1) by striking from the interlineation between lines six (6) and seven (7) the word "all" and inserting in lieu thereof the following: "more than three".

## HOUSE AMENDMENT TO SENATE FILE NO. 177

Amend the title by substituting therefor the following:

## A BILL FOR

An Act to promote the use of materials, products and supplies produced, manufactured, compounded, made or grown within the state of Iowa by requiring that a preference be given all such materials, products and supplies, with certain exceptions by all commissions, boards, committees, officers or other governing bodies of the state, counties, townships, school districts, cities, towns, and the contracting and purchasing agents thereof, whenever such materials, products and supplies are available, suited for the intended use and can be secured without loss; also providing that all bids posted by such commissions, boards, committees, officers or other governing bodies be in general terms and call attention to such preference.

Amend Senate File No. 177 by striking from section 1 all following the word "without" in line 11, and by inserting in lieu thereof the following:

"additional cost over foreign products or products of other states."

Also amend by striking from lines eight (8) and nine (9) of section 2 the following phrase "of one per cent on price".

Further amend by inserting after section two (2) the following as sections three (3) and four (4):

"Sec. 3. The 1927 Code of Iowa shall be printed in Iowa, provided that the state printing board may let the contract outside of the state if deemed necessary for the protection of the state against unreasonable charges."

"Sec. 4. This act shall in no way pertain to the state highway commission, nor to the construction, building, or maintenance of any highway, primary, secondary, or otherwise, or to streets or alleys in any city or town in the state of Iowa.

Also amend by renumbering section 3 as section 5.

#### HOUSE AMENDMENT TO SENATE FILE NO. 58

Amend Senate File No. 58 by striking the quotation mark (") at the end of said bill and adding thereto the following:

"Whenever any such fee so computed contains a fractional part of a dollar, it shall be computed as of the nearest fractional quarter dollar thereto, and said amount shall be the fee which shall be collected."

#### HOUSE AMENDMENT TO SENATE FILE NO. 225

Amend Senate File No. 225 as follows:

Strike out sections one (1) and two (2) of the bill and in lieu thereof insert the following:

Section 1. Section eighty-five hundred eighty-eight (8588) of the code is amended by adding thereto the following: "No academic degree for which compensation is to be paid shall be issued or conferred by such corporation or by any individual conducting an academic course unless the person obtaining the said degree shall have completed at least one academic year of resident work at the institution which grants the degree.

Sec. 2. There is hereby enacted and inserted in the code immediately following section eighty-five hundred eight-eight (8588) of the code, the following:

"8588-b1. Penalty. A violation of the preceding section by a corporation shall be punished by a fine of not more than one thousand dollars (\$1,000). A violation of the preceding section by an individual conducting an academic course or by an officer or managing head of a corporation shall be punished by imprisonment in the penitentiary or men's or women's reformatory not more than seven (7) years; or by fine not exceeding five hundred dollars (\$500) or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment."

#### HOUSE AMENDMENTS CONSIDERED

Senator Gilchrist called up for consideration Senate File No.

110, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking from line ten (10) the word "duplicate" and inserting in lieu thereof the words "true copy".

Further amend by adding thereto the following sections:

"Sec. 2. That section ten thousand sixteen (10016) of the code, 1924, is hereby amended by inserting after the word "and" in line eleven (11), the words: "such instrument or a true copy thereof be".

Sec. 3. That section ten thousand seventeen (10017) of the code, 1924, is hereby amended by striking from line two (2) thereof the word "instrument" and inserting in lieu thereof the words "such instrument or a true copy thereof".

Sec. 4. That section ten thousand eighteen (10018) of the code, 1924, is hereby amended by striking from line two (2) thereof the word "instrument" and inserting in lieu thereof the words "such instrument or a true copy thereof".

Sec. 5. That section ten thousand twenty (10020) of the code, 1924, is hereby amended by striking from line two (2) thereof the words "written instrument" and inserting in lieu thereof the words "such instrument or a true copy thereof".

Also amend title as follows:

Amend second line of the title by changing the word "section" to read "sections"; also amend by placing a comma following the parenthesis in line three, and adding the following: "ten thousand sixteen (10016), ten thousand seventeen (10017), ten thousand eighteen (10018) and ten thousand twenty (10020)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Baird	Clark	Johnston	Shinn
Benson	Darting	Kern	Skromme
Bergman	Dotts	Kimberly	Slemmons
Booth	Frailey	McFarlane	Stanley
Browne	Fulton	McLeland	Thompson
Campbell	Gilchrist	Mills	Topping
Carden	Hartman	Roberts	Ulstad
Cavanaugh	Haskell	Shaff	Wilson of Polk

Nays, none.

Absent or not voting, 18.

Beatty	Dean	Lange	Rigby
Breakenridge	Ellis	Langfitt	Shane
Brookins	Fackler	Merritt	Stoddard
Brush	Gunderson	Ramsey	Wilson of Page
Clearman	Klemme		

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 Shaff, Senate File No. 149, a bill for an act relating to the licensing of motor vehicle operators and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways, and to make uniform the laws relating thereto, and to repeal sections four thousand nine hundred forty-three (4943) to four thousand nine hundred sixty (4960), inclusive, of the Code, 1924, 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 782 of the Senate journal, were adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend section 4 by inserting in line 17 after the word "nonresident" the words "or persons of his family"; and by striking out the word "is" in said line and inserting in lieu thereof the word "are".

The amendment was adopted.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend by striking out section 24.

The amendment was adopted.

Senator Wilson of Polk offered the following amendment and moved its adoption.

Amend by striking out section 33, and by renumbering the remaining sections accordingly.

The amendment was adopted .

Senator Gilchrist offered the following amendment and moved its adoption:

Amend section 21 by striking out lines 9, 10 and 11 and by inserting in lieu thereof the following: "a. The liability upon the judgments against such persons has been discharged by payment or in some other manner."

The amendment was adopted:

Senator Gilchrist offered the following amendment and moved its adoption:

Amend section 18 by striking out line 48 and inserting in lieu thereof the following: "whose liability upon any such judgment remains undischarged either by payment or in some other manner.", and by striking the word "thereof" from line 49.

Senator Gilchrist withdrew the amendment.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend section eighteen (18) subdivision three (3) by striking out the word "and" at the end of line twenty-nine, also by striking out all of lines thirty and thirty-one and by striking out the words "became final or" at the beginning of line thirty-two, also by striking out the words "thereof, if there be a clerk" in line thirty-two. Further amend by striking out lines 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51 of said section; also amend line thirty-nine of said section by striking out the word "incident" and inserting in lieu thereof the word "accident".

The amendment was adopted.

Senator Shaff 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, 16.

Benson	Darting	Johnston	Merritt
Bergman	Frailey	Kimberly	Shaff
Booth	Hartman	Klemme	Stoddard
Brush	Haskell	McFarlane	Wilson of Polk

Nays, 21.

Baird	Clearman	Lange	Skromme
Browne	Dotts	Langfitt	Slemmons
Campbell	Gilchrist	McLeland	Stanley
Carden	Gunderson	Mills	Thompson
Cavanaugh	Kern	Shinn	Topping
Clark			

Absent or not voting, 13.

Beatty	Ellis	Ramsey	Shane
Breakenridge	Fackler	Rigby	Ulstad
Brookins	Fulton	Roberts	Wilson of Page
Dean			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Gilchrist, Senate File No. 184, a bill for an act to amend Chapter six hundred sixteen (616) of the Code, 1924, relating to criminal investigation, identification of persons accused of crime, and identification of dead bodies, the report of the committee recommending indefinite postponement having been rejected, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking all that part thereof following the enacting clause, and by substituting in lieu thereof the following:

Section 1. That the law as it appears in chapter six hundred sixteen (616) of Title XXXV of the Code, 1924, be and the same is hereby amended by adding thereto the following sections:

"13417-b1. It shall be the duty of the sheriff of every county, and the chief of police of each city regardless of the form of government thereof and having a population of ten thousand or over, to take the finger prints of all persons held either for investigation, for the commission of a felony, as a fugitive from justice, or for bootlegging, the maintenance of an intoxicating liquor nuisance, or for illegal transportation of intoxicating liquor, and to take the finger prints of all unidentified dead bodies in their respective jurisdictions, and to forward such finger print records on such forms and in such manner as may be prescribed by the attorney general, within forty-eight hours after the same are taken, to the Bureau of Criminal Investigation. If the finger prints of any person are taken under the provisions hereof whose finger prints are not already on file, and said person is not convicted of any offense, then said finger print records shall be destroyed by any officer having them.

"13417-b2. The board of supervisors of each county and the council of each city affected by the provisions of this act shall furnish all necessary equipment and materials for the carrying out of the provisions of the preceding section."

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Evening Gazette, a newspaper published at Cedar Rapids, Iowa, and the Nonpareil, a newspaper published at Council Bluffs, Iowa.

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.

Baird	Cavanaugh	Kimberly	Shinn
Benson	Clearman	Klemme	Skromme
Bergman	Darting	Lange	Slemmons
Booth	Dotts	Langfitt	Stanley
Brookins	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Thompson
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Kern	Shane	Wilson of Polk

Nays, 1.

Clark

Absent or not voting, 13. \*

Beatty	Fulton	Johnston	Roberts
Breakenridge	Hartman	Ramsey	Shaff
Dean	Haskell	Rigby	Wilson of Page
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, House File No. 208, a bill for an act to amend section five thousand two hundred twenty-two (5222) of the code, 1924, relating to compensation of county treasurers, was taken up and considered, the report of the committee having been previously adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by adding the following at the end of the bill: "Provided, however, that in no case shall such allowance exceed five hundred dollars."

The amendment was 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, 34.

Baird	Clark	Kimberly	Skromme
Benson	Clearman	Klemme	Slemmons
Bergman	Darting	Lange	Stanley
Booth	Fackler	McFarlane	Stoddard
Browne	Frailey	Merritt	Thompson
Brush	Gilchrist	Mills	Topping
Campbell	Hartman	Shaff	Ulstad
Carden	Haskell	Shane	Wilson of Polk
Cavanaugh	Johnston		

Nays, 3.

Dotts	Gunderson	Shinn
-------	-----------	-------

Absent or not voting, 13.

Beatty	Ellis	Langfitt	Rigby
Breakenridge	Fulton	McLeland	Roberts
Brookins	Kern	Ramsey	Wilson of Page
Dean			

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 Brush, House File No. 215, a bill for an act to provide for the construction, purchase and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states in relation to such bridges; and to provide for funds for the construction, purchase and maintenance of such 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:

Amend by striking out in section 1, beginning with the word "at" in line four, the words, "at a price not to exceed their physical value."

Amend section two, as now amended, by striking from line three, thereof, the words "two per cent (2%)" and inserting in lieu thereof "one-half of one per cent ( $\frac{1}{2}$  of 1%)."

Add to the bill as section 3, the following:

"In case the highway commission and the proper officials of adjacent states or subdivisions of adjoining states and the owners of any such bridge already built cannot agree upon a price that may be deemed just and reasonable by such highway commission, upon its request, the at-



torney general shall, on behalf and in the name of the State of Iowa, and in accordance with the statute applicable to such cases, institute and prosecute to a final determination an action or actions for the condemnation of so much of said bridge as shall be within the jurisdiction of the State of Iowa, provided that like action is taken by such adjacent state or subdivisions of adjoining states in connection with the same bridge."

Senator Benson offered the following amendment to the committee amendments and moved its adoption:

Amend by striking the second paragraph and inserting in lieu thereof the following:

Amend section two (2) of the bill by striking all of the same and inserting in lieu thereof the following:

"The State Highway Commission is hereby authorized to cooperate with the proper officials of the state of Wisconsin in the construction of an interstate bridge between McGregor, Iowa, and Prairie du Chein, Wisconsin, one-half of the cost of the same to be paid by Iowa and one-half by Wisconsin; and they are further authorized to expend out of the primary road fund of this state an amount not to exceed \$600,000.00 in the payment of this state's portion of the cost of such interstate bridge."

Senator Shane moved the previous question on the amendment, which motion prevailed.

By unanimous consent the words "and one-half by Wisconsin" were stricken from the amendment to the amendment.

Senator Brush invoked rule 8.

On the question "Shall the amendment to the committee amendment be adopted?" the vote was:

Ayes, 17.

Benson	Gunderson	Lange	Shaff
Brookins	Hartman	Langfitt	Shane
Brush	Johnston	McFarlane	Thompson
Campbell	Klemme	Merritt	Wilson of Polk
Clearman			

Nays, 24.

Baird	Clark	Haskell	Shinn
Bergman	Dotts	Kern	Skromme
Booth	Fackler	Kimberly	Slemmons
Browne	Frailey	McLeland	Stanley
Carden	Fulton	Mills	Stoddard
Cavanaugh	Gilchrist	Roberts	Topping

Absent or not voting, 9.

Beatty	Dean	Ramsey	Ulstad
Breakenridge	Ellis	Rigby	Wilson of Page
Darting			

The amendment to the amendment was lost.

The committee amendments were adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend by adding at the end of section one the following:

"They may institute proceedings of condemnation, but where more than one bridge is located so as to serve the same community they must condemn and purchase both bridges."

The amendment was lost.

Further action was deferred.

Senator Shane moved that the members of the Illinois Legislature, present in the Senate Chamber, be presented, which motion prevailed.

The President appointed Senator Shane as a committee of one to present the committee, and invited him to preside.

Senator Earl B. Searcy, of the 45th Senatorial District, Springfield, Illinois, addressed the Senate briefly.

The Senate resumed consideration of House File No. 215.

Senator McFarlane offered the following amendment and moved its adoption:

Amend by adding thereto as an additional section:

"No new bridge shall be constructed under this act where the community in the State of Iowa is already connected with an adjoining State by a sufficient bridge, but in that case the existing bridge shall be bought or acquired by condemnation, as provided in this act."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Benson	Clearman	Kimberly	Roberts
Bergman	Frailey	Langfitt	Shane
Brookins	Fulton	McFarlane	Topping
Brush	Gunderson	Merritt	Wilson of Polk

Nays, 22.

Baird	Dotts	Kern	Skromme
Booth	Fackler	Klemme	Slemmons
Browne	Gilchrist	Lange	Stanley
Campbell	Hartman	McLeland	Stoddard
Cavanaugh	Haskell	Shinn	Thompson
Clark	Johnston		

Absent or not voting, 12.

Beatty	Darting	Mills	Shaff
Breakenridge	Dean	Ramsey	Ulstaad
Carden	Ellis	Rigby	Wilson of Page

The amendment was lost.

Senator Topping offered the following amendment and moved its adoption:

Amend by substituting a comma for the period at the end of section 1 and adding thereto the following:

“provided that no bridge shall be bought or built under this act until the primary road system of the State has all been paved, or hard surfaced.”

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 15.

Carden	Fackler	Kimberly	Stanley
Cavanaugh	Frailey	McFarlane	Topping
Clearman	Gilchrist	McLeland	Wilson of Polk
Dotts	Haskell	Roberts	

Nays, 26.

Baird	Clark	Klemme	Shane
Benson	Darting	Lange	Shinn
Bergman	Fulton	Langfitt	Slemmons
Booth	Gunderson	Merritt	Stoddard
Brookins	Hartman	Mills	Thompson
Brush	Johnston	Shaff	Ulstaad
Campbell	Kern		

Absent or not voting, 9.

Beatty	Dean	Ramsey	Skromme
Breakenridge	Ellis	Rigby	Wilson of Page
Browne			

The amendment was lost.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding the following as a new section to the bill: “Whenever any community in the State of Iowa is connected with an adjoining State by more than one interstate bridge across a boundary river, the State shall not construct a new bridge connecting said community with an adjoining state nor shall they purchase one of said bridges in competition with the other, but in that event they shall purchase or acquire by condemnation, both of said interstate bridges.”

Senator Lange raised the point of order that the matter referred to in this amendment had been decided.

The President held the point not well taken.

The amendment was lost.

Senator Fackler moved that the Senate adjourn until 9:30 a. m. Tuesday.

The motion was lost.

Senator Klemme offered the following amendment and moved its adoption:

Amend by striking the words "or purchase" from line 4 of section 1.

On the question, "Shall the amendment be adopted?" the vote was:

**Ayes, 12.**

Browne	Frailey	Haskell	Merritt
Campbell	Gilchrist	Klemme	Topping
Fackler	Hartman	McFarlane	Wilson of Polk

**Nays, 18.**

Baird	Cavanaugh	Dotts	McLeland
Benson	Clark	Gunderson	Mills
Bergman	Clearman	Johnston	Stoddard
Booth	Darting	Lange	Thompson
Brush		Langfitt	

**Absent or not voting, 20.**

Beatty	Ellis	Rigby	Skromme
Breakenridge	Fulton	Roberts	Slemmons
Brookins	Kern	Shaff	Stanley
Carden	Kimberly	Shane	Ulstad
Dean	Ramsey	Shinn	Wilson of Page

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend by striking out section 2 and substituting therefor the following: "Any county may issue bonds as provided by Chapter 241 of the Code, 1924, for the building of interstate bridges, and such bond issue shall not exceed five per cent (5%) of the actual value of the taxable property, section 4742 notwithstanding."

The amendment was lost.

Senator Haskell offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated the sum of \$2,000,000, or so much thereof as may be necessary, the same to be used under the direction of the State Highway Commission for the purpose of purchasing or building, in conjunction with other states and the United States, interstate bridges.

Senator Benson offered the following amendment to the amendment and moved its adoption:

Amend by striking the figures "\$2,000,000" and inserting in lieu thereof the figures "\$600,000", and by striking the words "purchasing or building, in conjunction with other states and the United States, interstate bridges," and inserting in lieu thereof the words "construction of a bridge at McGregor, Iowa."

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 23.

Benson	Clearman	Kimberly	Shane
Bergman	Darting	Lange	Slemmons
Brookins	Frailey	Langfitt	Thompson
Brush	Hartman	McFarlane	Topping
Campbell	Haskell	Merritt	Wilson of Polk
Clark	Johnston	Shaft	

Nays, 15.

Baird	Fackler	Klemme	Skromme
Booth	Fulton	McLeland	Stoddard
Cavanaugh	Gilchrist	Mills	Ulstad
Dotts	Kern	Shinn	

Absent or not voting, 12.

Beatty	Carden	Gunderson	Roberts
Breakenridge	Dean	Ramsey	Stanley
Browne	Ellis	Rigby	Wilson of Page

The amendment to the amendment was adopted.

Senator Haskell invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 20.

Benson	Clark	Haskell	McFarlane
Bergman	Clearman	Johnston	Shaff
Brookins	Darting	Kimberly	Shane
Browne	Frailey	Lange	Topping
Brush	Hartman	Langfitt	Wilson of Polk

Nays, 20.

Baird	Fackler	Klemme	Skromme
Booth	Fulton	McLeland	Slemmons
Campbell	Gilchrist	Merritt	Stoddard
Cavanaugh	Gunderson	Mills	Thompson
Dotts	Kern	Shinn	Ulstad

Absent or not voting, 10.

Beatty	Dean	Rigby	Stanley
Breakenridge	Ellis	Roberts	Wilson of Page
Carden	Ramsey		

The amendment was adopted, the President voting "aye".

The bill was read for information.

Senator Shaff moved that the reading just had been considered the third reading, which motion prevailed.

Senator Benson invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 18.

Benson	Clearman	Haskell	Shaff
Brookins	Darting	Johnston	Shane
Browne	Frailey	Kimberly	Topping
Brush	Hartman	Lange	Wilson of Polk
Clark		McFarlane	

Nays, 22.

Baird	Fackler	Langfitt	Skromme
Bergman	Fulton	McLeland	Slemmons
Booth	Gilchrist	Merritt	Stoddard
Campbell	Gunderson	Mills	Thompson
Cavanaugh	Kern	Shinn	Ulstad
Dotts	Klemme		

Absent or not voting, 10.

Beatty	Dean	Rigby	Stanley
Breakenridge	Ellis	Roberts	Wilson of Page
Carden	Ramsey		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Fackler 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 Lange asked for a division of the motion.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 20.

Booth	Fulton	Klemme	Skromme
Cavanaugh	Gilchrist	McFarlane	Slemmons
Dotts	Gunderson	McLeland	Thompson
Fackler	Haskell	Mills	Topping
Frailey	Kimberly	Shinn	Wilson of Polk

Nays, 16.

Baird	Brush	Hartman	Merritt
Benson	Campbell	Johnston	Shaff
Bergman	Clark	Lange	Shane
Brookins	Darting	Langfitt	Stoddard

Absent or not voting, 14.

Beatty	Carden	Ellis	Roberts
Breakenridge	Clearman	Kern	Stanley
Bowne	Dean	Ramsey	Ulstad
		Rigby	Wilson of Page

The motion to reconsider was laid on the table.

#### INTRODUCTION OF BILLS

Senate File No. 430, by sifting committee, a bill for an act to amend the law as it appears in Section fifty-nine hundred two (5902) of the Code, 1924, relating to the Department of Public Docks in Cities and Towns, by adding thereto a paragraph relative to the method of defraying the expense thereof in Cities under the Commission form of Government having a population of less than thirty thousand.

Read first and second times and placed on the calendar.

Senate File No. 431, by sifting committee, a bill for an act to repeal chapter ninety-three (93) of the code relating to the solicitations of public donations.

Read first and second times and placed on the calendar.

## HOUSE MESSAGES CONSIDERED

House File No. 19, a bill for an act to repeal section forty-three hundred seventy (4370) of the Code, 1924, relating to the erection or repair of school houses and to enact a substitute therefor.

Read first and second times and referred to sifting committee.

House File No. 25, a bill for an act relating to the maturities and provisions for the payment of bonds of counties, cities, towns, school districts of every character including cities organized under a special charter and cities operating under commission and city manager forms of government.

Read first and second times and referred to sifting committee.

House File No. 64, a bill for an act relating to elections, and to provide a system of permanent registration for cities having a population in excess of one hundred twenty-five thousand (125,000).

Read first and second times and referred to sifting committee.

House File No. 248, a bill for an act to repeal section ten thousand four hundred seventy-eight (10478) of the Code, 1924, and to enact a substitute therefor, relating to maintenance of a party to a divorce action before determination of the case.

Read first and second times and referred to sifting committee.

House File No. 396, a bill for an act to amend section twelve thousand three hundred ninety-six (12396) of the code, 1924, relating to and defining nuisances.

Read first and second times and referred to sifting committee.

House File No. 444, a bill for an act to amend sections fifty-seven hundred seventy-three (5773) and sixty-two hundred eleven (6211) of the code, 1924, relating to the purchase or remodeling of city or town halls and to the levy of a tax for a city hall fund.

Read first and second times and referred to sifting committee.

House File No. 476, a bill for an act to amend section fifteen (15) of chapter five (5), acts of the forty-first (41) general assembly, relating to the speed of passenger carrying motor vehicles.

Read first and second times and referred to sifting committee.



The journal of April 2nd was corrected and approved.

On motion of Senator Shane the Senate adjourned until 9:30  
a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 5, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Dr. A. Narrbom, superintendent of the Iowa Lutheran Hospital, of Des Moines.

## PROOF OF PUBLICATION

I hereby certify, that as Secretary of the Senate, I have received the proof of publication for Senate File No. 428, a proposed bill for the legalization of the proceedings of the city council of the city of Newton, Iowa.

WALTER H. BEAM, *Secretary.*

## REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports:

**MR. PRESIDENT:** Your committee on appropriations to which was referred Senate File No. 418, a bill for an act to make appropriation for the payment of state and other expenses, 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 the title and substitute in lieu thereof the following:

“An Act to make appropriation to pay miscellaneous claims against the state.”

Strike out of section 1, all of subsections (8) and (16), and renumber the subsections accordingly.

Strike out section 17, and insert in lieu thereof the following:

“Sec. 17. There is hereby authorized to be paid out of the funds now on hand in the office of the treasurer of state for the payment and retirement of Iowa soldiers' bonus bonds and coupons to the Peoples Savings Bank of Des Moines, Iowa, for the payment of coupons (Number 4) from said bonds numbered 13301 and 13302, which said coupons have been lost and which, if found, shall be surrendered to the treasurer of state and by him cancelled, the sum of forty-five dollars (\$45.00).”

Strike out section 18, and insert in lieu thereof the following:

"Sec. 18. There is hereby authorized to be paid out of the funds now on hand in the office of the treasurer of state for the payment and retirement of Iowa soldiers' bonus bonds and coupons to the Capital City State Bank of Des Moines, Iowa, for the payment of coupons (Number 8) of bonds numbered 10082, 10083, 10084, 10085, and 10086, which coupons have been lost and which, if found, shall be delivered to the treasurer of state and by him cancelled, the sum of one hundred six and 25/100 dollars (\$106.25)."

Strike out section 20, and substitute in lieu thereof the following:

"Sec. 20. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Cascade Pioneer*, a newspaper published in Cascade, Iowa, and the *Sioux City Tribune*, a newspaper published in Sioux City, Iowa."

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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 16 providing that an invitation be extended to Will Rogers to address a joint session of the House and Senate Wednesday morning, April 6th, at 11:40.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 161, a bill for an act to appropriate the sum of seventeen thousand four hundred dollars, twenty-seven cents (\$17,400.27), to pay the deficit in the amount appropriated for state aid to county and district fairs.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 296, a bill for an act to authorize the Executive Council to exchange certain lands in Madison County, Iowa, at Devil's Backbone State Park for other lands belonging to one C. L. Gray.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 399, a bill for an act relating to widows' pensions.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 478, a bill for an act relating to the payment of installments of assessments for street improvements and sewers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 426, a bill for an act relating to the par value of stock issued by insurance companies.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 350, a bill for an act relating to the construction, reconstruction, and repair of sewers.

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 to authorize the investment of fiduciary funds in the stock of building and loan associations.

Also: That the House has concurred in Senate amendment to House File No. 479, a bill for an act relating to the protection of cities and towns from floods, and to provide that such cities and towns may condemn property outside of the limits of such cities and towns for an outlet to the streams or water courses changed or improved, under the provisions of said chapter.

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 to encourage horse and mule industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 260, a bill for an act relating to the diminution in the number of employees under Civil Service where public interest requires.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 360, a bill for an act relating to state aid to county and district fairs or agricultural societies.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 260

Amend Senate File No. 260 by striking from line thirteen (13) of section one (1) the words "one year" and substitute in lieu thereof the words "three years".

## HOUSE AMENDMENT TO SENATE FILE NO. 360

Amend Senate File No. 360 as follows: Amend section two (2), line six (6) by striking the word "drew" and inserting in lieu thereof the words "were entitled to draw".

## SENATE CONCURRENT RESOLUTION NO. 25 CONSIDERED

Senator Clarke called up for consideration the following resolution:

*Be It Resolved by the Senate, the House concurring, That the Forty-second General Assembly adjourn, sine die, at twelve o'clock noon, Friday, April 8, 1927.*

Senator Clarke moved that the following amendment be adopted:

Amend by striking therefrom "April 8" and inserting in lieu thereof "April 15".

Senator Klemme offered the following amendment to the amendment and moved its adoption:

Amend by striking out the figures "15" and inserting "14" in lieu thereof.

The amendment to the amendment was lost.

The amendment was adopted.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 33.

Baird	Fackler	Lange	Shinn
Benson	Frailey	McFarlane	Slemmons
Booth	Gilchrist	McLeland	Stoddard
Carden	Gunderson	Merritt	Thompson
Cavanaugh	Hartman	Ramsey	Topping
Clark	Haskell	Roberts	Ulstad
Clearman	Johnston	Shaff	Wilson of Page
Dean	Klemme	Shane	Wilson of Polk
Dotts			

Nays, 2.

Darting                      Mills

Absent or not voting, 15.

Beatty	Browne	Fulton	Rigby
Bergman	Brush	Kern	Skromme
Breakenridge	Campbell	Kimberly	Stanley
Brookins	Ellis	Langfitt	

The resolution was adopted.

Senator Frailey moved that at the close of today's business all bills on the calendar, except appropriation bills and claims bills, go to the sifting committee.

Senator Slemmons moved to amend the motion by inserting the words "and legalizing acts" after the words "claims bills".

The amendment was lost.

Senator Browne moved to amend by striking out the words "today's business" and inserting in lieu thereof the words "business April 7th".

On the question "Shall the amendment be adopted?" the vote was :

Ayes, 12.

Browne	Gilchrist	Lange	Slemmons
Dotts	Gunderson	Shinn	Thompson
Fulton	Kern	Skromme	Ulstad

Nays, 25.

Baird	Carden	Johnston	Roberts
Benson	Cavanaugh	Kimberly	Shaff
Bergman	Clark	Klemme	Shane
Brookins	Clearman	McFarlane	Stoddard
Brush	Darting	Mills	Topping
	Frailey	Ramsey	Wilson of Page
	Haskell		Wilson of Polk

Absent or not voting, 13.

Beatty	Dean	Hartman	Merritt
Booth	Ellis	Langfitt	Rigby
Breakenridge	Fackler	McLeland	Stanley
Campbell			

The amendment was lost.

The motion prevailed.

#### HOUSE CONCURRENT RESOLUTION NO. 16 CONSIDERED

Senator Shane called up for consideration the following House Concurrent Resolution:

*Be It Resolved by the House, the Senate concurring, That an invitation be extended to Will Rogers to address a joint session of the House and Senate Wednesday morning, April 6th, at 11.40.*

On the question "Shall the resolution be adopted?" the vote was :

Ayes, 40.

Baird	Clark	Haskell	Ramsey
Benson	Clearman	Johnston	Roberts
Bergman	Darting	Kern	Shaff
Booth	Dean	Kimberly	Shane
Breakenridge	Dotts	Klemme	Shinn
Brookins	Fackler	Lange	Skromme
Browne	Frailey	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Topping
Carden	Gunderson	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Page

Nays, none.

Absent or not voting, 10.

Beatty	Fulton	Slemmons	Thompson
Campbell	Langfitt	Stanley	Wilson of Polk
Ellis	Rigby		

The resolution was adopted.

#### HOUSE AMENDMENTS CONSIDERED

Senator Haskell called up for consideration Senate File No. 72, amended by the House, and moved that the Senate concur in the following amendment :

Strike the word "annually" from line four (4) of section one (1) and insert in lieu thereof the word "semiannually".

On the question "Shall the Senate concur?" the vote was :

Ayes, 41.

Baird	Dean	Klemme	Shane
Benson	Dotts	Lange	Shinn
Bergman	Fackler	Langfitt	Skromme
Booth	Frailey	McFarlane	Slemmons
Brush	Gilchrist	McLeland	Stoddard
Campbell	Gunderson	Merritt	Thompson
Carden	Hartman	Mills	Topping
Cavanaugh	Haskell	Ramsey	Ulstad
Clark	Johnston	Roberts	Wilson of Page
Clearman	Kern	Shaff	Wilson of Polk
Darting			

Nays, none.

Absent or not voting, 9.

Beatty	Browne	Fulton	Rigby
Breakenridge	Ellis	Kimberly	Stanley
Brookins			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Wilson of Polk called up for consideration Senate File No. 58, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File No. 58 by striking the quotation mark (") at the end of said bill and adding thereto the following:

"Whenever any such fee so computed contains a fractional part of a dollar, it shall be computed as of the nearest fractional quarter dollar thereto, and said amount shall be the fee which shall be collected."

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Baird	Clearman	Kern	Roberts
Benson	Darting	Kimberly	Shaff
Bergman	Dean	Klemme	Shane
Booth	Dotts	Lange	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Brookins	Frailey	McFarlane	Stoddard
Brush	Fulton	McLeland	Thompson
Campbell	Gilchrist	Merritt	Topping
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark	Johnston		

Nays, none.

Absent or not voting, 8.

Beatty	Ellis	Rigby	Stanley
Browne	Haskell	Shinn	Ulstad

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Clearman called up for consideration Senate File No. 191, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 191 by inserting the following as section two (2):



Sec. 2. There is hereby enacted and inserted in the code, immediately following section thirty-six hundred sixteen (3616), the following:

"3616-b1. The salaries and expenses of probation officers and deputies in counties which contain an educational institution under the control of the state board of education with a student enrollment of at least forty-two hundred, may be paid either from the general county fund or from the court expense fund."

Also amend by striking the publication clause.

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Baird	Dean	Kimberly	Shaff
Benson	Dotts	Klemme	Shane
Bergman	Fackler	Lange	Slemmons
Booth	Frailey	Langfitt	Stoddard
Breakenridge	Fulton	McFarlane	Thompson
Brush	Gunderson	McLeland	Topping
Carden	Hartman	Merritt	Ulstad
Cavanaugh	Haskell	Mills	Wilson of Page
Clark	Johnston	Ramsey	Wilson of Polk
Clearman			

Nays, 1.

Shinn

Absent or not voting, 12.

Beatty	Campbell	Gilchrist	Roberts
Brookins	Darting	Kern	Skromme
Browne	Ellis	Rigby	Stanley

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 177, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title by substituting therefor the following:

#### A BILL FOR

An Act to promote the use of materials, products and supplies produced, manufactured, compounded, made or grown within the state of Iowa by requiring that a preference be given all such materials, products and supplies, with certain exceptions by all commissions, boards, committees, officers or other governing bodies of the state, counties,

townships, school districts, cities, towns, and the contracting and purchasing agents thereof, whenever such materials, products and supplies are available, suited for the intended use and can be secured without loss; also providing that all bids posted by such commissions, boards, committees, officers or other governing bodies be in general terms and call attention to such preference.

Amend Senate File No. 177 by striking from section 1 all following the word "without" in line 11, and by inserting in lieu thereof the following:

"additional cost over foreign products or products of other states."

Also amend by striking from lines eight (8) and nine (9) of section 2 the following the phrase "of one per cent on price".

Further amend by inserting after section two (2) the following as sections three (3) and four (4):

"Sec. 3. The 1927 Code of Iowa shall be printed in Iowa, provided that the state printing board may let the contract outside of the state if deemed necessary for the protection of the state against unreasonable charges."

"Sec. 4. This act shall in no way pertain to the state highway commission, nor to the construction, building, or maintenance of any highway, primary, secondary, or otherwise, or to streets or alleys in any city or town in the state of Iowa.

Also amend by renumbering section 3 as section 5.

Senator Gilchrist moved that further action be deferred until Thursday, which motion prevailed.

By unanimous consent on request of Senator Stoddard Senate File No. 177 was ordered printed in the Journal as amended by the House.

#### SENATE FILE NO. 177, AS AMENDED

#### A BILL FOR

An Act to promote the use of materials, products and supplies produced, manufactured, compounded, made or grown within the state of Iowa by requiring that a preference be given all such materials, products and supplies, with certain exceptions by all commissions, boards, committees, officers or other governing bodies of the state, counties, townships, school districts, cities, towns, and the contracting and purchasing agents thereof, whenever such materials, products and supplies are available, suited for the intended use and can be secured without loss; also providing that all bids posted by such commissions, boards, committees, officers or other governing bodies be in general terms and call attention to such preference.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Every Commission, board, committee, officer or other governing body of the State, or of any county, township, school district, city or town, and every person acting as contracting or purchasing agent for any such commission, board, committee, officer or other governing body shall use only those materials, products, supplies, provisions and other needed articles produced, manufactured, compounded, made or grown within the State of Iowa, when they are found in marketable quantities in the state and are of a quality reasonably suited to the purpose intended, and can be secured without additional cost over foreign products or products of other states.

Sec. 2. All requests hereafter made for bids and proposals for materials, products, supplies, provisions and other needed articles to be purchased at public expense, shall be made in general terms and by general specifications and not by brand, trade name or other individual mark. All such requests and bids shall contain therein a paragraph in easily legible print, reading as follows:

By virtue of statutory authority, a preference will be given to materials, products, supplies, provisions and all other articles produced, manufactured, made or grown within the State of Iowa.

Sec. 3. The 1927 code of Iowa shall be printed in Iowa, provided that the state printing board may let the contract outside of the state if deemed necessary for the protection of the state against unreasonable charges.

Sec. 4. This act shall in no way pertain to the state highway commission, nor to the construction, building, or maintenance of any highway, primary, secondary, or otherwise, or to streets or alleys in any city or town in the state of Iowa.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sioux City Journal, a newspaper published in Sioux City, Iowa, and the Sloan Star, a newspaper published in Sloan, Iowa.

There being a call of the Senate filed on the consideration of Senate File No. 351, the roll was called.

The roll call revealed the presence of the following Senators:

Baird	Darting	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Dotts	Lange	Skromme
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Fralley	McFarlane	Stanley
Brookins	Fulton	McLeland	Stoddard
Browne	Gilchrist	Merritt	Thompson
Brush	Gunderson	Mills	Topping
Carden	Hartman	Ramsey	Ulstad
Cavanaugh	Haskell	Roberts	Wilson of Page
Clark	Johnston	Shaff	Wilson of Polk
Clearman	Kern		

On request of Senator Shane Senator Beatty was excused from the call.

On request of Senator Cavanaugh Senator Rigby was excused from the call.

Senator Campbell appeared in the Senate Chamber, and the call was declared complete.

### THIRD READING OF BILLS

On motion of Senator Lange, Senate File No. 351, a bill for an act to require every person, firm, association or corporation operating chain stores in the state to obtain a license from the treasurer of state, and providing penalties, the report of the committee recommending indefinite postponement having been rejected, was taken up and considered.

Senator Lange offered the following amendments and moved their adoption:

Strike out the title and insert in lieu thereof the following:

#### "A BILL FOR

An Act to provide for the licensing of certain retail places of business in this state, and to provide penalties for a failure to comply with the provisions of this act."

Also amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. No person, firm, association or corporation shall operate or maintain within this state any mercantile establishment or place of business where anything of value is sold or offered for sale at retail, without first obtaining from the secretary of agriculture a license therefor. The fee therefor shall be as follows for each such place:

(a) When the number of establishments or places of business owned or operated by the same general management, supervision or ownership does not exceed five, the fee shall be one dollar per year.

(b) When the number of establishments or places of business owned or operated by the same general management, supervision or ownership is six or more, the fee shall be fifty dollars for each such store, establishment or place, except the fee shall be one dollar for each establishment or place when the real estate on or the building in which the store, establishment or place is operated is owned by the operator or owner of such store, establishment or place.

Each such license shall expire on the thirty-first of December after its issuance.

Sec. 2. It shall be the duty of the secretary of agriculture to enforce the provisions hereof and to collect the fees provided herein. The secretary of agriculture shall furnish each licensee with a license certificate which shall be placed in a prominent place in each store, and shall be subject to inspection by any person.

Sec. 3. Any person, firm, association or corporation failing to obtain a license to comply with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be guilty of a fine of not less than fifty nor more than one hundred dollars."

Senator Fulton offered the following amendment to the amendment and moved its adoption :

Amend by inserting in paragraph (a) after the word "five" and in paragraph (b) after the word "more" the words "in any city".

Senator Wilson of Page offered the following amendment as a substitute for the amendment to the amendment and moved its adoption :

Amend by inserting the words "within the state of Iowa" after the word "ownership" in line 2 of subsection (a) and in line 2 of subsection (b).

By unanimous consent on request of Senator Wilson of Page the substitute amendment was amended by striking out all after the word "Iowa" and inserting in lieu thereof the words "after the word 'business' in line 1 of subsection (a) and in line 1 of subsection (b)".

The substitution was made.

The amendment to the amendment was adopted.

Senator Wilson of Polk offered the following amendment to the amendment and moved its adoption :

Amend subsection (b) by inserting in line 6 after the word "owned" the words "or held by long-time lease".

Senator Shane offered the following amendment as a substitute for the amendment to the amendment and moved its adoption :

Amend subsection (b) by inserting in line 6 after the word "owned" the words "or leased".

The substitute was lost.

Senator Wilson of Page offered the following amendment as a substitute amendment and moved its adoption :

Amend subsection (b) by inserting in line 6 after the word "owned" the words "or held by fifty-year lease".

The substitution was made.

The amendment to the amendment was adopted.

Senator Beatty appeared in the Senate Chamber.

Senator McFarlane offered the following amendment to the amendment and moved its adoption:

Amend by striking out the period at the end of subsection (b) and inserting in lieu thereof the following: "; or when the principal business is the handling of grain by such establishment or place."

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 17.

Baird	Clearman	Haskell	Roberts
Benson	Dotts	McFarlane	Shaff
Breakenridge	Frailey	Merritt	Topping
Carden	Fulton	Ramsey	Wilson of Polk
Cavanaugh			

Nays, 27.

Beatty	Dean	Lange	Slemmons
Bergman	Fackler	Langfitt	Stanley
Booth	Gunderson	McLeland	Stoddard
Brookins	Hartman	Mills	Thompson
Brush	Johnston	Shane	Ulstad
Campbell	Kimberly	Shinn	Wilson of Page
Clark	Klemme	Skromme	

Absent or not voting, 6.

Browne	Ellis	Kern
Darting	Gilchrist	Rigby

The amendment to the amendment was lost.

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend by adding at the end of section 2 the following: "The Secretary of Agriculture shall remit monthly to the treasurer of each city or town in which said license is collected, all such fees received, which shall be credited to their general fund."

Senator Lange invoked rule 8.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

## Ayes, 30.

Baird	Clearman	Johnston	Shaff
Benson	Darting	Kimberly	Shane
Bergman	Dean	McFarlane	Stanley
Booth	Dotts	McLeland	Stoddard
Breakenridge	Fackler	Merritt	Topping
Brush	Frailey	Ramsey	Wilson of Page
Carden	Fulton	Roberts	Wilson of Polk
Cavanaugh	Haskell		

## Nays, 18.

Beatty	Gilchrist	Lange	Skromme
Brookins	Gunderson	Langfitt	Slemmons
Browne	Hartman	Mills	Thompson
Campbell	Kern	Shinn	Ulstad
Clark	Klemme		

## Absent or not voting, 2.

Ellis                      Rigby

The amendment to the amendment was adopted.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend the amendment by striking from line 3 of section 3 the words "guilty of" and inserting in lieu thereof the words "punished by".

The amendment to the amendment was adopted.

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend by striking out paragraph "a" of section 1 and relettering remaining paragraphs.

Senator Lange invoked rule 8.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

## Ayes, 21.

Baird	Cavanaugh	Fulton	Shaff
Benson	Darting	Johnston	Shane
Bergman	Dean	McFarlane	Stoddard
Breakenridge	Dotts	McLeland	Topping
Brookins	Frailey	Roberts	Wilson of Polk
Brush			

## Nays, 27.

Beatty	Fackler	Klemme	Skromme
Booth	Gilchrist	Lange	Slemmons
Browne	Gunderson	Langfitt	Stanley
Campbell	Hartman	Merritt	Thompson
Carden	Haskell	Mills	Ulstad
Clark	Kern	Ramsey	Wilson of Page
Clearman	Kimberly	Shinn	

Absent or not voting, 2.

Ellis                      Rigby

The amendment to the amendment was lost.

Senator Benson offered the following amendment to the amendment and moved its adoption :

Amend by adding thereto the following :

“Sec. 4. The provisions of this act shall not apply to any stores where oleomargarine is sold.”

On the question “Shall the amendment to the amendment be adopted?” the vote was:

## Ayes, 17.

Baird	Darting	Johnston	Shaff
Benson	Dean	Kern	Shane
Bergman	Dotts	McFarlane	Topping
Brush	Fulton	Ramsey	Wilson of Polk
Cavanaugh			

## Nays, 31.

Beatty	Clearman	Klemme	Skromme
Booth	Fackler	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stanley
Brookins	Gilchrist	McLeland	Stoddard
Browne	Gunderson	Merritt	Thompson
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Roberts	Wilson of Page
Clark	Kimberly	Shinn	

Absent or not voting, 2.

Ellis                      Rigby

The amendment to the amendment was lost.

Senator Frailey offered the following amendment and moved its adoption :

Amend by striking the word “dollar” from the last line of subsection a and inserting in lieu thereof the word “cent”.



The amendment to the amendment was lost.

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend by adding to paragraph (b) of section 1 the following: "The provision of this act shall not apply to any Iowa corporation."

The amendment to the amendment was lost.

Senator Roberts offered the following amendment to the amendment and moved its adoption:

Amend by striking from section 1 the words "or place of business where anything of value is sold or offered for sale at retail,".

The amendment was lost.

Senator Wilson of Polk offered the following amendment to the amendment and moved its adoption:

Amend by adding as section 4 the following:

"Sec. 4. The provisions of this act shall not apply to newspapers published within the state."

Senator Lange moved the previous question on all pending amendments, which motion prevailed.

Senator Lange raised the point of order that debate was out of order, as the previous question had been ordered.

The President held the point well taken.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

**Ayes, 24.**

Beatty	Darting	Haskell	Merritt
Benson	Dean	Johnston	Ramsey
Breakenridge	Dotts	Kimberly	Stoddard
Brush	Frailey	Langfitt	Topping
Campbell	Gilchrist	McFarlane	Wilson of Polk
Clark			

**Nays, 24.**

Baird	Clearman	Lange	Skromme
Bergman	Fackler	McLeland	Slemmons
Booth	Fulton	Mills	Stanley
Browne	Gunderson	Roberts	Thompson
Carden	Hartman	Shane	Ulstad
Cavanaugh	Klemme	Shinn	Wilson of Page

Absent or not voting, 5.

Brookins  
Ellis

Kern

Rigby

Shaff

The amendment to the amendment was lost.

The amendment was adopted.

Senator Shaff moved that the bill be referred to the sifting committee.

Senator Lange raised the point of order that the motion was out of order, as the previous question had been ordered.

The President held the point well taken.

Senator McFarlane moved that the vote by which the previous question was ordered be reconsidered.

The President held the motion out of order.

Senator Shaff moved that the bill be laid on the table.

The President held the motion out of order.

Senator Stoddard moved that the Senate adjourn until 1:30 p. m., which motion was lost.

The bill was read for information.

Senator Lange moved 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	Dean	Klemme	Skromme
Beatty	Frailey	Lange	Slemmons
Benson	Gilchrist	Langfitt	Stanley
Booth	Gunderson	McFarlane	Stoddard
Browne	Hartman	McLeland	Thompson
Campbell	Haskell	Merritt	Topping
Carden	Johnston	Mills	Ulstad
Clark	Kimberly	Shinn	Wilson of Page
Clearman			

Nays, 13.

Bergman	Dotts	Kern	Shaff
Breakenridge	Fackler	Ramsey	Shane
Brush	Fulton	Roberts	Wilson of Polk
Cavanaugh			

Absent or not voting, 4.

Brookins                  Darting                  Ellis                  Rigby

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 Lange invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 23.

Booth	Dean	Lange	Skromme
Browne	Gilchrist	Langfitt	Slemmons
Campbell	Gunderson	McLeland	Stanley
Carden	Hartman	Merritt	Thompson
Clark	Haskell	Mills	Ulstad
Clearman	Klemme	Shinn	

Nays, 25.

Baird	Brush	Fulton	Roberts
Beatty	Cavanaugh	Johnston	Shaff
Benson	Darting	Kern	Shane
Bergman	Dotts	Kimberly	Stoddard
Breakenridge	Fackler	McFarlane	Topping
Brookins	Frailey	Ramsey	Wilson of Page
			Wilson of Polk

Absent or not voting, 2.

Ellis                  Rigby

The motion was lost.

On motion of Senator Beatty the Senate adjourned until 1:30 p. m., today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### REPORT OF SIFTING COMMITTEE

April 5, 1927.

**MR. PRESIDENT:** Your sifting committee wishes to place the following bills on the calendar:

House Files Nos. 379, 380, and 381.

H. GUY ROBERTS, *Chairman.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Klemme 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. 316, 263, 34, 116, 148, 357, 279, 232, 120, 145, 152, 157, 188, 117, 198, 214, 164, 6, 310, 110, 128, 179, and 59.

W. H. KLEMME,  
*Vice Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 316, 263, 34, 116, 148, 357, 279, 232, 120, 145, 152, 157, 188, 117, 198, 214, 164, 6, 310, 110, 128, 179 and 59.

## BILLS SENT TO THE GOVERNOR

Senator Klemme from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 5th day of April, 1927, sent to the governor for his approval:

Senate Files Nos. 316, 263, 34, 116, 148, 357, 279, 232, 120, 145, 152, 157, 188, 117, 198, 214, 164, 6, 310, 110, 128, 179, and 59.

W. H. KLEMME, *Vice Chairman.*

The report was adopted.

## REPORT OF COMMITTEE

Senator Stoddard submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 420, a bill for an act to make an appropriation to indemnify Charles Feenstra for damages occasioned by reason of injury suffered when attacked in the Iowa state penitentiary by another inmate, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

## INTRODUCTION OF BILLS

Senate File No. 432, by committee on appropriations, a bill for an act making an appropriation to pay for repairs upon the state capitol and historical building.

Read first and second times and placed on the calendar.

## HOUSE MESSAGES CONSIDERED

House File No. 399, a bill for an act to amend section thirty-six hundred forty-one (3641) of the code, 1924, relating to widows' pensions.

Read first and second times and referred to sifting committee.

House File No. 478, a bill for an act to amend, revise and codify sections six thousand thirty-two (6032), six thousand thirty-three (6033) and six thousand thirty-five (6035) of the code, relating to the payment of installments of assessments for street improvements and sewers.

Read first and second times and referred to sifting committee.

House File No. 426, a bill for an act to amend section eight thousand nine hundred three (8903) of the Code of Iowa, 1924, relating to the par value of stock issued by insurance companies.

Read first and second times and referred to sifting committee.

House File No. 350, a bill for an act to amend section six thousand fifteen (6015) of the code, 1924, as amended by chapter one hundred thirty-six (136), acts of the forty-first (41) general assembly, relating to the construction, reconstruction and repair of sewers.

Read first and second times and referred to sifting committee.

House File No. 306, a bill for an act to amend section twelve thousand seven hundred seventy-two (12772) of the code, 1924, and to authorize the investment of fiduciary funds in the stock of building and loan associations.

Read first and second times and referred to sifting committee.

House File No. 65, a bill for an act to encourage horse and mule industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor.

Read first and second times and referred to sifting committee.

### THIRD READING OF BILLS

On motion of Senator Merritt, House File No. 163, a bill for an act making an appropriation for the purpose of paying to the Four-County Fair Association, for a fair held at Coon Rapids, Carroll county, Iowa, in October, 1925, the sum of nine hundred ninety-nine dollars and eleven cents (\$999.11), the state aid to which the said fair association is entitled under the provisions of chapter one hundred thirty-six (136) of the Code, 1924, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Merritt moved 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.**

Beatty	Cavanaugh	Hartman	Ramsey
Benson	Clark	Johnston	Shaff
Booth	Clearman	Kern	Shinn
Breakenridge	Dean	Klemme	Slemmons
Brookins	Dotts	Langfitt	Stanley
Browne	Fackler	McFarlane	Stoddard
Brush	Frailey	McLeland	Ulstad
Campbell	Fulton	Merritt	Wilson of Page
Carden	Gilchrist	Mills	

**Nays, none.**

**Absent or not voting, 15.**

Baird	Gunderson	Rigby	Thompson
Bergman	Haskell	Roberts	Topping
Darting	Kimberly	Shane	Wilson of Polk
Ellis	Lang	Skromme	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Merritt 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. 201 TO SIFTING COMMITTEE

Senator Brookins moved that Senate File No. 201 be referred to the sifting committee, which motion prevailed.

## THIRD READING OF BILLS

On motion of Senator Benson, Senate File No. 297, a bill for an act to repeal section forty-three hundred forty-nine (4349) of the code as amended by chapter ninety-two (92), acts forty-first (41st) general assembly and to enact a substitute therefor, relating to the education of deaf children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

“Section 1. Chapter ninety-two (92) of the Acts of the Forty-first General Assembly is hereby amended by striking out the word fourteen (14) in line five (5) thereof and placing in lieu thereof the word sixteen (16)”.

The amendment was adopted.

The bill was read for information.

Senator Benson moved 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.

Beatty	Clearman	Haskell	Ramsey
Benson	Darting	Johnston	Shaff
Booth	Dean	Kern	Shane
Breakenridge	Dotts	Kimberly	Slemmons
Brookins	Fackler	Klemme	Stanley
Browne	Frailey	Langfitt	Stoddard
Brush	Fulton	McFarlane	Thompson
Campbell	Gilchrist	McLeland	Topping
Carden	Gunderson	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Page
Clark			

Nays, none.

Absent or not voting, 9.

Baird  
Bergman  
Ellis

Lange  
Rigby

Roberts  
Shinn

Skromme  
Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson 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 RESOLUTION

Senator Frailey offered the following resolution:

*Be It Resolved*, That Monday evening, April 11th, at 8:00 o'clock p. m., be designated and set apart by this Senate as a time to pay tribute to the life, character and public service of former members of this body who have passed away since the last session hereof.

The resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Stoddard, House File No. 330, a bill for an act to repeal section ninety-three hundred forty-six (9346) of the code, 1924, and to enact a substitute therefor, relating to membership fees and expense of building and loan associations, was substituted for Senate File No. 303, taken up and considered.

Senator Roberts offered the following amendment and moved its adoption:

Amend by striking the words and figures "fifty (50) cents" from line 6 of section 1 and inserting in lieu thereof the words and figures "one dollar (\$1.00)".

The amendment was lost.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:



**Ayes, 41.**

Baird	Carden	Johnston	Shaff
Beatty	Cavanaugh	Kern	Shane
Benson	Clark	Kimberly	Shinn
Bergman	Darting	Klemme	Skromme
Booth	Dean	Lange	Stemmons
Breakenridge	Dotts	McFarlane	Stanley
Brookins	Fackler	McLeland	Stoddard
Browne	Frailey	Mills	Thompson
Brush	Hartman	Ramsey	Ulstad
Campbell	Haskell	Roberts	Wilson of Page
			Wilson of Polk

**Nays, none.****Absent or not voting, 9.**

Clearman	Gilchrist	Langfitt	Rigby
Ellis	Gunderson	Merritt	Topping
Fulton			

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 on request of Senator Stoddard Senate File No. 303 was withdrawn from further consideration.

On motion of Senator Bergman, Senate File No. 428, a bill for an act to legalize an election held on the 28th day of March, 1927, in the city of Newton, Iowa, on extending and reconstructing its Municipal Waterworks and contracting indebtedness for such purpose not exceeding \$155,000 and issuing bonds for such purpose not exceeding \$155,000 and levying a tax annually upon the taxable property in the said city of Newton not exceeding ten mills per annum for the payment of such bonds and interest thereon and to legalize all acts and proceedings in respect to said election and to legalize the issuance of such bonds, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Bergman moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 44.

Baird	Clark	Johnston	Roberts
Beatty	Clearman	Kern	Shaff
Benson	Darting	Kimberly	Shane
Bergman	Dean	Klemme	Skromme
Booth	Dotts	Lange	Stanley
Breakenridge	Fackler	Langfitt	Stoddard
Browne	Frailey	McFarlane	Thompson
Brush	Fulton	McLeland	Topping
Campbell	Gilchrist	Merritt	Ulstad
Carden	Hartman	Mills	Wilson of Page
Cavanaugh	Haskell	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Brookins	Gunderson	Shinn	Slemmons
Ellis	Rigby		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bergman 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 Brush, Senate File No. 362, a bill for an act to amend section five (5) of chapter one hundred seventy-three (173) of the Acts of the Forty-first General Assembly, relating to actions on bonds given to secure the deposits of public funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Brush moved 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.

Baird	Clearman	Kern	Shane
Beatty	Darting	Kimberly	Shinn
Benson	Dean	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Fackler	Langfitt	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Browne	Gilchrist	McLeland	Thompson
Brush	Gunderson	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Shaff	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 5.

Brookins	Fulton	Rigby	Roberts
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brush 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 Breakenridge, House File No. 40, a bill for an act to amend section seventeen hundred twenty-seven (1727) of the Code, 1924, relating to the expiration of resident licenses for fishing and hunting, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Breakenridge moved 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	Clearman	Kimberly	Shane
Beatty	Dean	Klemme	Shinn
Benson	Fackler	Lange	Slemmons
Booth	Frailey	Langfitt	Stanley
Breakenridge	Gilchrist	McFarlane	Stoddard
Browne	Gunderson	McLeland	Thompson
Brush	Hartman	Merritt	Topping
Campbell	Haskell	Mills	Ulstad
Carden	Johnston	Ramsey	Wilson of Page
Cavanaugh	Kern	Shaff	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 9.

Bergman	Darting	Ellis	Rigby
Brookins	Dotts	Fulton	Roberts
			Skromme

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Breakenridge 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. 319, a bill for an act to require physicians and certain hospital authorities to make report of injuries arising from the discharge of firearms, and to provide penalties consequent on a failure to make such report, 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, 41.**

Baird	Dotts	Kimberly	Shane
Benson	Fackler	Klemme	Shinn
Booth	Frailey	Lange	Skromme
Breakenridge	Fulton	Langfitt	Slemmons
Brush	Gilchrist	McFarlane	Stanley
Campbell	Gunderson	McLeland	Stoddard
Carden	Hartman	Mills	Thompson
Cavanaugh	Haskell	Ramsey	Topping
Clark	Johnston	Roberts	Ulstad
Clearman	Kern	Shaff	Wilson of Page
Dean			

**Nays, none.**

**Absent or not voting, 9.**

Beatty	Browne	Ellis	Rigby
Bergman	Darting	Merritt	Wilson of Polk
Brookins			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cavanaugh, House File No. 379, a bill for an act relating to the platting of land in and adjacent to certain cities having a population of twenty-five thousand (25,000) or over and to require approval thereof by the city council and by the city plan commission in cities where such commission exists

and authorizing cities to maintain suits in equity in certain cases to declare plats, when filed and recorded in violation thereof, to be void and to expunge the same from the records, and to provide for appeal from action of council to the district court in certain cases, was substituted for Senate File No. 397, taken up and considered.

The bill was read for information.

Senator Cavanaugh moved 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	Dean	Klemme	Shane
Beatty	Dotts	Lange	Shinn
Booth	Fackler	Langfitt	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Brookins	Fulton	McLeland	Thompson
Browne	Gilchrist	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Carden	Johnston	Roberts	Wilson of Page
Cavanaugh	Kern	Shaff	Wilson of Polk
Clark			

**Nays, none.**

**Absent or not voting, 13.**

Benson	Darting	Haskell	Rigby
Bergman	Ellis	Kimberly	Skromme
Brush	Gunderson	Ramsey	Slemmons
Clearman			

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 Cavanaugh, House File No. 380, a bill for an act to amend the law as it appears in chapter one hundred seventeen (117) of the acts of the forty-first general assembly, relating to the creation of city plan commissions, and to the powers and duties thereof, and to provide for the adoption by the commission of a comprehensive city plan, the approval thereof by the council of the municipality and for modifications and amendments thereof, was substituted for Senate File No. 398, taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cavanaugh moved 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	Clark	Klemme	Roberts
Beatty	Dean	Lange	Shaff
Booth	Dotts	Langfitt	Shane
Breakenridge	Frailey	McFarlane	Stoddard
Brookins	Fulton	McLeland	Thompson
Browne	Gilchrist	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Carden	Johnston	Ramsey	Wilson of Polk
Cavanaugh	Kern		

Nays, none.

Absent or not voting, 16.

Benson	Darting	Haskell	Skromme
Bergman	Ellis	Kimberly	Slemmons
Brush	Fackler	Rigby	Stanley
Clearman	Gunderson	Shinn	Wilson of Page

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 Cavanaugh, House File No. 381, a bill for an act to repeal section fifty-nine hundred forty-two (5942) of the code, 1924, and to enact a substitute therefor, relating to streets and public grounds, was substituted for Senate File No. 399, taken up and considered.

The bill was read for information.

Senator Cavanaugh moved 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.**

Baird	Cavanaugh	Haskell	Ramsey
Beatty	Clark	Johnston	Shaff
Bergman	Dean	Kern	Shane
Booth	Fackler	Klemme	Stoddard
Brookins	Frailey	Lange	Topping
Browne	Fulton	Langfitt	Thompson
Brush	Gilchrist	McLeland	Ulstad
Campbell	Gunderson	Merritt	Wilson of Page
Carden	Hartman	Mills	Wilson of Polk

**Nays, none.****Absent or not voting, 14.**

Benson	Dotts	Rigby	Skromme
Breakenridge	Ellis	Roberts	Slemmons
Clearman	Kimberly	Shinn	Stanley
Darting	McFarlane		

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 on request of Senator Cavanaugh Senate Files Nos. 397, 398 and 399 were withdrawn from further consideration.

On motion of Senator Frailey, Senate Joint Resolution No. 5, a joint resolution for the appointment of a committee to be appointed by the Governor for the purpose of making a thorough and complete investigation of the question of employment of convict labor in the state penitentiary and state reformatory, with report of committee recommending passage, was taken up, considered, and the report of the committee was adopted.

Senator Frailey offered the following amendments and moved their adoption:

Amend by striking from line 5 the word "can" and inserting in lieu thereof the word "shall".

Amend line 8 by striking the word "a", next to the last word, and inserting the word "the" in lieu thereof.

Amend line 9 by inserting the word "that" between the words "goods" and "are".

The amendments were adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking out section 3.

The amendment was lost.

Senator Brookins offered the following amendment and moved its adoption:

Amend by inserting after the word "Forty-second" in line 2 of section 1 the words "or any former".

The amendment was adopted.

The bill was read for information.

Senator Frailey moved 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	Clark	Kimberly	Shane
Beatty	Clearman	Klemme	Shinn
Benson	Darting	Lange	Skromme
Booth	Dean	Langfitt	Stanley
Breakenridge	Fackler	McFarlane	Stoddard
Brookins	Frailey	McLeland	Thompson
Browne	Gunderson	Merritt	Topping
Brush	Hartman	Mills	Ulstad
Campbell	Haskell	Ramsey	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk
Cavanaugh	Kern	Shaff	

Nays, none.

Absent or not voting, 7.

Bergman	Ellis	Gilchrist	Slemmons
Dotts	Fulton	Rigby	

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane 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 Shaff, Senate File No. 281, a bill for an act to amend section eight hundred sixty of the code, relating to certificates of election, 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:

Strike the word "peace" in line 3 and insert in lieu thereof the word "county".

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, 41.

Baird	Clearman	Kern	Shaff
Benson	Darting	Kimberly	Shane
Booth	Dean	Klemme	Shinn
Breakenridge	Fackler	Lange	Skromme
Brookins	Fulton	Langfitt	Stanley
Browne	Gilchrist	McLeland	Thompson
Brush	Gunderson	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 9.

Beatty	Ellis	McFarlane	Slemmons
Bergman	Frailey	Rigby	Stoddard
Dotts			

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 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 Wilson of Polk, Senate File No. 334, a bill for an act to amend section five thousand eight hundred and seven (5807) of the code, 1924, relating to the powers of park commissioners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Gunderson moved 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	Carden	Gunderson	Mills
Benson	Cavanaugh	Hartman	Ramsey
Bergman	Clark	Kern	Roberts
Booth	Dean	Klemme	Shane
Breakenridge	Dotts	Lange	Skromme
Brookins	Fackler	Langfitt	Slemmons
Browne	Fulton	McLeland	Ulstad
Campbell	Gilchrist	Merritt	Wilson of Page
			Wilson of Polk

## Nays, 8.

Brush	Darting	Johnston	Thompson
Clearman	Haskell	Kimberly	Topping

## Absent or not voting, 9.

Beatty	McFarlane	Shaff	Stanley
Ellis	Rigby	Shinn	Stoddard
Frailey			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson 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. 340, a bill for an act to amend the law as it appears in section eighty-five hundred twenty-six (8526) and subdivisions three (3), eight (8), ten (10) and eleven (11) thereof; section eighty-five hundred fifty-four (8554) and eighty-five hundred sixty-six (8566) and chapter three hundred ninety-three (393) of Title XIX of the code of Iowa, 1924, relating to investment companies and regulations in regard to the sale of certain securities, 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 paragraph (b) of section 1 by inserting between the word "business" and the quotation marks (") the words "or those secured by mortgage on personal property".

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, 38.

Baird	Clearman	Klemme	Shane
Beatty	Darting	Lange	Skromme
Bergman	Dotts	Langfitt	Slemmons
Booth	Fackler	McFarlane	Stanley
Breakenridge	Fulton	McLeland	Thompson
Browne	Gilchrist	Merritt	Topping
Brush	Hartman	Mills	Ulstad
Carden	Johnston	Ramsey	Wilson of Page
Cavanaugh	Kern	Shaff	Wilson of Polk
Clark	Kimberly		

## Nays, none.

## Absent or not voting, 12.

Benson	Dean	Gunderson	Roberts
Brookins	Ellis	Haskell	Shinn
Campbell	Frailey	Rigby	Stoddard

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.

## EXECUTIVE DEPARTMENT

## State of Iowa

April 4, 1927.

TO THE SENATE OF THE STATE OF IOWA: I return with my objections to the Senate of the State of Iowa in which it originated, the bill entitled: "An Act to Regulate the Occupation of Barbering by Creating a Board of Examiners for the Licensing of Persons to Carry on Such Practice, and Fixing the Fees to be Charged Therefor; for Regulating the Sanitation of Barber Shops, Barber Schools and Barber Colleges, for Preventing the Spreading of Contagious and Infectious Diseases, for Promoting the Health and Safety of the General Public and Providing for the Penalties for the Violation Thereof."

This bill makes it unlawful for any person to follow the occupation of barber in this State unless he shall first have obtained a certificate of registration as provided in this act; and the same section provides that nothing contained in this act shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided. It also provides that the act shall not apply in any manner whatsoever to any person who does barber work in any educational institution for the purpose of raising funds for his education, in addition to the provision that the act shall not apply to barbers operating in towns or villages.

Section 12 of the Act shows that it is clearly an act for the purpose of health and sanitation, and if the measure is grounded upon the principle of health and sanitation, it should be general in its application.

The act in my judgment clearly comes within the provisions of the case of State of Iowa vs. Garbroski, in which the court held as follows:

“Constitutional Law: Peddler’s Tax: Exemption of Union soldiers from. Under constitution, article 1, section 6, providing that all laws of a general nature shall have a uniform operation, and that the general assembly shall not grant to any citizen or class of citizens privileges or immunities which, upon the same terms, shall not equally belong to all citizens. Code, section 1347, requiring all peddlers plying their vocation outside of any city or town to secure a license from the county auditor, and to pay a tax therefor, but specially exempting from the payment of such tax persons who have served in the Union Army or Navy, is unconstitutional and void, as an unreasonable classification.”

This case was reaffirmed in the case of Dunahoo v. Huber, 185 Iowa, 753, and in the last mentioned case the court in speaking with reference to the constitutionality of the statute concerning the giving of tips to an employee said:

“The proprietor of a hotel, restaurant, or barber shop often renders service in connection with employees, and we entertain no doubt that in permitting the employer, often unknown to the patron to be such, to accept tips or gratuities, and denying a like privilege to the employee, there is unfair discrimination and such legislation is prohibited by the section of the Constitution quoted. The power of the legislature with reference to classification is quite thoroughly covered in State v. Garbroski, 111 Iowa, 496, where the court held that there was no ground for exempting veterans of the Civil War from the necessity of paying a peddlers’ tax which was exacted from all others engaged in that occupation. There is nothing in the situation of an employer which justifies discriminating in his favor when engaged in the same pursuit as the employee, and we are of the opinion that any law which permits the proprietor of a barber shop to accept a tip or gratuity upon the performance of services to a customer, and at the same time prohibits the employee, engaged in like services in the same shop, from doing likewise, is to be denounced as unjust discrimination, and inimical to the section of the Constitution prohibiting the general assembly from granting to ‘any city or class of citizens privileges or immunities, which upon the same terms shall not equally belong to all citizens.’”

To permit a classification which would compel barbers in towns of 2,100 to be subject to the law and exempt all barbers in towns of 2,000 and under from the operation of the law, is such an unreasonable classification as would render the statute clearly unconstitutional; under the rule as laid down in the cases above cited and also under the rule as laid down in Hubbell v. Higgins, 148 Iowa, 36, in which opinion the court, speaking with reference to this matter, said:

"Classification, to be constitutional, must be based upon substantial distinction which makes one class so different from another as to suggest the necessity of different legislation with respect to it.

Laws public in their objects may be confined to a particular class of persons if they are general in their application to the cases to which they apply, provided the distinction is not arbitrary but rests upon some reason of public policy.

Classification must be reasonable and based upon real differences in the situation, conditions and tendencies of things. If there is no real difference between persons, occupations, or property, the state can not make one in favor of some persons over others."

It seems to me that this proposed law clearly comes within the inhibitions of Section 6 of Article 1 of the Constitution of the State of Iowa.

I shall now proceed to state my objections to this bill. I deem it to be unconstitutional.

I might add further that this being a health measure, it should be under the direction of the health commissioner and its provisions should be limited to a board of examiners and its enforcement placed under the direction of the health department of the state and not create a separate and distinct department as provided in the bill in question.

We have had consolidation in recent legislative bodies in order to do away with unnecessary bureaus and commissions and save the expense to the taxpayers in connection therewith.

This particular bill branches out in the direction of a new commission and expensive machinery for its enforcement. Let us confine the purpose of this act to the matter of health and sanitation, if a measure of this character is enacted, and let us not only have it constitutional but let us have it so framed as to be under the control and direction of the proper health authorities of the state.

There is still time, if the legislature believes this to be a meritorious measure, to cure the defects and objections herein pointed out, and it can be done with practically no expense while if it becomes a law, long protracted and expensive litigation will ensue with no benefit finally to be derived by the supporters of the bill. To sign this bill and to permit it to go upon the statute books in its present form, would be to defeat the very object of the bill and all its supporters for the courts would, in my judgment, refuse to enforce the measure in its present form.

Respectfully submitted,

JOHN HAMMILL, *Governor*.

## MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 351 passed the Senate.

ARCH W. MCFARLANE,  
C. H. TOPPING,  
J. R. FRAILEY,  
C. F. JOHNSTON,  
W. S. BAIRD.

## AMENDMENTS FILED

I move to amend Senate File No. 424, by striking section 8, and inserting in lieu thereof the following:

"Sec. 8. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Marshalltown Times Republican, a newspaper published in Marshalltown, Iowa, and the Sioux City Journal, a newspaper published in Sioux City, Iowa."

B. M. STODDARD.

I move to amend Senate File No. 420, by striking section 3, and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance, shall be in full force and effect from and after its publication in the Hawarden Chronicle, a newspaper published in Hawarden, Iowa, and the Sioux City Journal, a newspaper published in Sioux City, Iowa."

B. M. STODDARD.

I move to further amend House File No. 42 as follows, to wit:

Add, following the amendment by Wilson, to section five (5), chapter one hundred seventy-three (173) acts of the Forty-first (41) General Assembly, the following, to wit:

"No council or board which is by law charged with the duty of selecting depository banks and fixing the limit of funds to be deposited therein, shall increase the limit for the depositing of such public funds, except with the approval of the treasurer of state."

D. L. WILSON.

I move to amend House File No. 266 by inserting immediately after the word "duties" in line eight (8) the following: "within his county and in attendance upon meetings called by the state superintendent of public instruction".

O. E. GUNDERSON.

The Journal of April 4th was corrected and approved.

Senator McFarlane moved that the Senate adjourn until 9:30 a. m. Wednesday.

On the question "Shall the motion prevail?" the vote was:

**Ayes, 27.**

Baird	Carden	Haskell	Roberts
Beatty	Cavanaugh	Johnston	Shaff
Bergman	Clark	Kimberly	Shane
Booth	Clearman	Langfitt	Stanley
Breakenridge	Darting	McFarlane	Topping
Brookins	Dean	Merritt	Wilson of Polk
Brush	Fulton	Ramsey	

**Nays, 15.**

Browne	Hartman	McLeland	Thompson
Dotts	Kern	Shinn	Ulstad
Fackler	Klemme	Skromme	Wilson of Page
Gilchrist	Lange	Slemmons	

**Absent or not voting, 8.**

Benson	Ellis	Gunderson	Rigby
Campbell	Frailey	Mills	Stoddard

The motion prevailed and the Senate adjourned until 9:30 a. m. Wednesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 6, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. C. M. Pierce, pastor of the Congregational Church, of Ankeny, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stoddard for the day, on request of Senator Dean.

## REPORTS OF SIFTING COMMITTEE

April 6, 1927.

MR. PRESIDENT: Your sifting committee wishes to amend House File No. 327 (companion bill to Senate File No. 309, by Frailey) as follows:

"That a period be inserted in line 14 following the word "provided" and the remainder of the section be stricken."

and, when so amended, the bill be reported to the Senate for consideration.

H. GUY ROBERTS, *Chairman*.

Also:

Your sifting committee wishes to refer House File No. 65 to the appropriation committee.

H. GUY ROBERTS, *Chairman*.

The report was adopted and the bill was referred to the committee on appropriations.

Also:

Your sifting committee wishes to place the following bills on the calendar:

House Files Nos. 262, and 359.

H. GUY ROBERTS, *Chairman*.



## MOTION TO RECONSIDER

I move to reconsider the vote by which Senate File No. 351 passed the Senate and also to reconsider the vote by which it passed to its third reading.

F. M. BEATTY.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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, 332, 329, 259, 238, 151, 123, and 115.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 333, 332, 329, 259, 238, 151, 123 and 115.

## MESSAGES FROM THE HOUSE

The 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. 428, a bill for an act to legalize an election held on the 28th day of March, 1927, in the city of Newton, Iowa, on extending and reconstructing its Municipal Waterworks and contracting indebtedness for such purpose not exceeding \$155,000 and issuing bonds for such purpose not exceeding \$155,000 and levying a tax annually upon the taxable property in said City of Newton not exceeding ten mills per annum for the payment of such bonds and interest thereon and to legalize all acts and proceedings in respect to said election and to legalize the issuance of such bonds.

Also: That the House has concurred in Senate amendment to House File No. 208, a bill for an act relating to compensation of county officers.

Also: That the House has concurred in Senate amendment to House File No. 113, a bill for an act relating to the destruction of noxious weeds.

Also: That the House has refused to concur in Senate amendments to House File No. 83, a bill for an act to prohibit the possession or control of machine guns, to prohibit any person from assisting another in obtaining possession of such gun, to determine and fix the punishment for a violation of such prohibition; to declare certain exceptions, to authorize the destruction of such guns, and to prescribe in part the substance of the indictment or information in such cases and the evidence by which it may be sustained.

A. C. GUSTAFSON, *Chief Clerk.*

### THIRD READING OF BILLS

On motion of Senator Ulstad House File No. 286, a bill for an act to amend section sixty-two hundred thirty-nine (6239) and chapter three hundred sixty-three (363) of the code, 1924, relating to dams and races, and to provide that cities and towns may construct dams for recreational purposes and acquire lands in connection therewith, and to incur indebtedness for such improvements, having been reported out by sifting committee, was taken up and considered.

The bill was read for information.

Senator Ulstad moved 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	Darting	Klemme	Shaff
Benson	Dotts	Lange	Shane
Booth	Ellis	Langfitt	Shinn
Breakenridge	Fulton	McFarlane	Skromme
Browne	Gilchrist	Merritt	Slemmons
Brush	Gunderson	Mills	Thompson
Campbell	Johnston	Ramsey	Topping
Carden	Kern	Rigby	Ulstad
Cavanaugh	Kimberly	Roberts	Wilson of Page
Clearman			

Nays, none.

Absent or not voting, 13.

Beatty	Dean	Hartman	Stanley
Bergman	Fackler	Haskell	Stoddard
Brookins	Frailey	McLeland	Wilson of Polk
Clark			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shane House File No. 453, a bill for an act to amend section twelve hundred eighty-eight (1288) of the code, 1924, relating to the meetings of the board of mine examiners, having been reported out by the sifting committee, was taken up and considered.

The following committee amendment was adopted:

In lines two and three strike the words "meetings of" and insert in lieu thereof the following: "temporary employment of persons certificated by".

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.

Baird	Clearman	Kern	Shaff
Benson	Darting	Kimberly	Shane
Booth	Dean	Klemme	Shinn
Breakenridge	Dotts	Lange	Skromme
Brookins	Ellis	Langfitt	Slemmons
Browne	Fulton	McFarlane	Thompson
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk

Nays, 1.

Clark

Absent or not voting, 9.

Beatty	Frailey	McLeland	Stanley
Bergman	Haskell	Roberts	Stoddard
Fackler			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Browne Senate File No. 420, a bill for an act to provide an appropriation of fifteen hundred dollars to indemnify Charles Feenstra for damages occasioned by reason of injury suffered when attacked in the Iowa state penitentiary by another inmate, a claims committee bill, with report of appro-

priations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following amendment filed by Senator Stoddard was considered:

Amend by striking section 3, and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance, shall be in full force and effect from and after its publication in the Hawarden Chronicle, a newspaper published in Hawarden, Iowa, and the Sioux City Journal, a newspaper published in Sioux City, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Dean moved 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.

Baird	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Booth	Dean	Lange	Shinn
Breakenridge	Dotts	Langfitt	Skromme
Brookins	Ellis	McFarlane	Slemmons
Browne	Fulton	McLeland	Thompson
Brush	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kern		

Nays, none.

Absent or not voting, 8.

Beatty	Fackler	Haskell	Stanley
Bergman	Frailey	Roberts	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 Browne Senate File No. 421, a bill for an act to make an appropriation to Havner, Flick & Powers for attorneys' fees as attorneys for Robert L. Leach in the cause of city of Washington, Iowa vs. Robert L. Leach, a claims committee bill, with report of appropriations committee recommending pas-

sage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Clark	Kern	Skromme
Beatty	Clearman	Kimberly	Slemmons
Benson	Dean	Lange	Stanley
Booth	Dotts	Langfitt	Thompson
Breakenridge	Fulton	McLeland	Topping
Browne	Gilchrist	Mills	Ulstad
Brush	Hartman	Ramsey	Wilson of Page
Campbell	Haskell	Shaff	Wilson of Polk
Carden	Johnston	Shane	

Nays, 5.

Cavanaugh	Klemme	Roberts	Shinn
Ellis			

Absent or not voting, 10.

Bergman	Fackler	McFarlane	Rigby
Brookins	Frailey	Merritt	Stoddard
Darting	Gunderson		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### EXPLANATION OF VOTE

MR. PRESIDENT: I voted "no" on Senate File No. 421, on the grounds that this bill, as allowed, will open the flood gates for similar cases for the state to pay.

W. H. KLEMME.

#### THIRD READING OF BILLS

On motion of Senator Browne, Senate File No. 423, a bill for an act to make an appropriation to James A. Devitt for attorneys' fees as attorney for Robert L. Leach in the cause of city of Washington, Iowa, vs. Robert L. Leach, a claims committee bill, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

**Ayes, 36.**

Baird	Clark	Kimberly	Shane
Beatty	Clearman	Klemme	Skromme
Benson	Dotts	Lange	Slemmons
Bergman	Gilchrist	McFarlane	Stanley
Booth	Gunderson	Langfitt	Thompson
Breakenridge	Hartman	McLeland	Topping
Browne	Haskell	Mills	Ulstad
Brush	Johnston	Ramsey	Wilson of Page
Campbell	Kern	Shaff	Wilson of Polk

**Nays, 3.**

Cavanaugh	Roberts	Shinn
-----------	---------	-------

**Absent or not voting, 11.**

Brookins	Dean	Frailey	Rigby
Carden	Ellis	Fulton	Stoddard
Darting	Fackler	Merritt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Topping, Senate File No. 430, a bill for an act to amend the law as it appears in Section fifty-nine hundred two (5902) of the Code, 1924, relating to the Department of Public Docks in Cities and Towns, by adding thereto a paragraph relative to the method of defraying the expense thereof in Cities under the Commission form of Government having a population of less than thirty thousand, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Topping moved 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.

Baird	Clearman	Kimberly	Shaff
Beatty	Darting	Klemme	Shane
Benson	Dean	Lange	Shinn
Booth	Dotts	Langfitt	Skromme
Breakenridge	Ellis	McFarlane	Slemmons
Brookins	Fackler	McLeland	Stanley
Browne	Gunderson	Merritt	Thompson
Brush	Hartman	Mills	Topping
Campbell	Haskell	Ramsey	Ulstad
Carden	Johnston	Rigby	Wilson of Page
Cavanaugh	Kern	Roberts	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 5.

Bergman	Fulton	Gilchrist	Stoddard
Frailey			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Topping 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 Roberts, Senate File No. 431, a bill for an act to repeal chapter ninety-three (93) of the code relating to the solicitations of public donations, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Roberts moved 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	Clark	Kern	Roberts
Benson	Clearman	Kimberly	Shaff
Bergman	Darting	Klemme	Shane
Booth	Dean	Lange	Shinn
Breakenridge	Dotts	Langfitt	Skromme
Brookins	Fackier	McFarlane	Slemmons
Browne	Fulton	McLeland	Stanley
Brush	Gunderson	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Beatty Ellis	Frailey Gilchrist	Stoddard	Thompson
-----------------	----------------------	----------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Fackler, Senate File No. 432, a bill for an act making an appropriation to pay for repairs upon the state capitol and historical building, a committee bill, was taken up and considered.

The bill was read for information.

Senator Fackler moved 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	Carden	Kern	Rigby
Beatty	Cavanaugh	Kimberly	Roberts
Benson	Clark	Klemme	Shaff
Bergman	Dean	Lange	Shane
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Fulton	McFarlane	Stanley
Brookins	Gunderson	McLeland	Thompson
Browne	Hartman	Merritt	Topping
Brush	Haskell	Mills	Wilson of Page
Campbell	Johnston	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Clearman	Ellis	Shinn	Stoddard
Darting	Frailey	Skromme	Ulstad
Dotts	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 Fackler Senate File No. 418, a bill for an act to make appropriation for the payment of state and other expenses, a claims committee bill, with report of appropriations committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.



The committee amendments, found on page 1206 of the Senate Journal, were adopted.

The bill was read for information.

Senator Fackler moved that the reading just had be considered tht third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Baird	Carden	Haskell	Roberts
Beatty	Cavanaugh	Johnston	Shane
Benson	Clark	Kern	Skromme
Bergman	Clearman	Kimberly	Slemmons
Booth	Dean	Lange	Stanley
Breakenridge	Dotts	Langfitt	Thompson
Brookins	Fackler	McFarlane	Topping
Browne	Fulton	McLeland	Ulstad
Brush	Gunderson	Ramsey	Wilson of Page
Campbell	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Darting	Gilchrist	Mills	Shinn
Ellis	Klemme	Shaff	Stoddard
Frailey	Merritt		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson moved that Senate File No. 406, be withdrawn from the sifting committee.

Senator Roberts raised the point of order that the bill was reported out by the committee on appropriations for indefinite postponement and was not in the hands of the sifting committee.

The President held the point well taken.

Senator Gunderson moved that the rules be suspended and the report of the committee on appropriations on Senate File No. 406 be considered.

On the question "Shall the motion prevail?" the vote was:

## Ayes, 19.

Brookins	Gunderson	Klemme	Skromme
Browne	Hartman	Lange	Slemmons
Clark	Johnston	Langfitt	Thompson
Clearman	Kern	McLeland	Ulstad
Dotts	Kimberly	Shinn	

## Nays, 18.

Baird	Dean	Ramsey	Shane
Bergman	Haskell	Rigby	Stanley
Booth	McFarlane	Roberts	Topping
Breakenridge	Mills	Shaff	Wilson of Page
Brush			Wilson of Polk

## Absent or not voting, 13.

Beatty	Cavanaugh	Fackler	Gilchrist
Benson	Darting	Frailey	Merritt
Campbell	Ellis	Fulton	Stoddard
Carden			

The motion having failed to receive a two-thirds vote, was declared to have been lost.

Senator Ellis moved that Senate File No. 175 be withdrawn from the sifting committee and be made a special order for 1:30 p. m. today.

Senator Ellis withdrew the motion.

Senator Browne asked for unanimous consent to introduce a bill and have same referred to the sifting committee, which consent was granted.

## INTRODUCTION OF BILLS

Senate File No. 433, by Senator Browne, a bill for an act to provide for the construction and maintenance of interstate bridges; to authorize the state highway commission to cooperate with the proper officials of adjoining states and the federal government in relation to such bridges; and to provide the funds for the construction and maintenance of such bridges.

Read first and second times and referred to sifting committee.

## S. F. 429 MADE SPECIAL ORDER

On motion of Senator Bergman Senate File No. 429 was made a special order for 2:00 p. m., Thursday.

The journal of April 5th was corrected and approved.

— On motion of Senator Shane the Senate adjourned until 2:00 p. m., today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### CALL OF THE SENATE

We, the undersigned members of the Senate, desire a call of the Senate when the motion to reconsider the vote by which Senate File No. 351 passed the Senate comes up for consideration:

ARCH W. MCFARLANE.  
GEO. A. WILSON.  
C. F. JOHNSTON.  
FRANK SHANE.  
J. O. SHAFF.  
C. J. FULTON.  
E. E. CAVANAUGH.  
W. J. BREAKENRIDGE.  
J. M. RAMSEY.  
GEO. CLEARMAN.  
C. A. BENSON.  
D. W. KIMBERLY.  
C. H. TOPPING.  
W. G. HASKELL.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 58, 72, 191, 161, and 296.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 58, 72, 191, 161, and 296.

## BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 6th day of April, 1927, sent to the governor for his approval:

Senate Files Nos. 58, 72, 191, 161, and 296.

D. L. WILSON, *Chairman.*

The report was adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Wilson of Polk called up for consideration Senate File No. 260, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking from line thirteen (13) of section one (1) the words "one year" and inserting in lieu thereof the words "three years".

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Benson	Gunderson	Langfitt	Shinn
Breakenridge	Hartman	McFarlane	Stemmons
Brush	Haskell	McLelane	Thompson
Campbell	Johnston	Merritt	Topping
Clearman	Kern	Mills	Ulstad
Dotts	Kimberly	Ramsey	Wilson of Page
Ellis	Klemme	Shaff	Wilson of Polk
Gilchrist	Lange	Shane	

Nays, none.

Absent or not voting, 19.

Baird	Browne	Dean	Roberts
Beatty	Carden	Fackler	Skromme
Bergman	Cavanaugh	Frailey	Stanley
Booth	Clark	Fulton	Stoddard
Brookins	Darting	Rigby	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Wilson of Polk moved that the vote by which the amendment passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Stanley called up for consideration Senate File No. 225, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 225 as follows:

Strike out sections one (1) and two (2) of the bill and in lieu thereof insert the following:

Section 1. Section eighty-five hundred eighty-eight (8588) of the code is amended by adding thereto the following: "No academic degree for which compensation is to be paid shall be issued or conferred by such corporation or by any individual conducting an academic course unless the person obtaining the said degree shall have completed at least one academic year of resident work at the institution which grants the degree.

Sec. 2. There is hereby enacted and inserted in the code immediately following section eighty-five hundred eighty-eight (8588) of th code, the following:

"8588-b1. Penalty. A violation of the preceding section by a corporation shall be punished by a fine of not more than one thousand dollars (\$1,000). A violation of the preceding section by an individual conducting an academic course or by an officer or managing head of a corporation shall be punished by imprisonment in the penitentiary or men's or women's reformatory not more than seven (7) years; or by fine not exceeding five hundred dollars (\$500) or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment."

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Benson	Gilchrist	Lange	Shane
Breakenridge	Gunderson	Langfitt	Slemmons
Brookins	Hartman	McFarlane	Stanley
Brush	Haskell	McLeland	Topping
Campbell	Johnston	Merritt	Ulstad
Clearman	Kern	Mills	Wilson of Page
Dotts	Kimberly	Ramsey	Wilson of Polk
Ellis	Klemme	Shaff	

Nays, none.

Absent or not voting, 19.

Baird	Carden	Fackler	Shinn
Beatty	Cavanaugh	Frailey	Skromme
Bergman	Clark	Fulton	Stoddard
Booth	Darting	Rigby	Thompson
Browne	Dean	Roberts	

The House amendments having received a constitutional ma-

majority were declared to have been 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 require officers, boards, and commissions of the state government to pay into the state treasury all fees and charges not belonging to said officers, having been reported out by the sifting committee, was taken up and considered.

Senator Shane offered the following amendment and moved its adoption :

Amend by adding the following section :

"Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Ottumwa Courier, a newspaper published at Ottumwa, Iowa, and the Knoxville Journal, a newspaper published at Knoxville, Iowa."

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, 35.**

Benson	Ellis	Lange	Shinn
Breakenridge	Gilchrist	Langfitt	Slemmons
Brookins	Gunderson	McFarlane	Stanley
Brush	Hartman	McLeland	Thompson
Campbell	Haskell	Merritt	Topping
Clark	Johnston	Mills	Ulstad
Clearman	Kern	Ramsey	Wilson of Page
Dean	Kimberly	Shaff	Wilson of Polk
Dotts	Klemme	Shane	

**Nays, none.**

**Absent or not voting, 15.**

Baird	Browne	Fackler	Roberts
Beatty	Carden	Frailey	Skromme
Bergman	Cavanaugh	Fulton	Stoddard
Booth	Darting	Rigby	

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 Shane, House File No. 359, a bill for an act to amend section nineteen hundred sixty-four (1964) of the code, 1924, relating to second and subsequent convictions for violation of intoxicating liquor laws, and to amend section thirty-eight hundred (3800) of the code, 1924, relating to parole by court, having been reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Shane moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

**Ayes, 28.**

Benson	Fulton	Klemme	Shinn
Brookins	Gilchrist	Langfitt	Skromme
Brush	Gunderson	McFarlane	Slemmons
Campbell	Hartman	McLeland	Stanley
Carden	Haskell	Mills	Ulstad
Clark	Johnston	Ramsey	Wilson of Page
Clearman	Kern	Shane	Wilson of Polk

**Nays, 2.**

Lange	Thompson
-------	----------

**Absent or not voting, 20.**

Baird	Browne	Ellis	Rigby
Beatty	Cavanaugh	Fackler	Roberts
Bergman	Darting	Frailey	Shaff
Booth	Dean	Kimberly	Stoddard
Breakenridge	Dotts	Merritt	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shane, House File No. 327, a bill for an act to amend section nine thousand eighty-seven (9087) of the code, relating to the bringing of actions against reciprocal or interinsurance exchanges and upon reinsurance and interinsurance contracts, having been reported out by the sifting committee, was taken up and considered.

The following committee amendment was adopted:

Insert a period in line 14 following the word "provided" and strike out the remainder of the section.

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.

Benson	Dotts	Kern	Shane
Breakenridge	Ellis	Kimberly	Skromme
Brush	Fulton	Klemme	Slemmons
Campbell	Gilchrist	Lange	Stanley
Carden	Gunderson	Langfitt	Thompson
Clark	Hartman	McFarlane	Topping
Clearman	Haskell	McLeland	Wilson of Page
Dean	Johnston	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 18.

Baird	Brookins	Fackler	Roberts
Beatty	Browne	Frailey	Shaff
Bergman	Cavanaugh	Merritt	Shinn
Booth	Darting	Mills	Stoddard
		Rigby	Ulstad

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Gunderson, House File No. 354, a bill for an act to legalize certain transfer of funds and appropriations made by the city council of Forest City, Iowa, having been reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Gunderson moved 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.

Benson	Dotts	Klemme	Shaff
Bergman	Ellis	Lange	Shane
Breakenridge	Gilchrist	Langfitt	Slemmons
Brookins	Gunderson	McFarlane	Stanley
Brush	Haskell	McLeland	Thompson
Carden	Johnston	Mills	Topping
Clark	Kern	Ramsey	Ulstad
Clearman	Kimberly	Roberts	Wilson of Page
Dean			Wilson of Polk

Nays, none.

Absent or not voting, 16.

Baird	Campbell	Frailey	Rigby
Beatty	Cavanaugh	Fulton	Shinn
Booth	Darting	Hartman	Skromme
Browne	Fackler	Merritt	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bergman moved that 200 extra copies of Senate File No. 429 be printed as amended by the banking subcommittee, which motion prevailed.

### THIRD READING OF BILLS

On motion of Senator Browne Senate File No. 415, a bill for an act to provide an appropriation of three hundred twenty-five and no cents (\$325.00) dollars to indemnify Arthur Ashcraft for damages and injuries received as and while a prisoner at Ft. Madison, a claims committee bill, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following amendment filed by Senator Stoddard was considered:

Amend by striking out section 3 and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Danbury Review, a newspaper published in Danbury, Iowa, and the Onawa Democrat, a newspaper published in Onawa, Iowa."

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, 38.**

Beatty	Clearman	Kimberly	Shane
Benson	Darting	Lange	Shinn
Bergman	Dean	Langfitt	Skromme
Booth	Dotts	McFarlane	Slemmons
Breakenridge	Ellis	McLeland	Stanley
Brookins	Gilchrist	Merritt	Thompson
Browne	Haskell	Ramsey	Topping
Brush	Johnston	Roberts	Ulstad
Carden	Kern	Shaff	Wilson of Page
Clark			Wilson of Polk

**Nays, none.**

**Absent or not voting, 12.**

Baird	Fackler	Gunderson	Mills
Campbell	Frailey	Hartman	Rigby
Cavanaugh	Fulton	Klemme	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 Browne Senate File No. 417, a bill for an act to provide an appropriation for six hundred ninety dollars to indemnify George Simpson for damages occasioned by reason of injury suffered by reason of the collision of an automobile in which he was riding with road drag operated by the Iowa State Highway Commission, a claims committee bill, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following amendment filed by Senator Stoddard was considered:

Amend by striking out section 3 and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Adair County Free Press, a newspaper published in Greenfield, Iowa, and the Merville Mail, a newspaper published in Merville, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Langfitt moved 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.

Beatty	Darting	Klemme	Shane
Benson	Dean	Lange	Shinn
Bergman	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Breakenridge	Gilchrist	McLeland	Stanley
Brookins	Hartman	Merritt	Thompson
Browne	Haskell	Mills	Topping
Brush	Johnston	Ramsey	Ulstad
Carden	Kern	Roberts	Wilson of Page
Clark	Kimberly	Shaff	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Baird	Clearman	Fulton	Rigby
Campbell	Fackler	Gunderson	Stoddard
Cavanaugh	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator McLeland Senate File No. 424, a bill for an act making an appropriation to compensate Francine Talbot for injuries received from being struck by a stray bullet from rifle range, Iowa National Guard, Marshalltown, Iowa, a claims committee bill, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following amendment filed by Senator Stoddard was considered:

Amend by striking section 8 and inserting in lieu thereof the following:

"Sec. 8. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Marshalltown Times Republican, a newspaper published in Marshalltown, Iowa, and the Sioux City Journal, a newspaper published in Sioux City, Iowa."

The amendment was adopted.

Senator McLeland offered the following amendment and moved its adoption:

Amend by striking from line 6 of section 1 the words "of Iowa" and inserting in lieu thereof the words "such person or trust company as the court may appoint".

The amendment was adopted.

The bill was read for information.

Senator McLeland moved 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.**

Beatty	Clark	Kimberly	Shaff
Benson	Clearman	Klemme	Shane
Bergman	Darting	Lange	Shinn
Booth	Dean	Langfitt	Skromme
Breakenridge	Dotts	McFarlane	Slemmons
Brookins	Ellis	McLeland	Thompson
Browne	Frailey	Merritt	Topping
Brush	Hartman	Mills	Ulstad
Campbell	Haskell	Ramsey	Wilson of Polk
Carden	Johnston	Roberts	

**Nays, none.**

**Absent or not voting, 11.**

Baird	Fulton	Kern	Stoddard
Cavanaugh	Gilchrist	Rigby	Wilson of Page
Fackler	Gunderson	Stanley	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Browne Senate File No. 416, a bill for an act making an appropriation to compensate Vera Gage for injuries received while a student at the Iowa school for the deaf, Council Bluffs, Iowa, a claims committee bill, with report of appropriations 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, 38.**

Beatty	Clark	Lange	Shane
Benson	Clearman	Langfitt	Shinn
Bergman	Dean	McFarlane	Skromme
Booth	Dotts	McLeland	Slemmons
Breakenridge	Frailey	Merritt	Thompson
Brookins	Hartman	Mills	Topping
Browne	Haskell	Ramsey	Ulstad
Brush	Johnston	Roberts	Wilson of Page
Campbell	Kimberly	Shaff	Wilson of Polk
Carden	Klemme		

Nays, none.

Absent or not voting, 12.

Baird	Ellis	Gilchrist	Rigby
Cavanaugh	Fackler	Gunderson	Stanley
Darting	Fulton	Kern	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shinn moved that the vote by which the bill passed the Senate be reconsidered, which motion prevailed.

Senator Shinn moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking the words "of Iowa" from line 6 of section 1 and inserting in lieu thereof the words "such person or trust company as the court may appoint".

The amendment was adopted.

The following amendment filed by Senator Stoddard was considered:

Amend by striking section 8 and inserting in lieu thereof the following:

"Sec. 8. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Woodbine Twiner, a newspaper published in Woodbine, Iowa, and the Sloan Star, a newspaper published in Sloan, Iowa."

The amendment was 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, 38.

Beatty	Clark	Kimberly	Roberts
Benson	Clearman	Klemme	Shaff
Bergman	Dean	Lange	Shane
Booth	Dotts	Langfitt	Shinn
Breakenridge	Frailey	McFarlane	Skromme
Brookins	Hartman	McLeland	Slemmons
Browne	Haskell	Merritt	Thompson
Brush	Johnston	Mills	Topping
Campbell	Kern	Ramsey	Ulstad
Carden			Wilson of Polk

Nays, none.

Absent or not voting, 12.

Baird	Ellis	Gilchrist	Stanley
Cavanaugh	Fackler	Gunderson	Stoddard
Darting	Fulton	Rigby	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 Shane moved that ex-Governor Wm. Harding be invited to address the Senate.

The motion prevailed and Governor Harding addressed the Senate briefly.

Ex-Senator John Hale, of Jones county, was invited to address the Senate and the President appointed Senator Haskell as a committee of one to escort Senator Hale to the desk.

Senator Hale addressed the Senate briefly.

#### COMMUNICATION FROM THE GOVERNOR

HONORABLE CLEM F. KIMBALL,  
State House.

MY DEAR GOVERNOR: Enclosed herein I hand you copy of telegram which is self-explanatory.

Cordially,

(Signed) JOHN HAMMILL, *Governor.*

Copy of Telegram

HONORABLE JOHN HAMMILL, Governor,  
Des Moines, Iowa.

Bill providing for construction of interstate bridges has passed Nebraska Senate and is now in hands of road and bridge committee of House. This bill provides for construction of bridges in cooperation with adjacent states and anticipates the use of Federal Aid. It provides for operation as toll bridge until sufficient amount collected to reimburse state funds spent. Have noticed from news dispatch that you favor operating all bridges with toll during the same period so that all will become free bridges at the same time. Will the following provision meet with your approval: "Provided that all bridges constructed under the provisions

of this act shall be operated as toll bridges until the funds so collected shall be sufficient to defray the cost of construction of all bridges constructed under this act so that all bridges shall be declared free bridges at the same time." Consider it very necessary to have both Legislatures act in harmony. Please wire at once.

(Signed) A. W. SPRICK, *Chairman of Committee.*

#### AMENDMENT FILED

I move to amend Senate File No. 429 as follows:

1. By striking section 4 and substituting the following:

Sec. 4. Section ninety-one hundred sixty (9160) is hereby repealed and the following enacted in lieu thereof:

"The paid up capital of state and savings bank and trust companies shall be:

(a) In villages, towns and cities having a population of three thousand (3,000) or less, not less than twenty-five thousand dollars (\$25,000.00);

(b) In cities and towns having a population from three thousand (3,000) but not exceeding six thousand (6,000) not less than fifty thousand dollars (\$50,000.00);

(c) In cities and towns having a population over six thousand (6,000) not less than one hundred thousand dollars (\$100,000.00);

This section shall not apply to state and savings banks and trust companies already established.

2. By inserting a period after the word "capital" in line 8 of Section 5 and striking the remainder of the sentence.

3. By striking out Section seven (7) and substituting the following:  
Section 7. Section nine thousand two hundred nine (9209) is hereby amended by adding thereto the following: "Such shares may be reissued in fractional parts."

4. By striking out Section eight (8) of the bill and substituting the following: Section nine thousand two hundred fifty-seven (9257) is hereby amended by adding thereto the following: "The Superintendent of Banking may also require the president or cashier to furnish him with financial statements of the stockholders."

5. By adding to Section eleven (11) after line 6 the following: "Any savings accounts or time deposits bearing interest at a rate greater than four per cent (4%) per annum shall be considered borrowed money and shall be so reported to the Superintendent of Banking."

6. By striking Section 13 and substituting the following:

Sec. 13. Section ninety-one hundred seventy-six (9176) is hereby repealed and the following enacted in lieu thereof:

"Any state bank, savings bank, or trust company may receive on deposit money equal to twenty (20) times the aggregate amount of its paid-up capital and surplus and no greater amount of deposits shall be received without a corresponding increase of the aggregate paid-up capital and surplus."

7. By striking from Section fourteen (14) in lines 3 and 4 the words "only, shall be a preferred claim on the assets of said institution".

8. By striking from Section fifteen (15), line 4 the word "and" and by inserting a period after the word "company" in line 6 and striking the remainder of the section.

9. By striking from Section sixteen (16), lines 9, 10, 11, and 12.

10. By inserting a period in Section 18 after the word "advisable" in line 11, striking out the words "provided that" and beginning the word "no" with a capital letter; and by striking from lines 12 and 13 of Section Eighteen (18) the expression "one (1) year" and inserting the expression "eighteen (18) months".

11. By adding to section 21 the following:

State banks, savings banks, and trust companies shall have prior lien on their debtors' shares of stock.

12. By striking from section 22, line 30, the words "or control".

13. By renumbering section 24 as section 23.

14. By renumbering section 25 as section 24 and by inserting in line 6 after the word "given" the words ", at least annually,".

15. By renumbering Section 26 as Section 25 and by striking from line 2 the word "no" and inserting the words "not sufficient".

16. By renumbering sections 27 and 28 as sections 26 and 27.

17. By renumbering section 29 as section 28; by striking the word "sentence" in line 3 and inserting the word "section"; and by inserting after the word "necessary" in line 8 the following: "to maintain proper legal reserves and for other corporate purposes."

18. By renumbering section 30 as section 29; by striking from line one the words "each officer and employee" and inserting the words "The officers and employees".

19. By striking sections 31, 32 and 33 and substituting as section 30 the following:

The superintendent of banking, subject to the approval of the state banking board, shall divide the State into districts including not more than eighty (80) state banking institutions in any district; establish therein district association of which such banking institution shall be members; formulate rules and regulations for the management and operation of these associations; assign needed examiners and assistants to the



several districts, and in each district appoint an advisory committee designating one as chairman. Whenever he deems it necessary the superintendent of banking may call any or all of the chairmen of the advisory committee into consultation with the State banking board.

National and private banks may join the district banking associations by conforming to the rules and regulations.

Nothing in this section shall affect the examination fees assessable under the provisions of Section nine thousand one hundred forty-three (9143).

The State banking board is hereby authorized to grant to the superintendent of banking extra compensation, not to exceed one hundred dollars (\$100.00) a month, to be paid only from the revenue of the banking department.

C. J. FULTON.

#### MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 351 passed the Senate.

OTTO F. LANGE.

Senator Roberts moved that the Senate adjourn until 9:30 a. m., Thursday.

Senator Benson moved to amend the motion by making the hour 10:00 a. m.

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 7, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Very Rev. J. M. Walsh, pastor of St. Mary's church, Ottumwa, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Kimberly for the day on request of Senator McLeland.

## REPORT OF SIFTING COMMITTEE

April 6, 1927.

**MR. PRESIDENT:** Your Sifting Committee wishes to place the following bills on the calendar:

Senate Files Nos. 249, 347, 364, 375, 383, 409; House Files Nos. 17, 42, 57, 143, 187, 194, 195, 242, 271, 289, 308, 352, 476.

H. GUY ROBERTS, *Chairman.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 225, 260, 428, and House Files Nos. 113, 479, and 208.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 225, 260, 428, and House Files Nos. 113, 479, and 208.

## INTRODUCTION OF BILLS

Senate File No. 434, by sifting committee, a bill for an act to provide special legal services for the State Highway Commission.

Read first and second times and placed on the calendar.

## PRICE MEMORIAL RESOLUTION

Senator Clark offered the following resolution and moved its adoption:

*Whereas*, Honorable J. R. Price, a member of the Senate in the Thirty-seventh, Thirty-eighth, Thirty-ninth, Fortieth and Fortieth Extra General Assemblies, died at his home in Albia, January 9th, 1927.

*Therefore, Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and services to the state.

The resolution was adopted and the President appointed as such committee Senators Clark, Ellis and Booth.

## THIRD READING OF BILLS

On motion of Senator Langfitt, Senate File No. 419, a bill for an act to provide an appropriation of five thousand dollars (\$5,000.00) to indemnify C. T. Murphy for damages occasioned by reason of injury suffered by reason of collision of automobile in which he was riding with road drag operated by Iowa State Highway Commission, a claims committee bill, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Langfitt offered the following amendment and moved its adoption:

**Amend by striking from line 2 of section 1 the words and figures "five thousand dollars (\$5,000.00)" and inserting in lieu thereof the following: "sixty-five hundred dollars (\$6,500.00)".**

The amendment was adopted.

The following amendment filed by Senator Stoddard was considered :

Amend by striking out section 3 and inserting in lieu thereof the following:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sac Sun, a newspaper published in Sac City, Iowa, and the Mapleton Press, a newspaper published in Mapleton, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Langfitt moved 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	Clark	Johnston	Rigby
Beatty	Clearman	Kern	Shaff
Benson	Dean	Klemme	Shane
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Brookins	Fulton	McLeland	Thompson
Browne	Gilchrist	Merritt	Topping
Brush	Hartman	Mills	Wilson of Page
Carden	Haskell	Ramsey	Wilson of Polk
Cavanaugh			

**Nays, none.**

**Absent or not voting, 9.**

Campbell	Gunderson	Roberts	Skromme
Darting	Kimberly	Shinn	Ulstad
Fackler			

The bill having received a constitutional majority was declared to have passed the Senate.

On motion of Senator Wilson of Polk, the title was amended by striking the words and figures "five thousand dollars (\$5,000.00)" and inserting in lieu thereof "sixty-five hundred dollars (\$6,500.00)".

The title as amended was agreed to.

Senator Langfitt 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 Frailey, Senate File No. 422, a bill for an act to make appropriation from the sinking fund in the office of the treasurer of state to the city of Keokuk, Iowa, to reimburse said city for interest paid thereto, a claims committee bill, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frailey offered the following amendment and moved its adoption:

**Amend by striking the period at the end of section 1 and adding thereto the following:**

“the sum of two thousand five hundred sixty-eight and 07/100 dollars (2568.07).”

The amendment was adopted.

The bill was read for information.

Senator Frailey moved 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	Clark	Johnston	Roberts
Benson	Clearman	kern	Shaff
Bergman	Dean	Lange	Shane
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Ellis	McFarlane	Stanley
Brookins	Frailey	Merritt	Stoddard
Browne	Gilchrist	Mills	Thompson
Brush	Hartman	Ramsey	Topping
Carden	Haskell	Rigby	Wilson of Page
			Wilson of Polk

Nays, none.

Absent or not voting, 13.

Beatty	Darting	Gunderson	McLeland
Campbell	Fackler	Kimberly	Shinn
Cavanaugh	Fulton	Klemme	Skromme
			Ulstad

The bill having received a constitutional majority was declared to have passed the Senate, and the title was agreed to.

On motion of Senator Shaff, Senate File No. 249, a bill for an

act to amend chapter one hundred fifty-one (151) of the code relating to the production and sale of eggs, having been reported out by the sifting committee, was taken up and considered.

Senator Lange withdrew his amendment filed on March 25th, found on page 988 of the Senate Journal.

Senator Slemmons offered the following amendment and moved its adoption:

Amend by adding at the end of section 3 the following:

"In order to determine the age of an egg, two minutes before the emission of the first cackle of the particular hen laying the egg shall be the beginning of the existence of the egg, and each hen shall be equipped with the necessary equipment for stamping the hour and minute of the birth of the egg."

The amendment was lost.

Senator Dean moved the previous question, which motion prevailed.

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, 34.

Baird	Clearman	Johnston	Rigby
Benson	Darting	Kern	Shaff
Bergman	Dean	Klemme	Shane
Booth	Dotts	Lange	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Frailey	McLeland	Topping
Brush	Fulton	Mills	Wilson of Page
Carden	Hartman	Ramsey	Wilson of Polk
Clark	Haskell		

Nays, 4.

Browne	Gunderson	Slemmons	Thompson
--------	-----------	----------	----------

Absent or not voting, 12.

Beatty	Fackler	Langfitt	Shinn
Campbell	Gilchrist	Merritt	Skromme
Cavanaugh	Kimberly	Roberts	Ulstad

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 vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Bergman, Senate File No. 347, a bill for an act to amend chapter six (6) of the laws of the forty-first general assembly, and sections one (1), three (3), seven (7), and eight (8) of said chapter, and to repeal sections four (4) and five (5) of said chapter, and enact substitutes therefor, relating to the collection of gasoline license fees, reported out by the sifting committee, was taken up and considered.

The following amendments filed by Senator Bergman were considered:

Amend section 1 by striking from the fourth (4) line thereof the words "for use" and inserting in lieu thereof the words "used or otherwise disposed of".

Amend section 4 by adding after the period (.) following the word "loss" in line seventeen (17) the following: "If, after the prescribed license fees are so remitted and paid, any gasoline in the possession of a licensed distributor is destroyed by fire, lightning, storm or accident not caused by the fault of such distributor or any employee thereof, before being sold or used by him, upon proper application therefor and proof of such destruction or loss satisfactory to the treasurer of state, the said treasurer is authorized to certify to the amount of the license fees so paid thereon to the auditor of state as a refund. The auditor of state shall issue his warrant drawn on the gasoline fund in payment thereof and the same shall be paid in the same manner and from the same fund as those refunds authorized in section 8, chapter 6, Laws of the 41st G. A."

Also amend section 4 by adding between the words "remit" and "before", in the eighteenth (18) line thereof, the words "on or".

Also amend section 4 by adding at the end of said section, the following: "Neither this act nor any of its provisions shall apply to foreign or interstate commerce."

The amendments were 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, 36.

Baird	Clearman	Hartman	Mills
Benson	Darting	Haskell	Ramsey
Bergman	Dean	Johnston	Rigby
Booth	Dotts	Kern	Shane
Breakenridge	Ellis	Klemme	Slemmons
Browne	Fackler	Lange	Stoddard
Brush	Frailey	Langfitt	Topping
Carden	Fulton	McFarlane	Wilson of Page
Clark	Gunderson	Merritt	Wilson of Polk

## Nays, 1.

Thompson

## Absent or not voting, 13.

Beatty	Gilchrist	Roberts	Skromme
Brookins	Kimberly	Shaff	Stanley
Campbell	McLeland	Shinn	Ulstad
Cavanaugh			

The bill having received a constitutional majority was declared to have passed the Senate, and the title was agreed to.

Senator Bergman 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 INSISTS ON AMENDMENTS

Senator Ellis called up for consideration House File No. 83, amended by the Senate, and moved that the Senate insist on its amendments.

On the question "Shall the Senate insist on its amendments?" the vote was:

## Ayes, 37.

Baird	Dean	Kern	Roberts
Benson	Dotts	Klemme	Shane
Bergman	Ellis	Lange	Slemmons
Booth	Fackler	Langfitt	Stoddard
Breakenridge	Frailey	McFarlane	Thompson
Browne	Fulton	Merritt	Topping
Brush	Gunderson	Mills	Wilson of Page
Carden	Hartman	Ramsey	Wilson of Polk
Clark	Haskell	Rigby	
Clearman	Johnston		

## Nays, none.



Absent or not voting, 13.

Beatty	Cavanaugh	Kimberly	Shinn
Brookins	Darting	McLeland	Skromme
Campbell	Gilchrist	Shaff	Stanley
			Ulstad

The Senate insisted on its amendments.

### CONFERENCE COMMITTEE

The President appointed the following Senators as a conference committee on the part of the Senate on House File No. 83: Senators Ellis, Shane, Campbell and Gilchrist.

### HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 177, amended by the House, and moved that the Senate concur in the House amendments, as found on page 1213 of the Senate Journal.

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Baird	Clark	Johnston	Shinn
Benson	Clearman	Klemme	Skromme
Bergman	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Breakenridge	Ellis	Merritt	Stoddard
Brookins	Fackler	Mills	Thompson
Browne	Frailey	Ramsey	Topping
Brush	Gunderson	Rigby	Wilson of Page
Campbell	Hartman	Roberts	Wilson of Polk
Carden	Haskell	Shane	

Nays, 1.

Lange

Absent or not voting, 10.

Beatty	Fulton	Kimberly	Shaff
Cavanaugh	Gilchrist	McLeland	Ulstad
Darting	Kern		

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 passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Frailey, Senate File No. 364, a bill for an act to legalize the corporate acts and proceedings of the Frankel Clothing Company of Des Moines, Iowa, and to provide for the renewal and extension of the period of corporate existence of said company, reported out by the sifting committee, was taken up and considered.

Senator Frailey offered the following amendments and moved their adoption:

Amend by striking out the figure "1923" in line fourteen of next to the last paragraph thereof, and inserting in lieu thereof the figures "1943";

Further amend by striking out the last paragraph thereof and inserting in lieu thereof the following: "But nothing in this act shall be deemed or construed to affect pending litigation."

The amendments were adopted.

The bill was read for information.

Senator Frailey moved 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	Clark	Hartman	Rigby
Benson	Clearman	Haskell	Roberts
Bergman	Dean	Johnston	Shane
Booth	Dotts	Kern	Shinn
Breakenridge	Ellis	Klemme	Skromme
Brookins	Fackler	Langfitt	Stanley
Browne	Frailey	McFarlane	Stoddard
Campbell	Fulton	Merritt	Thompson
Carden	Gilchrist	Mills	Topping
Cavanaugh	Gunderson	Ramsey	Wilson of Page
			Wilson of Polk

**Nays, none.**

**Absent or not voting, 9.**

Beatty	Darting	Lange	Shaff
Brush	Kimberly	McLeland	Slemmons
			Ulstad

The bill having received a constitutional majority was declared to have passed the Senate, and the title was agreed to.

## AMENDMENTS FILED

I move to amend Senate File No. 429 as follows:

1. By inserting in Section 13, line 7, before the word "increase" the words "ratio of".

2. By inserting in Section 14, line 5, the word "draft", the words "or cashier's check"; and by striking all after the word "be" in line 6 and substituting the following: "a preferred claim against the assets of the bank".

3. By striking from Section 19, line 4, the word "knowingly"; from lines 5 and 6, the words "loan or investment he himself is to receive any gift or gratuity" and by inserting in lieu thereof the words, "or in connection with which he receives or is to receive any gift, gratuity or compensation whatsoever."

4. By striking from Section 22, lines 4, 9, 12 and 22, the words "active salaried" and from lines 13 and 14, the words "or of the executive or discount committee".

5. By striking from Section 25, lines 2 and 4, the word "knowingly".

6. By adding to Section 28 in line 12, after the word "securities" the following: "in manner and form as provided in paragraph two (2), Section **eighty-three hundred fifty-two**".

7. By inserting in Section 29, line 10, a period after the word "satisfied" and striking the remainder of the sentence; and by inserting in line 15 after the word "banking" the words "with whom the bond shall be deposited".

C. J. FULTON.

I move to amend Senate File No. 429 as follows:

Strike from section two, line one, the figures 9237 and insert in lieu thereof the figures 9137;

Also strike out subdivision (b) of section 4 and substitute therefor the following: "(b) In cities having a population of over 3,000 but not exceeding 6,000, not less than \$50,000 (fifty thousand) dollars";

Further amend by striking from line eleven of section four the words "and towns";

Also strike from line three of section six the words "other than his own";

And further amend said Senate File No. 429 by striking from line four of section 13 the word and figures "twenty (20)" and substitute therefor the word and figures "fifteen (15)".

D. L. WILSON.

I move to amend S. F. No. 429 by inserting immediately after Section 11 the following:

Sec. 12. (a) Section 140 of the Code, 1924, is amended by striking from line 4 the words "and one-half."

(b) Section 5548 of the Code, 1924, is amended by striking from lines 5 and 6 the words "and one-half".

(c) Section 5651 of the Code, 1924, is amended by striking from line 7 the words "and one-half".

(d) Section 7404 of the Code, 1924, is amended by striking from line 8 the words "and one-half".

(e) Henceforth all interest paid by banks and trust companies under the provisions of Sections 140, 4319, 5548, 5651 and 7404 of the Code, 1924, shall be based, in the months of April and October, on the minimum balance of the accounts for each of the said months.

Further amend by renumbering the remaining sections so as to follow in consecutive order with the foregoing section.

Further amend by striking from lines 3 and 4 of Section 18 the words and figures "five hundred dollars (\$500)" and inserting in lieu thereof the words "five per cent (5%) of the capital and surplus."

Amend Section 29 by striking the period after the word "Necessary" and substituting a comma and inserting the following: "subject to the provisions of Section 15 of this act."

Further amend by striking from line 10 of Section 31 the word "department" and substituting in lieu thereof the word "board".

C. A. BENSON.

The journal of April 6th was corrected and approved.

On motion of Senator Clark the Senate adjourned until 1:30 p. m., today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 7th day of April, sent to the governor for his approval, Senate Files Nos. 225, 260, and 428.

D. L. WILSON, *Chairman.*

The report was adopted.

**REPORT OF JOINT COMMITTEE ON ENROLLED BILLS**

Senator Wilson 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. 40, 163, 330, 379, 380, and 381.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 40, 163, 330, 379, 380 and 381.

**REPORT OF COMMITTEE**

Senator Stoddard submitted the following report :

**MR. PRESIDENT:** Your committee on appropriations to which was referred House File No. 65, a bill for an act to encourage horse and mule industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

**THIRD READING OF BILLS**

On motion of Senator Lange, Senate File No. 375, a bill for an act to repeal sections eighty-three hundred fifty-one (8351) and eighty-three hundred fifty-two (8352) of the code, 1924, relating to the limit of indebtedness of Iowa corporations, reported out by sifting committee, was taken up and considered.

By unanimous consent on request of Senator Lange, the words "Telegraph Herald" were inserted in line 4 of section 2 before the words "Times Journal".

Senator Lange offered the following amendments and moved their adoption :

Amend by striking the word "and" from line 2 of section 1, and by inserting after the figures "8252" the following: "and eighty-three hundred eighty (8380)".

Also amend the title by striking the word "and" in line 2 and inserting after the figures "8352" the following: "and eighty-three hundred eighty (8380)".

The amendments were adopted.

The bill was read for information.

Senator Lange moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

**Ayes, 11.**

Browne	Frailey	Lange	Topping
Campbell	Fulton	Shane	Ulstad
Dotts	Haskell	Shinn	

**Nays, 27.**

Baird	Cavanaugh	Johnston	Roberts
Benson	Clark	Kern	Stemmons
Booth	Dean	Klemme	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brookins	Gilchrist	McLeland	Wilson of Page
Brush	Gunderson	Mills	Wilson of Polk
Carden	Hartman	Rigby	

**Absent or not voting, 12.**

Beatty	Darting	McFarlane	Shaff
Bergman	Fackler	Merritt	Skromme
Clearman	Kimberly	Ramsey	Thompson

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Lange moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

There being a call of the Senate filed on Senate File No. 429 the roll was called.

On request of Senator McLeland, Senator Kimberly was excused from the call.

The roll call revealed the presence of the following Senators:

Baird	Clark	Haskell	Roberts
Beatty	Clearman	Johnston	Shaff
Benson	Darting	Kern	Shane
Bergman	Dean	Klemme	Shinn
Booth	Dotts	Lange	Slemmons
Breakenridge	Ellis	Langfitt	Stanley
Brookins	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Thompson
Brush	Fulton	Merritt	Topping
Campbell	Gilchrist	Mills	Ulstad
Carden	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk

On motion of Senator Campbell, Senator Skromme was excused for ten minutes.

On motion of Senator Bergman, Senate File No. 429, a bill for an act to amend sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-two hundred twenty (9220), ninety-two hundred twenty-one (9221), ninety-two hundred fifty-five (9255), ninety-two hundred fifty-seven (9257), and ninety-two hundred ninety-seven (9297) and to repeal section ninety-two hundred twenty-two (9222) of the Code, 1924, and to enact additional provisions relating to the superintendent of banking, the state banking department, the state banking board, and the duties of each and making certain appropriations therefor; providing additional regulations, restrictions and requirements on banking, banking institutions and stockholders, officers, directors, and employees of banking institutions, creating certain preferences in the assets of closed banking institutions; providing for the establishment of district banking associations and the management and control thereof; and providing penalties and punishments for violations of certain provisions, a sifting committee bill, was taken up and considered.

Senator Campbell offered the following amendment as a substitute for all pending amendments and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. Every corporation engaged in the business of banking in this state shall, for the purpose of providing a depositors' guarantee fund for the protection of bank depositors, be subject to assessments to be levied, kept, collected, paid and applied as hereinafter provided.

Sec. 2. (a) The word "bank" as used in this act shall mean any state

or savings bank or loan and trust company to which a charter has been issued by the state of Iowa authorizing it to conduct a business as a bank.

(b) The word "superintendent" as used in this act shall mean the superintendent of banking of the state of Iowa.

Sec. 3. On the first day after the passage of this act and on the first day of June and December of each year thereafter every bank chartered under the laws of this state shall file with the superintendent a statement on blanks furnished by the superintendent, in writing, sworn to by its president, vice president or cashier, showing the average daily deposits in the bank preceding six months. Any bank commencing business and receiving deposits less than six months prior to the date fixed for the filing of any semiannual statement showing the average daily deposits for that portion of the semiannual period during which it has been engaged in business and receiving deposits.

Sec. 4. Any person making oath to any statement required in the preceding section, knowing the same to be false, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished accordingly.

Sec. 5. Every bank shall pay into the depositors' guarantee fund an amount equal to three-tenths ( $3/10$ ) of one per cent (1%) on its average daily deposits as shown by the last preceding semiannual statement filed under the provisions of this act and when the depositors' guarantee fund as provided in this act, shall from any cause, be depleted or reduced to any amount less than one per cent (1%) of the average daily deposits as shown by the last semiannual statement. The superintendent of banking shall levy a special assessment against the capital stock of the corporation governed by the provisions of this article to cover such deficiency which special assessment shall be based on the said average daily deposits and when required for the purpose of immediate payment to the depositors said assessment may be equal to, but shall not exceed one-half ( $1/2$ ) of one per cent (1%) of said average daily deposits in any one year.

Sec. 6. Any bank organized subsequent to the date when this article takes effect shall pay into the depositors' guarantee fund an amount equal to four per cent (4%) of the amount of the capital stock, when such bank opens for business, which amount shall constitute a credit fund, subject to adjustment on the basis of said bank's average daily deposits as shown by the first two semiannual statements required by this act. The superintendent of banking is authorized and empowered to make such an adjustment of the rates of assessments to be paid by any bank which engages in the banking business subsequent to the time when this act takes effect, as shall require such bank to contribute to the depositors' guarantee fund a just and equitable sum, and the superintendent of banking shall adjust assessments of such bank so that the first two assessments, together with the credit of an amount equal to four per cent (4%) of the capital stock paid in by said bank when it begins business, shall at least equal one per cent (1%) of the average daily deposits of said bank as shown by the first two semiannual statements. Such payment shall not be required of new banks formed by the reorganization or



consolidation of banks which have, prior thereto, complied with the laws with reference to the payment of assessments. When any bank hereafter organized shall acquire the business and resources of any national banking association, such bank shall pay into the depositors' guarantee fund not less than one per cent (1%) of said national banking association's average daily deposits as shown by the report to the comptroller of the currency for the preceding year. On the first day of July and January of each year the department shall levy on all banks then engaged in banking under this act, which have completed their initial payments of not less than one per cent (1%) of their average daily deposits as provided in this section, one-twentieth of one per cent of the average daily deposits as shown by the statements required to be made and filed next preceding such assessments.

Sec. 7. As soon as such assessments are respectively levied the banks against which the same are levied shall be notified of the amount of such assessment levied against them, respectively, by the superintendent, and such banks shall thereupon set apart, keep and maintain in their banks the amount thus levied against them, and such amount shall be and constitute a depositors' guarantee fund, payable to the superintendent on demand for the purposes hereinafter provided. When the depositors' guarantee fund reaches the total sum of one and one-tenth per cent of the average daily deposits, no further assessments shall be made on such banks until such time as the guarantee fund is depleted below one per cent (1%) of the average daily deposits, in which event the assessments may again be levied to bring the depositors' guarantee fund to the maximum herein provided. No bank which has complied in full with all of the provisions of this act shall be required to give any further security or bond for the purpose of becoming a depository for any public funds; but depository funds shall be secured in the same manner as private funds.

Sec. 8. After the taking effect of this act, when any bank is taken possession of by the superintendent under the authority of law, and it is found that it is in an insolvent or unsafe condition, it shall not again reopen as a bank until it is placed in a solvent condition and until its officers and stockholders have complied with the provisions of existing laws, and the bank's credit and funds are, in all respects, repaired and all advances, if any, made from the depositors' guarantee fund with interest are fully paid. If such bank cannot be placed in a solvent condition by the liquidation of its assets and the assessments authorized by law to be made upon its capital stock and collected from the stockholders, the superintendent may ask the court for a receiver to be appointed to wind up its affairs as a bank.

Sec. 9. When a bank has been placed in the hands of a receiver for the purpose of winding up its affairs as a bank, the claims of depositors, for deposits, and claims of holders of exchange, shall have priority over all other claims, except federal, state, county, and municipal taxes, and, subject to such taxes, shall at the time of the closing of a bank be a first lien on all the assets of the banking corporation from which they are due and thus under receivership, including the liability of stockholders, and

upon proof thereof, they shall be paid immediately out of the available cash in the hands of the receiver. If the cash in the hands of the receiver available for such purposes be insufficient to pay the claims of depositors, and holders of exchange, not given for previously existing debt of the bank other than a deposit, the court in which the receivership is pending, or a judge thereof, upon the hearing shall determine the amount required to supply the deficiency and cause the same to be certified to the superintendent, who shall thereupon draw against the depositors' guarantee fund in the amount required to supply such deficiency and shall forthwith transmit the same to the receiver, to be applied on the said claims of depositors and holders of such exchange. Provided, holders of certificates of deposit shall not be entitled to payment until their maturity, according to their terms. Such drafts against the depositors' guarantee fund shall be prorated, as nearly as may be, among the several solvent banks wherein the same is aforesaid kept and maintained, in accordance with the amounts thereof held by such banks respectively. No claim to priority shall be allowed which is based upon any evidence of indebtedness in the hands of or originally issued to any stockholder, officer, or employee of such bank, which represents money obtained by such stockholder, officer, or employee, from himself or some other person, firm, corporation, or bank in lieu of or for the purpose of effecting a loan of funds to such failed bank.

Sec. 10. If the depositors' guarantee fund shall from any cause be deleted or reduced to an amount less than one per cent (1%) of the average daily deposits as shown by the last semiannual assessment statement thereof filed, the department shall levy a special assessment against the capital stock of the corporation governed by the provisions of this article to cover such deficiency, which special assessment shall be based on the average daily deposits and when required for the purpose of immediate payment to depositors said special assessment may be for any amount not exceeding one-half of one per cent (1%) of the average daily deposits in any one year.

Sec. 11. There is hereby created the Guarantee Fund Commission for the purpose of assisting in conserving and administering the depositors' guarantee fund of the state, and providing a more thorough and complete supervision of state banks. The Guarantee Fund Commission shall be selected in the following manner:

For the purpose of this act, the state is hereby divided into eleven banking groups, as follows: Group No. 1: The counties of Cherokee, Ida, Lyon, Monona, O'Brien, Osceola, Plymouth, Sac, Sioux, and Woodbury. Group No. 2: The counties of Buena Vista, Calhoun, Clay, Dickinson, Emmet, Hamilton, Humboldt, Kossuth, Palo Alto, Pocahontas, Webster, and Wright. Group No. 3: The counties of Butler, Cerro Gordo, Floyd, Franklin, Hancock, Hardin, Mitchell, Winnebago, and Worth. Group No. 4: The counties of Allamakee, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, and Winneshiek. Group No. 5: The counties of Audubon, Carroll, Cass, Crawford, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie and Shelby. Group No. 6: The counties of

Boone, Dallas, Greene, Guthrie, Jasper, Madison, Marion, Marshall, Polk, Poweshiek, Story and Warren. Group No. 7: The counties of Benton, Black Hawk, Bremer, Buchanan, Grundy, Iowa, Johnson, Linn and Tama. Group No. 8: The counties of Cedar, Clinton, Jackson, Jones, Muscatine, and Scott. Group No. 9: The counties of Adair, Adams, Clarke, Decatur, Lucas, Ringgold, Taylor, Union and Wayne. Group No. 10: The counties of Appanoose, Davis, Keokuk, Mahaska, Monroe, Van Buren and Wapello. Group No. 11: The counties of Des Moines, Henry, Jefferson, Lee, Louisa and Washington.

Sec. 12. Within ten days after the taking effect of this act, the governor shall appoint the Guarantee Fund Commission, which shall consist of one executive officer of a state bank from each of the banking groups mentioned in section three of this act, who has been for not less than five years preceding the date of his appointment an executive officer of a state bank in the state of Iowa. Such members shall serve until their successors are selected and have qualified at the time and in the manner hereinafter provided. The superintendent shall be ex-officio a member of the Guarantee Fund Commission and chairman thereof.

Sec. 13. The superintendent shall fix a time and place for a meeting of state bankers during the months of April, May or June, in each of the banking groups in the year 1928, and each year thereafter in those groups in which a member's term of office expires. Notice of each of these meetings shall be sent by the superintendent by mail to each bank within the group in which an election is to be held, ten days prior to the date of such election. With such notice the superintendent shall send a blank form to be used by the directors of the bank, authorizing some person to represent and vote for such bank. At such meeting, there shall be elected by majority vote of all banks voting at such election, three persons eligible for membership on the Guarantee Fund Commission. The superintendent, in person or by a representative, shall have charge of the election. Each bank in the group shall be entitled to one vote, which may be cast by any person authorized by the board of directors of such bank. The record of the proceedings at such election shall be filed by the superintendent in his office, and the governor shall, within ten days after such election, appoint one of the persons so selected, as the member of the Guarantee Fund Commission from such group. The term of office shall be three years and the first members of the commission elected from groups Nos. 1, 3, 7 and 9 shall serve for a term of one year; the members elected from groups Nos. 2, 4, 6 and 11 shall serve for a term of two years; and the members from groups Nos. 5, 8 and 10 shall serve for a term of three years. Each newly elected member of the commission shall take and subscribe the oath required of county officers, which shall be filed in the department of banking, and the superintendent shall require such member to give bond for twenty-five thousand dollars running to the department of banking, and to be approved by the superintendent of such department. Such bond shall be conditioned for the faithful performance of the duties of the commissioner and the superintendent shall immediately issue a certificate of election to such member, and thereupon

he shall assume office as the successor of the former member of that group.

Sec. 14. The governor shall call a meeting of the Guarantee Fund Commission at the state house in Des Moines within ten days after the appointment thereof, at which meeting the commission shall organize by the selection of a vice chairman from among its members, and a secretary who may or may not be a member of the commission. Thereafter the commission shall hold meetings on dates to be fixed by the Guarantee Fund Commission, and it may hold other meetings upon the call of the chairman, the vice chairman, or any three members of the commission. Due notice of special meetings shall be sent to each member of the commission in time to permit attendance at such meeting. Business may be transacted at any time without notice by a majority vote of the commission. Provided, such action shall be ratified or revoked at the next meeting of the commission.

Sec. 15. All vacancies in the Guarantee Fund Commission, caused by death, resignation or cause other than expiration of the term of a member, shall be filled by appointment by the governor. Such appointee shall hold office until the first annual election thereafter, at which time the successor shall be selected in the manner herein provided.

Sec. 16. The commission shall have power to engage and discharge employees and make all rules and regulations necessary for the conduct of the business of the commission and the government of its employees. The Guarantee Fund Commission shall, at all times during business hours, have access to any part of the records in the department of banking relating to receiverships. The superintendent shall lay before the Guarantee Fund Commission, at the earliest opportunity, all examiner's reports showing any of the conditions enumerated in section twenty (20) of this act upon the failure of such bank to comply with the law or to remedy conditions within sixty days from date of the report, and such other matters as he may deem proper to lay before the commission. The superintendent shall, at all times during business hours, have access to any part of the records of the Guarantee Fund Commission. This section shall not be construed as depriving the department of banking of any power or authority, and the Guarantee Fund Commission shall have no jurisdiction over going banks except in an advisory capacity.

Sec. 17. The department of banking or any duly appointed examiner, shall have power to make a thorough examination into all the books, papers and affairs of any corporation transacting a banking business under this article, and in so doing to administer oaths and affirmations and to examine on oath or affirmation the officers, agents and clerks of such corporation, touching the matter which they may be authorized and directed to inquire into and examine, and to summon, and by attachment, compel the attendance of any person or persons in this state to testify under oath in relation to the affairs of such corporation. Such bank examination shall be in the presence of at least two of the board of directors of the bank undergoing said examination, and it shall be the duty of the

examiner to incorporate in his reports the names of the directors in whose presence the examination was made.

Sec. 18. For the purpose of providing such employees as the Guarantee Fund Commission may deem necessary to conserve the assets of the banks in charge of said Commission and promote the best interests of such banks and for the purpose of providing funds for the proper functioning of said Commission, unless an appropriation is otherwise provided for by the law for such purposes, the Guarantee Fund Commission may make an estimate of the amount necessary therefor, not to exceed fifteen thousand dollars in any one year, which amount shall constitute a fund hereby designated the Administrative Fund, certify said amount to the superintendent by resolution and the superintendent shall thereupon levy and collect an assessment on all state banks for the amount due from each, such levy to be based on the average daily deposits as shown by the last semiannual statement of such banks by drawing a draft on each of such banks which drafts shall be honored and the proceeds thereof remitted to the superintendent who shall transfer the amount so levied and collected to the Secretary of the Commission for the use thereof in such manner as said Commission may direct.

Sec. 19. Each member of the Commission shall receive an amount to be fixed by the Commission at not more than ten dollars per working day and his expenses actually expended while in the service of the commission.

Sec. 20. Whenever it shall appear to the Department of Banking, from any examination or report provided for by this article, that the capital of any corporation transacting a banking business under this article is impaired, that such corporation is conducting its business in an unsafe or unauthorized manner, or is endangering the interests of its depositors, or upon the failure of such corporation to make any reports or statements required by the provisions of this act, or if the officers or employees of any such bank shall refuse to submit its books, papers and affairs to the inspection of any examiner, or if any officer thereof shall refuse to be examined upon oath, touching the affairs of any such bank, or if from any examination or report provided for by law, the department of banking shall have reason to conclude that such bank is in an unsafe or unsound condition to transact the business for which it is organized, or that it is unsafe and inexpedient for it to continue business, or if any such bank shall neglect or refuse to observe any order of the department of banking, such department shall forthwith take possession of the property and business of such bank, and retain possession of all money, rights, credits, assets and property of every description belonging to such bank, as against any means or final process issued by any court against such bank or corporation whose property has been taken, and may retain such possession for a sufficient time to make an examination of its affairs, and dispose thereof as provided by law. Any attachment lien against such property, acquired within thirty days next preceding the taking of such possession, shall be thereby released and dissolved.

Sec. 21. For each day the Department of Banking or the Guarantee

Fund Commission shall hold possession, such bank shall pay to the superintendent a fee of ten dollars (\$10.00), and for each day a receiver shall so hold possession, such bank shall pay such receiver such compensation for his services as may be fixed by the Department of Banking, subject to the approval of the Guarantee Fund Commission, and in such case, in addition to said amount, the necessary clerk hire and attorney's fees, to be determined in the same manner.

Sec. 22. Whenever the officers, stockholders, or owners of any insolvent bank shall give good and sufficient bond running to the department of banking with an incorporated surety company authorized by the laws of the State to transact such business, conditioned upon the full settlement of all the liabilities of such bank by such officers, stockholders or owners within a stated time, and said bond shall have been approved by the department of banking, then the department shall turn over all the assets of such bank to the officers, stockholders or owners of such bank furnishing the said bond, reserving the same rights to acquire report of the condition and to examine into the affairs of the said bank as existed in said department of banking previous to its closing, and if, upon such examination, it be found by said department of banking that said stockholders or owners are not closing up the affairs of said bank in such a manner as to liquidate the liabilities of the bank, and close up the affairs of said bank in a manner satisfactory to the department of banking, within a reasonable time, the department of banking shall take immediate possession of said bank for the appointment of a receiver as herein provided.

Sec. 23. Any officer, director or employee of a bank who shall attempt to prevent the department of banking from taking possession of such bank, shall be guilty of a felony and upon conviction thereof, shall be sentenced to serve not more than one year in jail, or to pay a fine of not more than one thousand dollars.

Sec. 24. Whenever any bank of whose property and business the department of banking has taken possession, deems itself aggrieved thereby, it may at any time apply to the district court of the county in which such bank is located to enjoin further proceedings; and after such notice as the court may direct to the superintendent and hearing the allegations and proofs of the parties and determining the facts, such court may upon the merits dismiss such application or enjoin the department of banking from further proceedings, and direct it to surrender such business and property to such bank.

Sec. 25. Upon taking possession of the property and business of any bank, the department of banking shall forthwith give notice of such fact by letter or telegram to all banks or trust companies holding or in possession of any assets of such bank, so far as known by such Department. No bank so notified or knowing of such possession by the department of banking, shall have a lien or charge for any payment, advance or clearances thereafter made, or liability thereafter incurred, against any of the assets of the bank of whose property and business the department

of banking shall have taken possession, unless the bank be continued as a going concern.

Sec. 26. Upon taking possession of the property and assets of any bank, the department of banking shall immediately notify the secretary of the Guarantee Fund Commission and make inventory of the assets of such bank, in duplicate—one to be filed in the office of the secretary of the Guarantee Fund Commission, and one in the office of the department of banking; such inventory to consist of a list of all assets and liabilities of the institution so far as they can be ascertained.

Sec. 27. Upon taking possession of the property and business of any bank, the department of banking shall place such bank in charge of the Guarantee Fund Commission to ascertain if such bank may be maintained as a going concern, such commission may thereupon, with the consent and assignment of the owners of a majority of the capital stock of said bank, take charge and control of the property and business of such bank and open it and manage it as a going concern, without regard to its solvency, and through employees perform all duties and acts of the officers and directors of such bank while managing the same, and all salaries and expenses in connection therewith, shall be paid by the bank. If any such stockholders shall abscond or conceal themselves for the purpose of evading service of process upon them, or any of them, then they shall be deemed to have consented to the assignment of their stock. The assignment of the stock to the Guarantee Fund Commission shall in no manner relieve or diminish the obligation of the stockholders under the laws of this state or in any manner absolve the owners of such stock or the officers or directors of any liability under the civil or criminal laws of the state. If the stockholders of such banks decline to assign such stock and refuse to place such property and business of such bank in the hands of the Guarantee Fund Commission, and if the Guarantee Fund Commission shall determine that it is impossible to preserve such institution as a going concern, then the department of banking shall proceed to liquidate such bank as by law provided.

Sec. 28. The superintendent shall require every receiver, or agent of the Guarantee Fund Commission placed in charge of a bank, to give bond in a reasonable amount, which bond shall be approved by the superintendent before the assets of such bank are surrendered. The conditions of such bonds shall be such that such person shall faithfully and impartially discharge his duties and shall well and truly account for all money and property coming into his hands and disburse the same as provided by law, and said bond shall run to the department of banking for the benefit of all creditors and stockholders of such bank as their interest in the assets thereof may be provided by law.

Sec. 29. If at any time after the department of banking shall have taken possession of the property and business of any bank, the Guarantee Fund Commission or the department of banking shall determine that it is impossible to preserve such institution as a going concern, then the department of banking shall communicate the facts to the attorney gen-

eral, who shall thereupon cause an application to be made to the District Court of the county where such corporation maintained its bank, or to a judge of such court anywhere within its judicial district, for an order directing the department of banking to take charge of the business, assets and property of every kind of said corporation, and to wind up its affairs. If the judge of the district court of the county where such application is to be made, be absent therefrom at the time such application is to be made, any judge of the supreme court may act, but all proceedings in relation to such receivership thereafter shall be had before the district court, or a judge thereof, who might have directed such department in the first instance, and the petition and the order shall be forthwith transmitted to the clerk of such court. The court may proceed to hear such application upon giving notice thereof to the president, and secretary, or cashier, or a majority of the board of directors, or if said officers or directors shall enter the appearance of the bank in the action and consent to a hearing thereon without other notice, provided, however, notice of such application may be served on all of the stockholders of such bank by posting a notice thereof on the front door of said bank and by publication for one week in a newspaper in the county where such bank is located. Such notice shall state the purpose of the application, and the date on which a hearing will be had thereon. Upon the hearing on said application, if the court shall find from the facts presented, that such corporation is insolvent, or that it has violated any of the provisions of the law authorizing the department of banking to take possession of the business affairs of such bank, then the court shall enter a decree stating its findings therein, and directing the Guarantee Fund Commission to proceed to liquidate the affairs of such bank as provided by law through a receiver to be named by such commission. Provided the court may authorize the Guarantee Fund Commission to continue such bank as a going concern under the provisions of section 27 of this act without obtaining the consent of the stockholders of such bank.

Sec. 30. Within twenty days after taking possession of any insolvent bank, the receiver shall file in the district court of the county in which the bank is located, a petition setting forth the name and address of each of the creditors of such bank as shown by the books thereof, or known to be creditors by such receiver, and ask for an order limiting the time for filing and fixing the date for hearing on the claims of such creditors. No notice shall be necessary of the hearing on said petition and a judge of said court may hear the same at any time or place within the state at his convenience. Such time for filing claims shall be not more than sixty days nor less than thirty days from the entry of said order, and the date for hearing shall not be more than thirty days thereafter. Within seven days after said order is entered, the receiver shall mail to each known creditor of such bank, a notice of the time and place of the hearing on claims by the court, with such notice, shall send a blank form for filing claims by the creditor. Such claims shall be sworn to by the creditor or a representative thereof, and filed with the receiver or the clerk of the court. Any claim not presented at the place or within the time fixed by such notice, shall be forever barred unless the court shall by order direct payment thereof thereafter, which



order may be entered upon a showing within six months from the time fixed by such notice, that the creditor did not have knowledge of the closing of said bank within the time to permit filing of the claim before the date fixed by the court for hearing on claims. Such receiver shall also post notice for filing claims, on the door of such bank and within three weeks from the date of the order fixing the time for hearing on claims, give notice by publication in such newspaper as the court may direct, once in each week for two weeks, requiring all persons having claims against such bank to obtain forms therefor to verify claims and present the same to the receiver or to the clerk of the court within the time fixed in such notice.

Sec. 31. Upon expiration of the time fixed for presentation of claims, the receiver shall thoroughly investigate all claims and file in court a complete list of all claims against which he knows of no defense, and which he believes to be valid, and a complete list of all claims which he has reason to believe are invalid. He shall also classify such claims, showing those which, in his judgment, should be paid from the guarantee fund, and those which should be allowed as general claims against the proceeds of the assets of the bank remaining after the guarantee fund is reimbursed in full.

Sec. 32. The claims filed by the receiver as valid and payable from the guarantee fund, shall be heard by the court upon the date fixed for hearing of claims, or as soon thereafter as convenient. At the time of said hearing the court shall fix a time for hearing on the claims filed by the receiver as invalid, and recommended by him for disallowance, together with any claims not allowed by the court at the hearing on claims recommended as valid by the receiver, and the claims recommended by the receiver as general claims, and the court shall direct the manner of making up the pleadings on said claims and the notice which shall be given thereto to claimants.

Sec. 33. For the purpose of preventing the closing of banks and conserving the guarantee fund, the bankers conservation fund is hereby created. The bankers conservation fund shall at all times belong to the banks contributing thereto, subject to the provisions of this act, and the assessments therefor shall not exceed one-fourth of one per cent of the average daily deposits of said bank during any one year and said fund shall never exceed one-third of one per cent of the average daily deposits of said bank at any time, based upon the last report of the average daily deposits filed before making such levy. Whenever, under the law, it shall be proper to assemble and use any part of the bankers conservation fund the superintendent shall make an assessment on each of the solvent banks in the state for its proportion of the amount needed, based on the average daily deposits of such banks as shown by the last semiannual statement thereof, filed with the department of banking, by drawing a draft for such amount and transmitting the same as provided by law. The banks may carry the amount remitted on such draft on their books as an asset, debited to the "Bankers' Conservation Fund," until such time as it may be repaid to said bank or charged off against the profits

of the bank not needed for any purpose other than the payment of dividends.

Sec. 34. Whenever any bank shall have been placed by the department of banking in the hands of the Guarantee Fund Commission, under the provisions of Section 20 of this act said Guarantee Fund Commission may at any time certify to the department of banking an amount of money which it desires to use in conducting the affairs of such bank which has been so taken over under the provisions hereof, and the department of banking shall immediately levy an assessment and draw upon the Bankers' Conservation Fund for such amount and transmit the same to the agent or representative of the Guarantee Fund Commission in charge of such bank to be used by him as a deposit and for no other purpose. Provided, however, such receiver may, with the consent of the department of banking, borrow any part of said amount for the use of such bank, and repay said borrowed money when the money is received from the department of banking. The department of banking or the Guarantee Fund Commission may close said bank at any time for the purpose of liquidation as provided by law, or may return the management of its affairs to its proper officers whenever such deposit, with interest at the rate of five per cent per annum, has been fully paid to the Bankers' Conservation Fund, and the reason for retaining the management and control thereof no longer exists.

Sec. 35. Whenever a receiver or representative shall be in charge of a bank or receivership under the direction of the Guarantee Fund Commission, and such receiver can procure lawful purchasers for the assets and capital stock of such bank, then such receiver or representative may, with the approval of the Guarantee Fund Commission, and the superintendent, petition the District Court of the county in which said bank or receivership is located for an order decreeing such bank to be insolvent, if a going bank, and directing the sale of all the property and corporate rights of such corporation upon such terms and conditions as to the court may seem proper. Notice of such hearing shall be in the same manner as for the appointment of a receiver under this act. If the court, upon the hearing thereof, shall find that such bank is insolvent, or in receivership, and it is for the best interest of all the creditors of such corporation, then the court shall issue an order directing the receivership or representative in charge, as receiver, to sell such banking corporation and its assets prayed. The court shall determine at such hearing, the rights of the creditors, including depositors, as nearly as possible and shall direct the notice to be given and the pleadings to be filed for the determination of the rights of creditors whose claims are not allowed at such hearing. The court shall authorize and direct the receiver to issue from the stock book of such corporation, certificates of stock to the purchasers thereof, and upon the delivery thereof and the compliance with the terms of such sale, such purchasers shall be and become the only lawfully constituted stockholders of such corporation, and as such shall proceed to organize with the proper officers and directors for conducting a banking business. The department of banking shall require the officers to file reports as provided in Title XIX of the code, 1924, and if upon

examination the department finds that such corporation has complied with all of the requirements of law it shall issue to such corporation a certificate authorizing it to transact business as a bank.

Sec. 36. Any receiver selling a bank by order of the court as provided in section 34 of this act, after confirmation of such sale and the payment of costs and expenses thereof and the claims allowed against the receivership, shall close up the affairs of the receivership and proceed to enforce and collect all liabilities of stockholders, officers and directors of such bank to the creditors thereof, and shall distribute the same as provided by law. The deposit from the Bankers' Conservation Fund shall have the same priority as other deposits and shall be paid by the receiver to the superintendent who shall distribute it to the banks from which it was assessed and drawn. If the amount remaining in the hands of the receiver after the sale be insufficient to pay claims payable from the guarantee fund, the necessary amount shall be drawn from the guarantee fund as provided in section 9 of this act.

Sec. 37. The department of banking shall within four months after this act takes effect take possession of the property and affairs of any receivership now pending in courts, furnish a full, complete and detailed report of the taking possession of the property, business and affairs of a bank which has committed an act which justified the appointment of a receiver, and the Guarantee Fund Commission shall name a receiver for said bank who shall thereafter conduct the affairs thereof in the manner provided in this act.

Sec. 38. Immediately upon the taking possession of the affairs of said receivership by the department of banking, the receiver theretofore acting shall file with the court a full, complete and detailed report of the affairs of said receivership. Said report shall be considered by the court as soon thereafter as convenient, and if upon consideration of said report, the court finds that such receiver has performed his duties required by law and has accounted to the department of banking for all of the assets, business and affairs in such receivership, such receiver shall be discharged and his bond released. If the court shall find that such receiver has not accounted for all of the assets, business and affairs of said bank as required by law, he shall be removed by the court and the department of banking shall proceed against said receiver and his bond as provided by law. Until such time as existing receiverships shall be taken over to be conducted under this act by the department of banking, they shall be governed by the law as it existed prior to the enactment of this Act.

Sec. 39. The department of banking may at any time apply to any court in which a receivership for a bank is pending at the time this act takes effect, for an order directing the receiver to sell all or any part of the assets of every kind and description in his possession, or under his control. Notice of the hearing on said petition shall be given to all parties interested by publication once each week for two weeks in a newspaper designated by the court, which notice shall state the fact of such petition being filed, and the date of hearing thereon. At such hearing, if it shall

appear to the court from the evidence offered, that the assets in such receivership available for the payment of creditors of such bank, are insufficient to pay the claims of depositors if unpaid, or to reimburse the Depositors' Guarantee Fund for the amount drawn therefrom for the payment of the claims of depositors for deposits, then the court shall enter an order directing the receiver to sell all of such assets at public sale, and shall fix the time of such sale and the notice which shall be given thereof. Such sale shall be held on the date so fixed by the court, or at such other time as the same may be adjourned to by the receiver, which shall not be more than ten days from the date fixed by the court. At such sale, the superintendent, or his representative, may bid on such assets, and if such bid shall be the highest bid offered for the assets, the receiver shall deliver to such superintendent or his representatives, all of such assets and take a proper receipt therefor, which shall be filed in the office of the clerk of the district court in the files of such receivership. The delivery of such receipt shall constitute payment in full to the receiver for such assets. If the money in the hands of the receiver after the sale of such assets to the department of banking, shall be insufficient to pay the costs and expenses of such receivership remaining unpaid, then the court or a judge thereof shall fix the amount of such unpaid costs and expenses, certify the same to the department of banking, and the department of banking shall refund to such receiver such amount out of the proceeds of the assets of such receivership, or shall draw against the Depositors' Guarantee Fund for such amount and transmit the same to the receiver for the payment of such claims. The department of banking, upon receiving the assets of such receivership, shall transfer the same to the Guarantee Fund Commission, which shall place a representative in charge thereof and cause the same to be liquidated for the benefit of the guarantee fund, and after paying the expenses of such liquidation, shall place the balance in the Depositors' Guarantee Fund in the several banks in the same proportion as it was drawn therefrom.

Sec. 40. The department of banking shall have power to require the officers of any bank, or any of them, to open and to keep such books or accounts as he in his discretion may determine and prescribe for the purpose of keeping accurate and convenient records of the transactions and accounts of such bank. Any bank that refuses or neglects to open and keep such books or accounts as may be prescribed by the department of banking shall be subject to a penalty of ten dollars for each day it neglects or fails to open and keep such books and accounts after receiving written notice from the Department of Banking. Such penalty may be collected in the manner prescribed for the collection of fees for the examination of said bank.

Sec. 41. The department of banking shall have the power to make such rules and to establish such regulations for the government of banks under its supervision as may in its judgment seem wise and expedient; provided, that no such rule and regulations shall in any way conflict with any of the provisions of law.

Sec. 42. The superintendent shall keep as records of its office, proper books showing all acts, matters and things done under the provisions of this act. Neither he nor any one connected with the department of banking, or the Guarantee Fund Commission, shall in any instance disclose the name of any depositor or debtor of any bank of the amount of his deposit of debt to any one, except in so far as may be necessary in the performance of his official duty; provided, however, that the department of banking may maintain a record of borrowers from the banks in this state and in its discretion may give information concerning the total liabilities of any such borrowers to any bank owning obligations of such borrowers.

Sec. 43. If any bank examiner shall have knowledge of the insolvency or unsafe condition of any bank under state supervision and that it is unsafe and inexpedient to permit such bank to continue business and shall fail and neglect forthwith to report such fact in writing over his signature to the department of banking, he shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars or imprisonment in the county jail for not more than six months, or by both fine and imprisonment, in the discretion of the court, and shall forfeit his office.

Sec. 44. A full and complete record of the proceedings and business of all meetings of the board of bank directors shall be spread upon the bank's minutes; such records of the meetings shall show the gross earnings and disposition of same by indicating expenses and taxes paid, worthless items charged off, depreciation in assets, amount carried to surplus fund and amount of dividend, and shall also indicate the amount of undivided profits remaining. Published statements of assets and liabilities shall show for undivided profits only the net amount after deducting all expenses.

Sec. 45. Any losses sustained by any state bank, in excess of its undivided profits, shall be charged to its surplus fund; provided, that its surplus fund shall thereafter be reimbursed from the earnings and no dividends shall thereafter be declared or paid by any such bank in excess of one-half of its net earnings until said surplus fund shall be fully restored to its former amount, or an amount equal to 20 per cent of its paid-up capital.

Sec. 46. No state bank shall receive any deposit upon any collateral agreement or condition other than an agreement for length of time to maturity and rate of interest, and no money deposited in any such bank, upon any such collateral agreement or condition shall be guaranteed by the Depositors' Guarantee Fund. On and after July 1, 1929, certificates of deposit shall be non-negotiable and drawn payable to the depositor or assigns, and every certificate shall bear on its face in prominent type 'NON-NEGOTIABLE'.

Sec. 47. Any stockholder or director, officer, agent or employee of any bank who, for the use or benefit of himself or any other person than said bank, solicits or asks for or receives or agrees to receive from any person, any gift or compensation or reward or inducement of any kind for

procuring or endeavoring to procure any loan from said bank to any person, or for procuring or endeavoring to procure the purchase by said bank from any person of any negotiable instrument or non-negotiable instrument of any kind by discount or otherwise, or for procuring or endeavoring to procure the purchase by said bank from any person of any real property or any personal property of any kind, or for procuring or endeavoring to procure said bank to permit any person to overdraw his account with said bank, shall be guilty of a crime, and upon conviction thereof, shall be punished by a fine not less than two hundred dollars, nor more than one thousand dollars, or by imprisonment in the county jail not less than six months, nor more than three years or by both such fine and imprisonment in the discretion of the court.

Sec. 48. The court in which a receivership of a state bank is pending, or any judge thereof, may, upon the application of the receiver, in open court or sitting at chambers anywhere within his district, without notice or upon such notice as he may direct, authorize and direct such receiver to borrow money and for that purpose, to issue and sell, assign, or hypothecate one or more receivers' certificates in an aggregate amount not exceeding the amount required to supply the deficiency for the payment of depositors in any failed bank. Such receivers' certificates may be authorized and negotiated either before or after the amount shall have been drawn from the Depositors' Guarantee Fund, and from banks heretofore in receivership. If authorized after the draft on the Guarantee Fund, the amount shall not be greater than the market value of the assets remaining in the receivership. The rate of interest shall be fixed by the court. Such receivers' certificates, with the interest thereon, shall be subrogated to all the rights of the depositors thus paid or to the rights of the department of banking, to participate in the assets of such bank, and shall be a first lien on all the assets in the hands of the receiver and on the rights of the depositors in the Depositors' Guarantee Fund and shall be enforced and collected by the receiver accordingly. All money derived from the sale or transfer of such receivers' certificates shall be used for the payment of depositors, if such receivers' certificates are sold prior to the drawing of the money from the guarantee fund and shall be used to reimburse the guarantee fund if sold after the drawing of the money and payment of the depositors from such guarantee fund.

Sec. 49. If the cash in the hands of the receiver be insufficient to pay such receivers' certificates with interest thereon, as fixed by the court, when the same become due, the court, or a judge thereof, shall determine the amount necessary to pay face value of such receivers' certificates with interest thereon to the date of payment and cause the same to be certified to the department of banking, which shall thereupon draw against the guarantee fund in the amount required to supply the deficiency, and shall forthwith transmit the same to the receiver to be applied on the payment of such receivers' certificates. Provided, a new issue of certificates may be authorized by the court if application is made therefor.

Sec. 50. Receivers' certificates issued under this act shall be presented to the superintendent and he shall certify thereon that such certificates are payable out of the Depositors' Guarantee Fund of the state of Iowa and register them in a book to be provided therefor in his office, the superintendent shall prescribe the form of receivers' certificates and shall fix the due date of each issue thereof, and they shall be paid in the order of registration.

Sec. 51. From and after the first day of January, 1930, each managing officer of a bank shall procure each year a license to conduct and engage in the banking business in the state of Iowa, which license shall be issued by the state superintendent of banking and the said superintendent may refuse to issue any such license to any person who has violated any provisions of the statutes as provided by this act, or to any person who is morally unfit to conduct or engage in the business of banking in the state of Iowa.

Sec. 52. Nothing in this act shall be construed to deprive the court of its power to authorize the issuance and sale of receivers' certificates in any other manner or for any other purpose where the court has heretofore had such power.

Sec. 53. No corporation transacting a banking business in this state as a state or savings bank or loan and trust company shall directly or indirectly loan to any single corporation, firm or individual, including in such loans all loans made to the several members or shareholders of such firm or corporation, for the use and benefit of such corporation, firm or individual, more than twenty per cent of the paid-up capital and surplus of such bank; but the discounting of bills of exchange, drawn in good faith against actually existing values, and the discount of commercial paper actually owned by the persons negotiating the same, shall not be considered money borrowed, and in no case shall the total liabilities of the several stockholders of any bank to such bank exceed fifty per cent of the paid-up capital and surplus of such bank. Provided, the total liabilities of the several stockholders of a cooperative bank to such bank may exceed fifty per cent of the paid-up capital and surplus of such cooperative bank. Any officer or employee of any corporation transacting a banking business under the laws of this state and who shall violate or knowingly permit a violation of the provisions of this section, upon conviction thereof shall be punished by a fine not exceeding five hundred dollars. The provisions of this section shall not apply to the security of savings banks, enumerated in the third following section of this article. If the directors of any state bank shall knowingly violate, or knowingly permit any of the officers, agents or servants of the bank to violate any of the provisions of this section, all rights, privileges and franchises of the bank shall be thereby forfeited. Such violation shall, however, be determined and adjudged by a court of competent jurisdiction in a suit brought for that purpose, by the superintendent in his own name, before said charter shall be declared forfeited, by reason of such violation. In case of such violation, every director who participated in, or knowingly assented to the same, shall be held liable in his personal and individual

capacity for all damages which the bank, its shareholders, or any other person shall have sustained in consequence of such violation.

Sec. 54. If any section or subdivision of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act and such section, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses, or phrases are declared unconstitutional.

Sec. 55. No bank shall increase the book value of its real estate, furniture or fixtures without first notifying the department of banking of its intention to do so, and obtain an approval therefor.

Sec. 56. The superintendent shall in the month of July of each year prepare and mail to each state bank a report pertaining to the Guarantee Fund, the Bankers' Conservation Fund and the Bankers' Administrative Fund showing the following data: 1. Names of drawee banks; 2. Average deposits on basis of which each assessment was made for the benefit of each bank; 3. Amount of such assessment on each bank for each bank for the benefit of the guarantee fund; 4. Average deposits on basis of which each assessment was made for the benefit of Bankers' Conservation Fund; 5. Amount of each assessment on each bank for benefit of the Bankers' Conservation Fund; 6. Amount of average deposits on basis of which assessment was made for benefit of the Bankers' Administrative Fund; 7. Amount of such assessments on each bank for benefit of Bankers' Administrative Fund; 8. Amount reimbursed to each bank from each bank for benefit of Guarantee Fund; 9. Amount reimbursed from each bank to each bank for benefit of Bankers' Conservation Fund; 10. Disbursements of Bankers' Administrative Fund; 11. Statement of assets and liabilities of each bank, as shown by last statement published before such bank's coming into the hands of Guarantee Fund Commission; 12. Detailed expense account of each bank operated by the Guarantee Fund Commission; 13. Amount realized from sale of real estate and furniture and fixtures of each bank in hands of Guarantee Fund Commission; 14. Amount realized from other assets of each bank in hands of Guarantee Fund Commission listing same in detail. In addition to the foregoing such report shall contain such other data as the Guarantee Fund Commission and the superintendent may deem proper.

Sec. 57. That the law as it appears in section ninety-one hundred thirty-one (9131) of the code, 1924, be and the same is hereby repealed and the following enacted in lieu thereof:

"The Governor shall, within sixty days following the organization of the regular session of the General Assembly in 1931 and each four years thereafter, appoint as hereinafter provided, with the approval of two-thirds of the members of the Senate in executive session, a Superintendent of Banking. Such appointee shall be elected solely with regard to his qualification and fitness to discharge the duties of his office and no person shall be appointed who has not had at least five years executive experience



in a bank in this state; and provided, such appointee has been selected from one of three candidates nominated by the executive committee of the Iowa Bankers Association, said nominations to be made and certified by said committee prior to the first day of any session of the General Assembly in which such an appointment is to be confirmed. If the Senate should fail to confirm the appointee of the Governor he shall then make an appointment from the remaining candidates until one is confirmed, or they have all been rejected. Within seven days after the rejection of the last nominee the executive committee of the Iowa Bankers Association shall nominate and certify to the Governor three additional candidates and the Governor shall make appointments therefrom as hereinbefore provided, and the same procedure shall be repeated until an appointment is confirmed. Should the executive committee of Iowa Bankers Association fail to certify to the Governor such nominations within the time provided herein, the Governor may then appoint any qualified person as Superintendent of Banking, with the approval of two-thirds of the members of the Senate in executive session."

Sec. 58. That the law as it appears in section ninety-one hundred thirty-three (9133) of the code, 1924, be and the same is hereby amended by inserting after line three (3) the following:

"the said appointment to be made from one of three nominations therefor which have been submitted to the Governor by the executive committee of the Iowa Bankers Association. Whenever such appointment is to be made, while the General Assembly is not in session, the Governor shall in writing notify the secretary of the Iowa Bankers Association thereof and they shall certify to him their nominations, within seven days thereafter, and if they fail to so certify such nominations, the Governor may then appoint any qualified person."

Also further amend said section by striking from line four (4) thereof the word "which" and inserting in lieu thereof the words "such an".

Sec. 59. It is further provided that this act shall not be effective until July 1, 1929, with this exception that each bank coming under the provisions of this act, shall be assessed as provided therein on the following basis, in relation to the average daily deposits.

One-fifth (1/5) of one per cent on July 1, 1927, one-fifth (1/5) of one per cent on Jan. 1, 1928, one fifth (1/5) of one per cent on July 1, 1928, and one fifth (1/5) of one per cent on Jan. 1, 1929.

Sec. 60. It is further provided that in the operation of this act during its first two years, beginning July 1, 1929, that the payment to depositors from the Guarantee Fund shall be seventy (70) per cent of such depositors claims as approved by the court.

Sec. 61. All acts or parts of acts in conflict with the express provisions of this act are hereby repealed.

ED H. CAMPBELL.  
LARS J. SKROMME.  
A. J. SHINN.  
OSCAR ULSTAD.

Senator Skromme appeared in the Senate Chamber and the call was declared complete.

Senator Shane moved that the substitute amendment be laid on the table.

Senator Shane withdrew the motion.

Senator Shane moved that the substitute amendment (only) be referred to the sifting committee.

Senator Shane withdrew his motion.

Senator Klemme moved that the substitute be printed.

Senator Wilson of Polk moved as a substitute that the substitute be printed in the journal and consideration be made a special order for 10:00 a. m., tomorrow, the call of the Senate to be extended until that time.

The substitute was lost.

The motion was lost.

Senator Bergman moved that action be deferred until 10:15 a. m., tomorrow; that it be made a special order at that time; that the substitute be printed in the journal; and that the call of the Senate be extended until that time.

The motion prevailed.

Senator Benson asked for unanimous consent to introduce a bill, which consent was granted.

#### INTRODUCTION OF BILLS

Senate File No. 435, by Senator Benson, a bill for an act to amend, revise, and codify sections ninety-one hundred thirty (9130) to ninety-one hundred thirty-seven (9137), inclusive, ninety-one hundred thirty-nine (9139), ninety-one hundred forty (9140), ninety-one hundred forty-two (9142), and ninety-one hundred forty-four (9144) of the code of 1924; to repeal chapter one hundred seventy-eight (178) of the laws of the forty-first (41st) general assembly; and for the creation of a state banking board to have general supervision over all state and savings banks and trust companies organized under the laws of this state.

Read first and second times and referred to sifting committee.

Senate File No. 436, by committee on appropriations, a bill for an act to provide an appropriation of fourteen hundred sixty-two dollars and ninety cents (\$1,462.90) to defray the expenses of a reporter, witness fees and mileage, telegrams and telephone calls, necessitated under Senate Concurrent Resolution No. fourteen (14).

Read first and second times and placed on the calendar.

### THIRD READING OF BILLS

On motion of Senator Haskell, Senate File No. 409, a bill for an act to amend section six thousand fifty-two (6052) of the Code of 1924, relating to the construction of the tracks of street railway companies, reported out by sifting committee, was taken up and considered.

Senator Bergman offered the following amendment and moved its adoption:

Amend by adding the following section:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Globe Gazette, a newspaper published in Mason City, Iowa, and the Dyersville Commercial, a newspaper published in Dyersville, Iowa, without expense to the state.

The amendment was adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend by adding thereto the following:

"Provided, however, that before any such relief as herein provided shall be granted, the proposition shall first be submitted to the electors of said city or town and such relief shall not be granted unless a majority of said voters shall approve of the same."

Senator Cavanaugh offered the following amendment as a substitute amendment and moved its adoption:

Amend by inserting after the word "council" in line 5 of section 1 the words "when a majority of the abutting property owners along the railway consent in writing thereto,".

Senator Lange invoked rule 8.

On the question "Shall the substitution be made?" the vote was :

**Ayes, 22.**

Baird	Darting	Klemme	Shinn
Beatty	Dotts	Langfitt	Thompson
Benson	Fulton	McLeland	Topping
Carden	Gilchrist	Mills	Ulstad
Cavanaugh	Gunderson	Roberts	Wilson of Polk
Clark	Kern		

**Nays, 20.**

Bergman	Clearman	Johnston	Shane
Booth	Dean	Lange	Slemmons
Breakenridge	Ellis	McFarlane	Stanley
Brookins	Frailey	Ramsey	Stoddard
Brush	Haskell	Shaff	Wilson of Page

**Absent or not voting, 8.**

Browne	Fackler	Kimberly	Rigby
Campbell	Hartman	Merritt	Skromme

The substitution was made.

The amendment was adopted.

President Pro Tem Shane took the chair at 3:55 p. m.

The bill was read for informtaion.

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, 39.**

Baird	Clearman	Johnston	Shaff
Benson	Darting	Kern	Shane
Bergman	Dean	Klemme	Slemmons
Booth	Dotts	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brookins	Fackler	McFarlane	Topping
Brush	Frailey	McLeland	Ulstad
Carden	Fulton	Mills	Wilson of Page
Cavanaugh	Gilchrist	Ramsey	Wilson of Polk
Clark	Haskell	Roberts	

**Nays, 2.**

Gunderson	Thompson
-----------	----------

**Absent or not voting, 9.**

Beatty	Hartman	Merritt	Shinn
Browne	Kimberly	Rigby	Skromme
Campbell			

The bill having received a constitutional majority was declared to have passed the Senate, and the title was agreed to.

Senator Topping 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. 17, a bill for an act to amend section eleven hundred forty-six (1146) of the code, 1924, relating to vacancies in office, and providing for a vacancy caused by death of a member elect before qualifying, reported out by the sifting committee, was taken up and considered.

President Kimball resumed the chair at 4:00 p. 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, 39.**

Baird	Darting	Johnston	Shane
Benson	Dean	Kern	Shinn
Bergman	Dotts	Klemme	Slemmons
Booth	Ellis	Lange	Stanley
Breakenridge	Fackler	Langfitt	Stoddard
Brush	Frailey	McFarlane	Topping
Carden	Fulton	McLeland	Ulstad
Cavanaugh	Gilchrist	Mills	Wilson of Page
Clark	Gunderson	Ramsey	Wilson of Polk
Clearman	Haskell	Roberts	

**Nays, 1.**

Thompson

**Absent or not voting, 10.**

Beatty	Campbell	Merritt	Shaff
Brookins	Hartman	Rigby	Skromme
Browne	Kimberly		

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.

#### CALL OF THE SENATE

We, the undersigned Senators, hereby demand a call of the Senate at the time of the consideration in the Senate of House File No. 42, relating to the state sinking fund, April 6, 1927.

F. C. GILCHRIST,  
B. M. STODDARD,  
H. A. DARTING,  
A. T. BROOKINS,  
G. S. HARTMAN,  
WILLIAM CARDEN,  
FRANK SHANE,  
S. E. FACKLER,  
O. E. GUNDERSON,  
A. J. SHINN,  
W. E. MCLELAND,  
ARCH W. MCFARLANE,  
F. C. STANLEY,  
RALPH U. THOMPSON,  
GEO. A. WILSON.

#### AMENDMENTS FILED

I move to amend House File No. 42 by adding to section three (3) thereof the following: Each certificate or warrant issued under the provisions of this act shall have printed on the face thereof in bold type at least one-half inch in height and in different colored ink than the body of the certificate the words "NOT GUARANTEED BY THE STATE OF IOWA".

GEO. A. WILSON.

On motion of Senator Benson the Senate adjourned until 10:00 a. m., Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 8, 1927.

The Senate met in regular session, President Clem F. Kimball, presiding.

Prayer was offered by Rev. C. E. Lookingbill, minister of the Church of the Brethren, of Nevada, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and referred to the sifting committee:

By Senator Baird, from citizens of Council Bluffs, opposing an increase in gasoline tax.

By Senator Lange, from voters of Dubuque, opposing a bill taxing near beer.

## REPORTS OF SIFTING COMMITTEE

April 7, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bills on the calendar:

House Files Nos. 222 (S. F. 266), 267, 268, 362, and 426.

H. GUY ROBERTS, *Chairman*.

Also:

MR. PRESIDENT: Your sifting committee wishes to report the following bills out on the calendar:

House File No. 228, as amended; No. 265, as amended.

H. GUY ROBERTS, *Chairman*.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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, and House Files Nos. 359, 354, and 286.

**D. L. WILSON,**  
*Chairman Senate Committee.*

**FRED R. BLYTHE,**  
*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. 177, and House Files Nos. 359, 354, and 286.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 8th day of April, 1927, sent to the governor for his approval:

Senate File No. 177.

**D. L. WILSON,** *Chairman.*

The report was adopted.

#### BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that on April 7, 1927, he had approved the following bills:

Senate File No. 316, relating to investment of funds of fraternal beneficiary societies, orders or associations.

Senate File No. 263, relating to the investment of funds of life insurance companies and associations.

Senate File No. 34, relating to separate counts charged in the same indictment.

Senate File No. 116, relating to adoption.

Senate File No. 148, relating to the license fee of electric automobiles.



Senate File No. 357, relating to selling of certain wares, etc., upon any public highway or street near fair grounds.

Senate File No. 279, relating to the assignment of tax sale certificates.

Senate File No. 232, relating to shot firemen who fire shots in coal mines.

Senate File No. 120, relating to distribution of the roster of Iowa soldiers, sailors, and marines in so far as said roster has been published.

Senate File No. 145, relating to the driving of motor vehicles by minors.

Senate File No. 72, relating to deposit by life insurance companies to cover the valuation of policies.

Senate File No. 191, relating to the appointment of probation officers.

Senate File No. 161, relating to appropriation of \$17,400.27, to pay the deficit in the amount appropriated for state aid to county and district fairs.

Senate File No. 296, relating to exchange of lands in Madison county for lands belonging to C. L. Gray.

Senate File No. 117, relating to renewals of charters for private corporations.

Senate File No. 157, relating to the powers and duties of the board of railroad commissioners.

Senate File No. 310, relating to transfer of certain funds for preservation of Iowa War Flags.

Senate File No. 179, relating to insurance.

Senate File No. 128, relating to appropriation to Jonah Smith for service as Chaplain at Camp McKinley.

Senate File No. 6, relating to paying expenses of the United States champion junior dairy cattle judging team in attending the 1927 international live stock show.

Senate File No. 164, relating to false drawing or uttering of checks.

Senate File No. 214, relating to street improvements, sewers and special assessments.

Senate File No. 198, relating to authorized establishment of municipal Art Galleries in cities and towns.

Senate File No. 188, relating to speed of motor vehicles.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has concurred in Senate amendment to House File No. 327, a bill for an act relating to the bringing of actions against reciprocal or inter-insurance exchanges and upon reinsurance and interinsurance contracts.

Also: That the House has concurred in Senate amendment to House File No. 453, a bill for an act relating to the meetings of the board of mine examiners.

Also: That the House has concurred in Senate amendment to House File No. 262, a bill for an act to require officers, boards, and commissions of the state government to pay into the state treasury all fees and charges not belonging to said officers.

A. C. GUSTAFSON, *Chief Clerk.*

#### INTRODUCTION OF BILLS

Senate File No. 437, by sifting committee, a bill for an act to regulate the practice of barbering, and to provide for the examination and licensing of practitioners thereof; to provide rules and regulations concerning sanitation and health in such practice; and to amend sections 2438, 2439, 2440, 2450, 2452, 2455, 2462, and 2516 of the code, 1924, relating to the practice of certain professions affecting public health.

Read first and second times and placed on the calendar.

#### SENATE FILE 351 MADE SPECIAL ORDER

Senator Lange moved that the motion to reconsider the vote by which Senate File No. 351 passed the Senate, be made a special order for 2:00 p. m., Monday, April 11th.

The motion prevailed.

By unanimous consent on request of Senator Gilchrist, House File No. 42 was made a special order to follow immediately after the final consideration of Senate File No. 429.

There being a call of the Senate on the consideration of Senate File No. 429, the roll was called.

On motion of Senator McLeland, Senator Kimberly was excused from the call.

The roll call revealed the presence of the following Senators:

Baird	Clark	Haskell	Shaff
Beatty	Clearman	Johnston	Shane
Benson	Darting	Kern	Shinn
Bergman	Dean	Klemme	Slemmons
Booth	Dotts	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brookins	Fackler	McLeland	Thompson
Browne	Frailey	Merritt	Topping
Brush	Fulton	Mills	Ulstad
Campbell	Gilchrist	Ramsey	Wilson of Page
Carden	Gunderson	Rigby	Wilson of Polk
Cavanaugh	Hartman	Roberts	

By unanimous consent on his own request, Senator Stoddard was excused for 15 minutes.

Senator Shaff moved that he be excused from the call at 11:15 a. m., which motion prevailed.

Senator Topping moved that he be excused from the call at 11:15 a. m., which motion prevailed.

Senator Brush moved that he be excused from the call at 12:00 o'clock, which motion prevailed.

Senator McFarlane appeared in the Senate Chamber.

Senator Gunderson moved that the Senate adjourn at 11:40 a. m., to reconvene at 1:30 p. m.

Senator Skromme appeared in the Senate Chamber and the call was declared complete.

Senator Booth moved to amend the motion by striking out "1:30" and inserting in lieu thereof "1:10".

The amendment was adopted.

On the question "Shall the motion prevail?" the vote was:

Ayes, 42.

Baird	Cavanaugh	Johnston	Roberts
Beatty	Clark	Kern	Shane
Benson	Clearman	Klemme	Shinn
Bergman	Dean	Lange	Skromme
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Ellis	McLeland	Stanley
Brookins	Fackler	Merritt	Thompson
Browne	Frailey	Mills	Ulstad
Brush	Fulton	Ramsey	Wilson of Page
Campbell	Gunderson	Rigby	Wilson of Polk
Carden	Hartman		

Nays, 1.

Haskell

Absent or not voting, 7.

Darting	Kimberly	Shaff	Topping
Gilechrist	McFarlane	Stoddard	

The motion prevailed.

Senator Dean moved that Senate File No. 365 be withdrawn from the sifting committee and placed on the calendar.

Senator Roberts raised the point of order that as the Senate was working under special order, the motion was out of order.

The President held the point well taken.

### THIRD READING OF BILLS

On motion of Senator Bergman, Senate File No. 429, a bill for an act to amend sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-two hundred twenty (9220), ninety-two hundred twenty-one (9221), ninety-two hundred fifty-five (9255), ninety-two hundred fifty-seven (9257), and ninety-two hundred ninety-seven (9297) and to repeal section ninety-two hundred twenty-two (9222) of the Code, 1924, and to enact additional provisions relating to the superintendent of banking, the state banking department, the state banking board, and the duties of each and making certain appropriations therefor; providing additional regulations, restrictions and requirements on banking, banking institutions and stockholders, officers, directors and employees of banking institutions; creating certain preferences in the assets of closed banking institutions; providing for the establishment of district banking associations

and the management and control thereof; and providing penalties and punishments for violations of certain provisions, a sifting committee bill, was taken up and considered.

Senator Campbell moved that the amendment found on page 1283 of the Senate Journal be substituted for all pending amendments.

Senator Bergman moved the previous question on the substitute, which motion prevailed.

Senator Shane moved that Senator Campbell's time be extended, which motion prevailed.

On the question "Shall the substitution be made?" the vote was:

Ayes, 15.

Breakenridge	Dotts	Mills	Thompson
Brookins	Fackler	Shinn	Ulstad
Browne	Gilchrist	Skromme	Wilson of Page
Campbell	Merritt	Slemmons	

Nays, 34.

Baird	Clearman	Johnston	Rigby
Beatty	Darting	Kern	Roberts
Benson	Dean	Klemme	Shaff
Bergman	Ellis	Lange	Shane
Booth	Frailey	Langfitt	Stanley
Brush	Fulton	McFarlane	Stoddard
Carden	Gunderson	McLeland	Topping
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark	Haskell		

Absent or not voting, 1.

Kimberly

The substitution was lost.

#### EXPLANATION OF VOTE

MR. PRESIDENT: I desire to explain my vote on the substitute to Senate File No. 429. I vote no on the grounds that in my district there was only one bank failure during the time of bank failures and no one will lose a cent. I am opposed to a law taxing and fining a good and honest banker for the folly of poor and dishonest bankers.

WM. H. KLEMME.

The Senate adjourned until 1:10 p. m., today.

## AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## REPORT OF SIFTING COMMITTEE

April 8, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bills on the calendar:

House Files Nos. 19, by Johnson of Marion, 339, by McCaulley.

H. GUY ROBERTS, *Chairman*.

There being a call of the Senate on Senate File No. 429, the roll was called.

The roll call revealed the presence of the following Senators:

Baird	Darting	Kern	Shane
Beatty	Dean	Klemme	Shinn
Benson	Dotts	Lange	Skromme
Bergman	Ellis	Langfitt	Slemmons
Booth	Fackler	McFarlane	Stanley
Brookins	Fulton	McLeland	Stoddard
Browne	Gilchrist	Merritt	Thompson
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Clark	Haskell	Rigby	Wilson of Polk
Clearman	Johnston	Roberts	

By unanimous consent on request of Senator Bergman, Senator Cavanaugh was excused from the call, and until Monday morning.

By unanimous consent on request of Senator McFarlane, Senator Frailey was excused from the call.

Senator Bergman moved that further action on Senate File No. 429 be deferred until 1:30 p. m. Monday, that it be made a special order for that time, and that the call of the Senate be raised until then.

The motion prevailed.

Senator Dean moved that Senate File No. 365 be withdrawn from the sifting committee and placed on the calendar.

Senator Campbell invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 16.

Breakenridge	Dean	Haskell	Skromme
Brookins	Ellis	Lange	Thompson
Browne	Gunderson	McLeland	Ulstad
Campbell	Hartman	Shinn	Wilson of Page

Nays, 27.

Baird	Clearman	Kern	Roberts
Beatty	Darting	Klemme	Shane
Benson	Dotts	Langfitt	Stemmons
Bergman	Fackler	McFarlane	Stanley
Booth	Fulton	Mills	Stoddard
Carden	Gilchrist	Ramsey	Wilson of Polk
Clark	Johnston	Rigby	

Absent or not voting, 7.

Brush	Frailey	Merritt	Topping
Cavanaugh	Kimberly	Shaff	

The motion was lost.

### THIRD READING OF BILLS

On motion of Senator Wilson of Polk House File No. 57, a bill for an act requiring loaves of bread to conform to certain standards as to weight and requiring the branding of bread; providing for penalties for violation and authorizing the Secretary of Agriculture to make rules and regulations for the enforcement of the act, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson of Polk moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Dean	Klemme	Roberts
Beatty	Ellis	Lange	Shane
Benson	Fackler	Langfitt	Shinn
Bergman	Fulton	McFarlane	Stanley
Booth	Gilchrist	McLeland	Stoddard
Brookins	Gunderson	Merritt	Thompson
Browne	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Clark	Johnston	Rigby	Wilson of Polk
Darting	Kern		

Nays, none.

Absent or not voting, 12.

Breakenridge	Cavanaugh	Frailey	Skromme
Brush	Clearman	Kimberly	Slemmons
Campbell	Dotts	Shaff	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 McFarlane House File No. 187, a bill for an act to repeal section sixty eight hundred fifty-five (6855) of the code, 1924, and to enact a substitute therefor, relating to the general tax levy in cities under special charter, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator McFarlane moved 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	Clearman	Johnston	Rigby
Beatty	Darting	Kern	Roberts
Benson	Dotts	Klemme	Shane
Bergman	Ellis	Lange	Shinn
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Fulton	McFarlane	Stanley
Brookins	Gilchrist	McLeland	Stoddard
Browne	Gunderson	Merritt	Thompson
Carden	Hartman	Mills	Wilson of Page
Clark	Haskell	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Brush	Dean	Shaff	Topping
Campbell	Frailey	Skromme	Ulstad
Cavanaugh	Kimberly		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane 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 Wilson of Polk House File No. 194, a bill for an act to amend sections ten thousand six hundred fifty-six (10656), ten thousand six hundred fifty-seven (10657), ten thousand six hundred sixty-nine (10669), thirteen thousand six hundred forty-five (13645), and ten thousand six hundred seventy (10670), and chapter four hundred seventy-five (475) of the code, 1924, relating to the municipal court; to fix and determine the jurisdiction of said court in civil and criminal cases; to make chapter six hundred thirty-four (634) of the code applicable in certain cases to municipal courts; and to provide for payment of witness fees, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson of Polk moved 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	Clearman	Kern	Ramsey
Beatty	Dean	Klemme	Shane
Benson	Dotts	Lange	Shinn
Bergman	Fackler	Langfitt	Slemmons
Booth	Fulton	McFarlane	Stanley
Browne	Gilchrist	McLeland	Stoddard
Campbell	Gunderson	Merritt	Ulstad
Carden	Haskell	Mills	Wilson of Page
Clark	Johnston		

Nays, none.

Absent or not voting, 16.

Breakenridge	Darting	Kimberly	Skromme
Brookins	Ellis	Rigby	Thompson
Brush	Frailey	Roberts	Topping
Cavanaugh	Hartman	Shaff	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Wilson of Polk House File No. 195, a bill for an act to amend chapter six hundred thirty-four (634) of the code, 1924, empowering judges of the district court to transfer

misdemeanor cases to the municipal court for trial, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson of Polk moved 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	Dotts	Lange	Shinn
Beatty	Fackler	Langfitt	Stemmons
Benson	Fulton	McFarlane	Stanley
Booth	Gilchrist	McLeland	Stoddard
Breakenridge	Gunderson	Merritt	Thompson
Campbell	Hartman	Mills	Ulstad
Carden	Haskell	Ramsey	Wilson of Page
Clark	Johnston	Rigby	Wilson of Polk
Clearman	Kern	Shane	
Dean	Klemme		

Nays, none.

Absent or not voting, 13.

Bergman	Cavanaugh	Frailley	Shaff
Brookins	Darting	Kimberly	Skromme
Browne	Ellis	Roberts	Topping
Brush			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird House File No. 242, a bill for an act to repeal section sixty-nine hundred forty-five (6945) of the code, and to enact a substitute therefor, relating to exemption from taxation of roads and certain drainage and levee rights of way, reported out by the sifting committee, was taken up and considered.

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.

Baird	Dotts	Kern	Rigby
Benson	Ellis	Klemme	Shane
Booth	Fackler	Lange	Shinn
Breakenridge	Fulton	Langfitt	Slemmons
Campbell	Gilchrist	McFarlane	Stanley
Carden	Gunderson	McLeland	Stoddard
Clark	Hartman	Merritt	Thompson
Clearman	Haskell	Mills	Ulstad
Dean	Johnston	Ramsey	Wilson of Page

Nays, none.

Absent or not voting, 14.

Beatty	Brush	Kimberly	Skromme
Bergman	Cavanaugh	Roberts	Topping
Brookins	Darting	Shaff	Wilson of Polk
Browne	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Haskell, House File No. 271, a bill for an act empowering board of supervisors in certain cases to cancel special assessments for graveling and to refund installments of said assessments which have been paid and to pay unpaid installments of such assessments and to levy a tax for such purpose, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Haskell moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Baird	Dean	Kern	Ramsey
Beatty	Dotts	Klemme	Rigby
Benson	Ellis	Lange	Shane
Booth	Fackler	Langfitt	Shinn
Breakenridge	Fulton	McFarlane	Slemmons
Campbell	Gunderson	McLeland	Stanley
Carden	Hartman	Merritt	Thompson
Clark	Haskell	Mills	Wilson of Page
Clearman	Johnston		

Nays, 1.

Browne

Absent or not voting, 15.

Bergman	Darting	Roberts	Topping
Brookins	Frailey	Shaff	Ulstad
Brush	Gilchrist	Skromme	Wilson of Polk
Cavanaugh	Kimberly	Stoddard	

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 Breakenridge, House File No. 289, a bill for an act to repeal section twenty-six hundred seventy-one (2671) of the code, 1924, as amended by chapter fifty-five (55), acts of the forty-first (41) general assembly, and section twenty-six hundred ninety-four (2694) of the code, 1924, as amended by section five (5) of chapter fifty-four (54), acts of the forty-first (41) general assembly, and to enact substitutes therefor, relating to the eradication of bovine tuberculosis; and to amend sections twenty-six hundred ninety-seven (2697) and twenty-six hundred ninety-eight (2698), and chapter one hundred twenty-nine (129) of the code, 1924, relating to the eradication of bovine tuberculosis, reported out by the sifting committee, was taken up and considered.

Senator Thompson offered the following amendment and moved its adoption:

Amend section 2 by adding thereto the following:

"The department shall not appoint as such inspector or inspectors any veterinarian, whether accredited or not, who shall have taken part, either directly or indirectly, in the circulation of or securing signatures to any of the petitions provided for in this chapter. The certificates of accredited veterinarians who shall have violated any of the provisions of this act shall be cancelled by the secretary of agriculture."

Senator McFarlane moved the previous question on the amendment, which motion prevailed.

Senator Thompson invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 6.

Beatty	Dotts	Shinn	Thompson
Browne	Gunderson		

Nays, 32.

Baird	Clark	Haskell	Mills
Benson	Clearman	Johnston	Ramsey
Bergman	Dean	Kern	Rigby
Booth	Ellis	Klemme	Shane
Breakenridge	Fackler	Lange	Slemmons
Brookins	Fulton	Langfitt	Stanley
Campbell	Gilchrist	McFarlane	Stoddard
Carden	Hartman	McLeland	Wilson of Page

Absent or not voting, 12.

Brush	Frailey	Roberts	Topping
Cavanaugh	Kimberly	Shaff	Ulstad
Darting	Merritt	Skromme	Wilson of Polk

The amendment was lost.

The bill was read for information.

Senator Breakenridge moved 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.

Baird	Clark	Hartman	Mills
Benson	Clearman	Haskell	Ramsey
Bergman	Dean	Johnston	Shane
Booth	Ellis	Kern	Skromme
Breakenridge	Fackler	Klemme	Slemmons
Brookins	Fulton	Lange	Stanley
Campbell	Gilchrist	McFarlane	Wilson of Page
Carden	Gunderson	McLeland	Wilson of Polk

Nays, 4.

Browne	Dotts	Shinn	Thompson
--------	-------	-------	----------

Absent or not voting, 14.

Beatty	Frailey	Rigby	Stoddard
Brush	Kimberly	Roberts	Topping
Cavanaugh	Langfitt	Shaff	Ulstad
Darting	Merritt		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Breakenridge 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 Roberts, House File No. 308, a bill for an act to legalize the permanent transfer of six thousand dollars (\$6,000.00) from the bridge fund to the bond fund of Union county, made by resolution of the board of supervisors of Union county at a meeting held on February 8, 1927, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Roberts moved 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	Dean	Klemme	Shane
Benson	Dotts	Lange	Shinn
Bergman	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Breakenridge	Fulton	McLeland	Stanley
Browne	Gilchrist	Mills	Thompson
Campbell	Haskell	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk
Clark	Kern		

Nays, none.

Absent or not voting, 16.

Beatty	Clearman	Hartman	Shaff
Brookins	Darting	Kimberly	Stoddard
Brush	Frailey	Merritt	Topping
Cavanaugh	Gunderson	Ramsey	Ulstad

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, House File No. 352, a bill for an act to repeal section seventy-two hundred three (7203) of the

code, 1924, and to enact a substitute therefor, relating to the lien of personal taxes, reported out by the sifting committee, was taken up and considered.

President Pro Tem Shane took the chair at 3:40 p. m.

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.

Baird	Ellis	Lange	Shinn
Benson	Fackler	Langfitt	Skromme
Bergman	Fulton	McFarlane	Slemmons
Booth	Gilchrist	McLeland	Stanley
Breakenridge	Hartman	Merritt	Stoddard
Browne	Haskell	Rigby	Thompson
Clark	Johnston	Roberts	Wilson of Page
Dean	Kern	Shane	Wilson of Polk
Dotts	Klemme		

Nays, none.

Absent or not voting, 16.

Beatty	Carden	Frailey	Ramsey
Brookins	Cavanaugh	Gunderson	Shaff
Brush	Clearman	Kimberly	Topping
Campbell	Darting	Mills	Ulstad

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.

President Kimball resumed the chair at 3:45 p. m.

On motion of Senator Johnston, House File No. 476, a bill for an act to amend section fifteen (15) of chapter five (5), acts of the forty-first (41) general assembly, relating to the speed of passenger carrying motor vehicles, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Baird	Clearman	Johnston	Shane
Benson	Dean	Klemme	Slemmons
Bergman	Dotts	Lange	Stanley
Booth	Ellis	Langfitt	Stoddard
Breakenridge	Fackler	McFarlane	Thompson
Browne	Fulton	Merritt	Wilson of Page
Carden	Gilchrist	Rigby	Wilson of Polk
Clark	Haskell	Roberts	

Nays, none.

Absent or not voting, 19.

Beatty	Darting	Kimberly	Shinn
Brookins	Frailey	McLeland	Skromme
Brush	Gunderson	Mills	Topping
Campbell	Hartman	Ramsey	Ulstad
Cavanaugh	Kern	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### SENATE FILE 381 WITHDRAWN

By unanimous consent Senator Johnston withdrew Senate File No. 381 from further consideration.

#### THIRD READING OF BILLS

On motion of Senator Roberts, Senate File No. 434, a bill for an act to provide special legal services for the State Highway Commission, a sifting committee bill, was taken up and considered.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking from lines 2 and 3 of section 1 the words "employ special counsel" and inserting in lieu thereof the words "assign one of his assistants".



The amendment was lost.

The bill was read for information.

Senator Dean moved that the reading just had be considered the third reading, which motion prevailed.

Senator Shane invoked rule 8.

(On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Baird	Darting	Lange	Roberts
Benson	Dean	Langfitt	Shane
Bergman	Ellis	McFarlane	Stanley
Booth	Gilchrist	McLeland	Stoddard
Breakenridge	Haskell	Merritt	Wilson of Page
Clark	Johnston	Rigby	Wilson of Polk
Clearman	Klemme		

Nays, 10.

Browne	Fulton	Shinn	Slemmons
Dotts	Gunderson	Skromme *	Thompson
Fackler	Kern		

Absent or not voting, 14.

Beatty	Carden	Kimberly	Shaff
Brookins	Cavanaugh	Mills	Topping
Brush	Frailey	Ramsey	Ulstad
Campbell	Hartman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, Senate File No. 436, a bill for an act to provide an appropriation of fourteen hundred sixty-two dollars and ninety cents (\$1,462.90) to defray the expenses of a reporter, witness fees and mileage, telegrams and telephone calls, necessitated under Senate Concurrent Resolution No. fourteen (14), an appropriations committee bill, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend section 2 by striking out the last line thereof and inserting in lieu thereof the following:

“in the Onawa Democrat, a newspaper published in Onawa, Iowa, and the Sloan Star, a newspaper published in Sloan, Iowa.”

The amendment was adopted.

Senator Shinn moved that further action on the bill be deferred until 2:00 p. m., Monday, which motion was lost.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

Senator Shane invoked rule 8.

On the question “Shall the bill pass?” the vote was:

Ayes, 36.

Baird	Clearman	Klemme	Shane
Beatty	Darting	Lange	Skromme
Benson	Dean	Langfitt	Slemmons
Bergman	Ellis	McFarlane	Stanley
Booth	Fulton	McLeland	Stoddard
Breakenridge	Gilchrist	Merritt	Thompson
Browne	Gunderson	Mills	Ulstad
Carden	Haskell	Rigby	Wilson of Page
Clark	Kern	Roberts	Wilson of Polk

Nays, 1.

Dotts

Absent or not voting, 13.

Brookins	Fackler	Johnston	Shaff
Brush	Frailey	Kimberly	Shinn
Campbell	Hartman	Ramsey	Topping
Cavanaugh			

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.

The journal of April 7th was corrected and approved.

Senator Dean asked unanimous consent to be excused Saturday and Monday, which consent was granted.

Senator Wilson of Polk moved that the Senate adjourn until 9:30 a. m., Saturday.

Senator Stoddard moved to amend the motion by making the time 10:00 a. m.

The amendment was lost.

The motion was lost.

### THIRD READING OF BILLS

On motion of Senator Lange, House File No. 65, a bill for an act to encourage horse and mule industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor, with report of committee recommending passage, was taken up and considered

Senator Breakenridge moved that action be deferred, which motion prevailed.

Senator Stoddard moved that the Senate adjourn until 10:10 a. m., Saturday.

The motion was lost.

On motion of Senator Stanley, House File No. 228, a bill for an act to amend section forty-two hundred sixty-six (4266) of the Code relating to the establishment of kindergarten departments in connection with the common schools, reported out by the sifting committee, was taken up and considered.

The following committee amendments were considered:

Amend by striking from line seven (7) the “,” following the word “city”, and insert the word “or”; also, by striking the words “, or consolidated”, in line seven (7); and by striking the word “must”, in line eight (8), and substituting the word “may”.

The first amendment was adopted.

The second amendment was lost.

Senator McFarlane 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 McFarlane moved that further action on the bill be deferred and that it retain its place on the calendar.

On the question "Shall the motion prevail?" the vote was:

Ayes, 20.

Baird	Clearman	Gilchrist	Rigby
Benson	Darting	Haskell	Stanley
Bergman	Dean	Lange	Stoddard
Breakenridge	Ellis	Langfitt	Thompson
Carden	Fulton	McFarlane	Wilson of Polk

Nays, 15.

Booth	Fackler	Merritt	Skromme
Browne	Gunderson	Roberts	Slemmons
Clark	Kern	Shane	Wilson of Page
Dotts	Klemme	Shinn	

Absent or not voting, 15.

Beatty	Cavanaugh	Kimberly	Shaff
Brookins	Frailey	McLeland	Topping
Brush	Hartman	Mills	Ulstad
Campbell	Johnston	Ramsey	

The motion prevailed and further action was deferred.

On motion of Senator Gilchrist, House File No. 265, a bill for an act to amend section forty-two hundred forty-two (4242), and to repeal sections forty-two hundred forty-three (4243) and forty-two hundred forty-four (4244) of the code, 1924, relating to the making of a financial statement by school districts, reported out by the sifting committee, was taken up and considered.

Senator Stanley offered the following amendment proposed by the committee on schools and moved its adoption:

Amend by striking therefrom all of section one and inserting in lieu thereof the following:

Section 1. Section 4242 of the Code of 1924 is hereby amended by adding thereto the following:

"In every other school district, and in every school district wherein no newspaper is published, the president and secretary of the board of directors thereof shall file the above statement with the county superintendent of schools during the first week of July of each year and shall post copies thereof in three conspicuous places in the district."

The amendment was adopted.

The bill was read for information.

Senator Stanley moved 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	Clearman	Lange	Shinn
Beatty	Darting	Langfitt	Skromme
Benson	Dean	McFarlane	Slemmons
Bergman	Dotts	McLeland	Stanley
Booth	Fackler	Merritt	Stoddard
Breakenridge	Gilchrist	Mills	Thompson
Browne	Gunderson	Rigby	Ulstad
Campbell	Kern	Roberts	Wilson of Page
Carden	Klemme	Shane	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 13.

Brookins	Fraily	Haskell	Ramsey
Brush	Fulton	Johnston	Shaff
Cavanaugh	Hartman	Kimberly	Topping
Ellis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley 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. 438, by committee on claims, a bill for an act to make appropriation to pay for hospital and medical attention to B. F. Skyles, superintendent of the state farm at Clive, Iowa, on account of injuries received while in the performance of his duties.

Read first and second times and referred to committee on appropriations.

Senate File No. 439, by committee on claims, a bill for an act to make appropriation to reimburse the Liberty club of Sioux City, Iowa, for certain equipment lost or destroyed by parties acting as officers of a company known as Company D, 4th Iowa Infantry.

Read first and second times and referred to committee on appropriations.

Senate File No. 440, by committee on claims, a bill for an act to make appropriation to compensate Mrs. Cora E. Bolyard for injuries received at the state fair grounds.

Read first and second times and referred to committee on appropriations.

Senate File No. 441, by committee on claims, a bill for an act to make appropriation to Bertha M. H. Shambaugh for expenses incurred in the installation of the Iowa corn folk exhibit at the sesqui-centennial exposition.

Read first and second times and referred to committee on appropriations.

#### CALL OF THE SENATE FILED

MR. PRESIDENT: The undersigned senators hereby demand a call of the Senate at the time of the consideration in the Senate of House File No. 42, relating to the State Sinking Fund.

F. C. GILCHRIST,  
B. M. STODDARD,  
H. A. DARTING,  
A. T. BROOKINS,  
G. S. HARTMAN,  
WILLIAM CARDEN,  
FRANK SHANE,  
S. E. FACKLER,  
O. E. GUNDERSON,  
A. J. SHINN,  
W. E. MCLELAND,  
ARCH W. MCFARLANE,  
F. C. STANLEY,  
GEO. A. WILSON,  
RALPH U. THOMPSON,

#### AMENDMENTS FILED

MR. PRESIDENT: I move to amend Senate File No. 429 by adding the following sections:

Sec. 31. Whenever a state or savings bank or trust company, organized and existing under the laws of the state of Iowa, becomes temporarily embarrassed, and when in the opinion of the superintendent of banking, or of the banking board, it would be to the best interest of the depositors and creditors of such bank or trust company, the superintendent of banking or the banking board shall have power to declare a moratorium as to all its liabilities, and shall, upon the declaring of said moratorium,

either wholly or partially take over its management, and shall continue its operation until such disability has been removed, or until it has been liquidated.

Sec. 32. In conducting the business of any such bank, or trust company, the superintendent of banking shall have the power to suspend either partially or wholly, the payment of any or all its liabilities for a period of time not exceeding three (3) years, but any and all liabilities of such bank or trust company accruing after the intervention of such order of suspension or moratorium by the superintendent of banking, shall be paid in full before any other of its liabilities are paid.

Sec. 33. After the payment of the liabilities referred to in section 32 of this act, all depositors that were such at the time said moratorium was declared, shall be paid in full before any general creditors shall receive any payment upon their claim, such payment to be in the same order as though a receiver had been appointed for such bank, or trust company.

Sec. 34. If a partial moratorium or payment of liabilities is provided for by the superintendent of banking such part of the assets of such bank or trust company as shall be determined by the superintendent of banking shall be set aside for the purpose of liquidating the part of its liabilities so affected by said order of partial payment or moratorium, and the assets not so affected by said order of segregation may be sold or transferred to any other corporation, but any order made under this section by the superintendent of banking shall be approved by the banking board.

Sec. 35. Any order of moratorium made by the superintendent of banking shall be void and of no effect unless within five (5) days after the making of such order by the said superintendent of banking the banking board shall approve and concur in said order.

Sec. 36. The superintendent of banking or the banking board may declare said moratorium at an end at any time when, in his or their opinion, the condition of such bank or trust company will warrant the releasing of such moratorium.

Sec. 37. Before any such sale of the assets may be made, there shall be filed in the district court of the county where such bank or trust company is located an application entitled in the name of such bank or trust company upon the relation of the superintendent of banking and setting forth in general terms the proposed sale or transfer of the assets and in general terms the property to be segregated for the purpose of the payment of the liabilities concerning which a moratorium is declared, and notice of the hearing with reference to said application shall be given as provided by the court and in the same general way as is had in connection with receiverships and said notice shall be directed to all its creditors and stockholders.

Sec. 38. Any county, city, town, township or school district, through its governing board, may consent and agree to any such application to

the extent of all of its unsecured and unpreferred claims, the same as is provided in chapter one hundred seventy-nine (179) concerning the liquidation and reorganization of banks in the Acts of the Forty-first General Assembly.

Sec. 39. At such hearing the court shall determine the equities of all parties and also determine whether such disposition and proposed distribution is for the best interests of all creditors of said institution. If the plan shall be approved, thereafter and until the assets are distributed, the court shall have power to make such requirements as in its sound discretion will conserve the assets to the best interests of the creditors and stockholders of such institution, and insure the distribution thereof according to law.

Sec. 40. No appeal can be taken from any finding or order of the district court made as provided in section 39 hereof, to the supreme court of the state of Iowa, but appeal may be had only to the banking board of the state of Iowa from any such order or finding. Notice of such appeal must be served within five (5) days of the date of such order or finding by the district court, in the same manner as is provided for the service of notice of appeal from the district to the supreme court, and upon the giving of notice of the said appeal and presentation of the service of such notice to the superintendent of banking, the said superintendent of banking shall fix a time and place of hearing within the state of Iowa, which time shall not be more than five (5) days from the date of the presentation of said service of said notice of appeal to the said superintendent of banking, and whatever order or finding shall be entered in connection with said matter so appealed from by a majority of the banking board, shall be final and binding upon all parties. The appeal shall be triable de novo and may be heard on the oral translation of the shorthand notes taken at the trial.

Sec. 41. All expenses incurred in connection with carrying out the provisions of this act shall be chargeable to the bank or trust company and shall be paid by it after approval by the superintendent of banking and the court before which such hearing shall be had, but no allowance shall be made to the superintendent of banking for any service rendered by him.

Sec. 42. No dividends shall be declared by any bank or trust company during the time that either a whole or partial moratorium is in force under the provisions of this act.

Sec. 43. Whenever the superintendent of banking shall declare a general moratorium as to the liabilities of any state or savings bank, or trust company, as herein provided, no court shall have the power or authority to appoint a receiver for such bank or trust company.

H. E. DEAN.



I move to amend Senate File No. 383 as follows:

1. By inserting a period in section 1, line 17, after the word "stock" and striking the remainder of the sentence.

2. By striking section 3 and substituting the following:

"Sec. 3. When the application for incorporation and the bylaws shall have been approved by the department of banking, the incorporators shall have the articles of incorporation recorded with the secretary of state, for which he shall be paid a fee of ten dollars (\$10.00). The secretary of state shall then issue to the association a certificate of incorporation."

3. By striking section 6 and substituting the following:

"Sec. 6. A certificate of incorporation for a cooperative bank shall not be issued until an amount of stock has been subscribed for equal to the capitalization required for a state bank in the place where such bank is to be located. The sale of additional stock shall be regulated by the board of directors."

4. By striking from line 2 of section 7 the words and figures "fifteen thousand dollars (\$15,000.00) in" and inserting the words "the required"; by striking from line 5 the word "commonly" and inserting the words "authorized to be"; and by striking from line 6 the words "and savings" "and trust companies".

5. By striking from line 3, section 8, the word "same", and from line 4 the words "as state or savings", substituting therefor the words "governing state".

6. By striking section 9 and substituting the following:

"Sec. 9. A cooperative bank shall have power to make loans and invest its funds in the manner and ways granted state banks."

7. By striking from line 3, section 11, the words "fully paid"; by striking all following the word "paid" in line 4 to the word "be" in line 8, and inserting the words "and a surplus has been created equal to one-half the capital stock, the net earnings may".

8. By striking from line 13, section 12, the words "for reasons hereinafter provided"; by inserting after the word "and" in line 14 the word "liquidate"; and by striking from line 15, the words "conduct" "during the period of liquidation".

9. By striking from section 13, lines 1 and 2 and from line 3 the word "corporations" and substituting the following: "Cooperative banks shall be subject to supervision by the department of banking and"; by striking from lines 4 and 5 the words "and savings"; by inserting at the end of line 10 the words "at least"; and by inserting in line 18 after the word "whether" the word "such".

10. By striking from line 5 of section 14 the words "of the directors or"; by inserting in line 6 after the word "board" the words "or a majority of the directors"; by inserting in line 13 after the word "and" the words "may amend the bylaws"; and by inserting a period after the word "considered" in line 15 and striking the remainder of the sentence.

11. By striking from section 15, line 7, the words "one share" and substituting the words "fifty shares".

12. By striking section 17 and substituting the following:

"Sec. 17. All provisions of law relative to state banks shall apply to cooperative banks in so far as they are applicable and not inconsistent with the express provisions of this act."

C. J. FULTON.

On motion of Senator Stoddard the Senate adjourned until 10:00 a. m., Saturday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 9, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. J. A. Hinderlie, pastor of the Immanuel Lutheran Church of Forest City, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Slemmons for the day on request of Senator Ulstad; Senator Mills for the day on request of Senator Ulstad.

## REPORT OF SIFTING COMMITTEE

April 9, 1927.

MR. PRESIDENT: Your Sifting Committee wishes to place the following bills on the calendar:

House Files Nos. 214, by Oliver; 249, by Hager; Senate Files Nos. 404, by committee on military affairs; 425, by committee on cities and towns.

H. GUY ROBERTS, *Chairman.*

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 8, 1927, he had approved the following bills:

Senate File No. 152, relating to the issuance of free passes by common carriers.

Senate File No. 225, relating to individuals and corporations conducting academic course.

Senate File No. 260, relating to the diminution in the number of employees under civil service.

Senate File No. 428, relating to legalization of election held on the 28th day of March, 1927, at Newton.

Senate File No. 58, relating to amount of license fees to be paid for motor vehicles.

Senate File No. 59, relating to motor vehicles.

A communication was received from the Governor announcing that on April 5, 1927, he had approved the following bill:

Senate File No. 158, relating to practice of cosmetology.

#### SENATE CONCURRENT RESOLUTION NO. 26 CONSIDERED

Senator Thompson called up for consideration Senate Concurrent Resolution No. 26, found on page 1029 of the Senate Journal.

On motion of Senator Thompson further action was deferred and consideration of the resolution was made a special order for 2:00 p. m., Tuesday.

Senator Lange asked unanimous consent to introduce a bill, which consent was granted.

Senator Thompson asked unanimous consent to introduce a bill, which consent was granted.

#### INTRODUCTION OF BILLS

Senate File No. 442, by Senator Lange, a bill for an act to amend Section eighty-three hundred fifty-two (8352) of the Code, relating to the limit of indebtedness of Iowa corporations.

Read first and second times and referred to sifting committee.

Senate File No. 443, by Senator Thompson, a bill for an act to appropriate the sum of two hundred fifty thousand (\$250,000.00) dollars, or so much thereof as may be necessary to carry out the intent and purposes of concurrent resolution number twenty-six (26) extending to both the Republican and Democratic National Committees a cordial invitation to hold their next national convention in the city of Des Moines, state of Iowa.

Read first and second times and referred to committee on appropriations.

#### THIRD READING OF BILLS

On motion of Senator Stanley, House File No. 267, a bill for an act to amend section forty-three hundred thirty-five (4335) of

the code, 1924, relating to state aid for standard schools, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stanley moved 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.

Beatty	Clearman	Haskell	Rigy
Benson	Darting	Klemme	Shane
Booth	Dotts	Lange	Shinn
Breakenridge	Fackler	Langfitt	Stanley
Brookins	Fulton	McFarlane	Thompson
Carden	Gilchrist	McLeland	Ulstad
Clark	Hartman	Merritt	Wilson of Polk

Nays, none.

Absent or not voting, 22.

Baird	Dean	Kern	Shaff
Bergman	Ellis	Kimberly	Skromme
Browne	Frailey	Mills	Slemmons
Brush	Gunderson	Ramsey	Stoddard
Campbell	Johnston	Roberts	Topping
Cavanaugh			Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley 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 Stanley, House File No. 268, a bill for an act to repeal sections forty-three hundred twenty-two (4322), forty-three hundred twenty-three (4323), and forty-three hundred twenty-four (4324) of the code, 1924, and to enact substitutes therefor, relating to public school libraries, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

Senator Stanley invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 32.

Beatty	Darting	Klemme	Shane
Benson	Dotts	Lange	Shinn
Booth	Fackler	Langfitt	Skromme
Brookins	Fulton	McFarlane	Stanley
Campbell	Gilchrist	McLeland	Stoddard
Carden	Hartman	Merritt	Thompson
Clark	Haskell	Rigby	Ulstad
Clearman	Kern	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 18.

Baird	Cavanaugh	Johnston	Shaff
Bergman	Dean	Kimberly	Slemmons
Breakenridge	Ellis	Mills	Topping
Browne	Frailey	Ramsey	Wilson of Page
Brush	Gunderson		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley 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. 383, a bill for an act to promote thrift and savings, to provide for loans and a general banking business on the cooperative plan under the provisions of the cooperative laws of the state, to provide for the organization of such banks, manner of conducting the business, the scope of business and the control and operation of the same, reported out by the sifting committee, was taken up and considered.

The amendments filed by Senator Fulton, found on page 1333 of the Senate Journal, were considered.

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, 34.

Beatty	Darting	Kern	Roberts
Benson	Dotts	Klemme	Shane
Booth	Fackler	Lange	Shinn
Breakenridge	Fulton	Langfitt	Skromme
Browne	Gilchrist	McFarlane	Stanley
Campbell	Gunderson	McLeland	Stoddard
Carden	Hartman	Merritt	Thompson
Clark	Haskell	Rigby	Ulstad
Clearman			Wilson of Polk

Nays, none.

Absent or not voting, 16.

Baird	Cavanaugh	Johnston	Shaff
Bergman	Dean	Kimberly	Stemmons
Brookins	Ellis	Mills	Topping
Brush	Frailey	Ramsey	Wilson of Page

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 Shane, House File No. 426, a bill for an act to amend section eight thousand nine hundred three (8903) of the Code of Iowa, 1924, relating to the par value of stock issued by insurance companies, reported out by the sifting committee, was taken up and considered.

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.

Beatty	Clearman	Klemme	Skromme
Benson	Dotts	Lange	Stanley
Booth	Fackler	McFarlane	Stoddard
Breakenridge	Fulton	Merritt	Thompson
Browne	Gilchrist	Rigby	Ulstad
Campbell	Gunderson	Roberts	Wilson of Page
Carden	Hartman	Shane	Wilson of Polk
Clark	Kern		

Nays, none.

Absent or not voting, 20.

Baird	Darting	Johnston	Ramsey
Bergman	Dean	Kimberly	Shaff
Brookins	Ellis	Langfitt	Shinn
Brush	Frailey	McLeland	Stemmons
Cavanaugh	Haskell	Mills	Topping

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.

### MESSAGES FROM THE HOUSE

The 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. 283, a bill for an act relating to the medical and surgical treatment of indigent persons.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 485, a bill for an act prohibiting agents from entering rural school buildings and rural school grounds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 366, a bill for an act to amend section eleven thousand five hundred thirty-seven (11537) of the code relating to time to except.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 430, a bill for an act relating to the department of public docks in cities and towns, by adding thereto a paragraph relative to the method of defraying the expense thereof in cities under the commission form of government having a population of less than thirty thousand.

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 authorizing and directing the curator of the historical memorial and art department of Iowa to collect and preserve the materials of suspending and disbanding posts of the Grand Army of the Republic in Iowa, and similar records and materials; and making an appropriation therefor.



Also: That the Speaker has appointed as members of the conference committee on the part of the House on House File No. 83, Representatives McCaulley, Greene, W. S. Kennedy and Rutledge.

A. C. GUSTAFSON, *Chief Clerk.*

#### S. F. 437 MADE SPECIAL ORDER

Senator McFarlane moved that Senate File No. 437 be made a special order for Monday to follow House File No. 42.

Senator Shinn raised the point of order that the Senate and House had both acted on the matter, the Governor had vetoed it and it would take a two-thirds vote to pass the bill over the Governor's veto.

The President held the point not well taken.

The motion prevailed.

#### HOUSE MESSAGES CONSIDERED

House File No. 283, a bill for an act to amend sections four thousand twelve (4012), four thousand twenty-six (4026), and Chapter one hundred ninety-nine (199) of the Code, 1924, relating to the medical and surgical treatment of indigent persons.

Read first and second times and referred to sifting committee.

House File No. 485, a bill for an act prohibiting agents from entering rural school buildings and rural school grounds.

Read first and second times and referred to sifting committee.

House File No. 366, a bill for an act to amend section eleven thousand five hundred thirty-seven (11537) of the code relating to time to **except**.

Read first and second times and referred to sifting committee.

The Journal of April 8th was corrected and approved.

On motion of Senator Stoddard the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

## REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 438, a bill for an act to make an appropriation to pay for hospital and medical attention to B. F. Skyles, superintendent of the state farm at Clive, Iowa, on account of injuries received while in the performance of his duties, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 439, a bill for an act to make an appropriation to reimburse the Liberty Club of Sioux City, Iowa, for certain equipment lost or destroyed by parties acting as officers of a company known as Company D, 4th Iowa Infantry, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 440, a bill for an act to make an appropriation to compensate Mrs. Cora E. Bolyard for injuries received at the state fair grounds, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 441, a bill for an act to make an appropriation to Bertha M. H. Shambaugh for expenses incurred in the installation of the Iowa corn folk exhibit at the sesquicentennial exposition, 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.

## AMENDMENTS FILED

I move that House File No. 228 be amended by inserting in line 7 immediately after the word "city" the words: "with a population of over

10,000" and I move to further amend said line 7 by striking therefrom the words: "or town".

D. L. WILSON.

On motion of Senator Klemme the Senate adjourned until 10:00 a. m., Monday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 11, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Carl Brown, pastor of the Methodist Episcopal church, of Garden Grove, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Slemmons for the day, on request of Senator Mills; Senator Gilchrist for the day, on request of Senator Baird.

## COMMUNICATION FROM THE WHITE HOUSE

April 8, 1927.

MY DEAR MR. BEAM: The President wishes me to acknowledge the receipt of the resolution of the Forty-second General Assembly of the people of Iowa in Joint Session Assembled inviting him to spend his summer vacation there. He thoroughly appreciates the cordial hospitality extended as an expression of friendship and good will.

Will you please convey his sincere thanks to the General Assembly and the people of your State in such a way as may seem most appropriate.

Sincerely yours,

EVERETT SANDERS, *Secretary to the President.*

WALTER H. BEAM, *Secretary of Senate, Des Moines, Iowa.*

## REPORT OF SIFTING COMMITTEE

April 9, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bills on the calendar:

House Files Nos. 64, by Elliott of Polk; 150, by Wamstad; 162, by Crozier; 177, by Hubbard; 438, by Committee on Police Regulations.

Senate Files Nos. 292, by Wilson of Polk; 359, by Fulton.

H. GUY ROBERTS, *Chairman.*

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 9, 1927, he had approved the following bill:

Senate File No. 177, relating to the use of material, products and supplies produced, manufactured, compounded or grown within the state of Iowa.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 17, 262, 327, and 453.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## SENATE CONCURRENT RESOLUTION NO. 28

Senator Cavanaugh offered the following resolution:

*Be It Resolved by the Senate, the House concurring, That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the Forty-second 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, and also for packing the supplies of members for shipment to their homes.*

The chief clerk of the House and the secretary of the Senate are hereby authorized to correct the journals of the House and Senate respectively for the last day of the session.

Each of 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 speaker and chief clerk of the House and the president and secretary of the Senate.

The resolution was laid over under the rules.

## CHARLES H. THOMAS MEMORIAL RESOLUTION

Senator Roberts offered the following resolution :

*Whereas*, Honorable Charles H. Thomas, a member of this Senate in the Thirty-fifth and Thirty-sixth General Assemblies, died at his home in Creston, Iowa, on the 10th day of April, 1927, therefore,

*Be It Resolved by the Senate of the Forty-second General Assembly*, That a committee of three be appointed to draft suitable resolutions to commemorate his life, character and services to the State; also, that a copy of these resolutions be forwarded to the family of the deceased and printed in the Journal of the Senate.

The resolution was adopted and the President appointed as such committee: Senators Roberts, Fackler and Baird.

## MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 317, a bill for an act relating to compromise of taxes by the board of supervisors.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 475, a bill for an act relating to benefits on lives of children.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 458, a bill for an act relating to street improvements.

Also: That the House has passed the following bill in which the concurrence of the House was asked :

Senate File No. 403, a bill for an act to legalize the election held by the voters of Floyd County, Iowa, on the second day of November, 1926, with reference to the erection of a County Home on the County Farm in said county, the issuance of Thirty Thousand Dollars (\$30,000) bonds of said county for that purpose and the levy of a tax to pay said bonds and the interest thereon.

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 the distribution of taxes and of the proceeds of property sold in proceedings against houses of prostitution and the owners thereof.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 369, a bill for an act relating to the sale and distribution of sodium fluoride.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 140, a bill for an act relating to securities deposited by Life Insurance Companies and Associations.

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 relating to notice and sale of prior advertised property for taxes, and to allow the county to become a purchaser at such tax sale.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 113, a bill for an act relative to the compensation of sheriff for meals and lodging of prisoners.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 10, a bill for an act to establish the general fund for the state of Iowa for the biennium beginning July 1, 1927, and ending June 30, 1929, and to appropriate therefrom for all departments, and various divisions thereof, of the state of Iowa, for all purposes provided by law, for the said biennium.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE NO. 10

Amend Senate File No. 10 as follows:

Amend Sec. 2 as follows:

In lines 4 and 5 strike the words and figures "two hundred twenty-six thousand four hundred eighty dollars (\$226,480.00)" and insert the words and figures "two hundred eighteen thousand six hundred eighty dollars (\$218,600.00)".

Strike line 24a.

In line 26 strike "24,960.00" and insert "23,160.00".

In line 28 strike "117,500.00" and insert "112,500.00".

In line 43 strike "180,700.00" and insert "175,700.00".

In line 45 strike "205,660.00" and insert "198,860.00".

Strike lines 56 and 57 and insert the following:

"Buildings, grounds and utilities upkeep and preparing grounds for encampment .....\$5,000.00".

Strike line 59.

In line 61 strike "12,900.00" and insert "11,900.00".

In line 74 strike "226,480.00" and insert "218,680.00".

Amend Sec. 3 as follows:

In line 4 strike the words and figures "four hundred seventy-four thousand four hundred fifty dollars (\$474,450.00)" and insert the words and figures "four hundred seventy thousand six hundred fifty dollars (\$470,650.00)".

Strike lines 79, 80, and 81.

Strike lines 91 to 101, inclusive, and substitute in lieu thereof the following:

"For state aid to farmers' institutes (to be expended in accordance with the provisions of chapter 137 of the code); for state aid to county poultry breeders' association; for state aid to state poultry breeders' association (to be expended in accordance with the provisions of chapter 142 of the code); for state aid to short courses (to be expended in accordance with the provisions of chapter 137 of the code), the sum of eleven thousand dollars .....\$11,000.00".

In line 107 amend by adding the words "(to be expended under the supervision of the state secretary of agriculture)".

In line 107 strike "7,500.00" and insert "6,250.00".

In line 111 strike "2,100.00" and insert "2,400.00".

In line 114 strike "7,100.00" and insert "7,400.00".

In line 121 strike "8,300.00" and insert "8,600.00".

In line 126 strike "474,450.00" and insert "470,650.00".

Amend Sec. 4 as follows:

In lines 3 and 4 strike the words and figures "four thousand two hundred dollars (\$4,200.00)" and insert four thousand one hundred dollars (\$4,100.00)".

In line 7 strike "1,600.00" and insert "1,500.00".

In line 11 strike "4,200.00" and insert "4,100.00".

In line 14 strike "4,200.00" and insert "4,100.00".

Amend Sec. 5 as follows:

In line 4 strike the words and figures "twenty-six thousand one hundred fifty dollars (\$26,150.00)" and insert "twenty-five thousand seven hundred dollars (\$25,700.00)".



In line 9 strike "2,850.00" and insert "2,700.00".

In line 14 strike "1,500.00" and insert "1,400.00".

In line 18 strike "\$2,000.00" and insert "1,800.00".

In line 20 strike "23,150.00" and insert "22,700.00".

In line 29 strike "26,150.00" and insert "25,700.00".

Amend by adding the following as Sec. 6:

#### COMMISSION FOR THE BLIND

(See page 21, Budget Report)

Sec. 6. For the commission for the blind there is hereby appropriated for each year of the biennium beginning July 1, 1927, and ending June 30, 1929, the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary, to be used in the following manner:

To be expended in accordance with the provisions of chapter 75 of the acts of the forty-first general assembly.....\$10,000.00".

Amend Sec. 9 as follows:-

In lines 3 and 4 strike the words and figures "ninety-one thousand five hundred eighty dollars (\$91,580.00)" and insert the words and figures "eighty-six thousand three hundred seventy dollars (\$86,370.00)".

In line 13 strike "2,200.00" and insert "2,000.00".

In line 15 strike "2,750.00" and insert "2,500.00".

In line 17 strike "1,740.00" and insert "1,500.00".

In line 23 strike "(7)" and insert "(6)"; also strike "9,240.00" and insert "7,920.00".

Strike line 25a.

In line 27 strike "59,130.00" and insert "55,120.00".

In line 31 insert the words "and inspector".

In line 31 strike "11,200.00" and insert "10,000.00".

In line 36 strike "27,450.00" and insert "26,250.00".

In line 38 strike "86,580.00" and insert "81,370.00".

In line 54 strike "91,580.00" and insert "86,370.00".

Amend Sec. 10 as follows:

In lines 3 and 4 strike the words and figures "fifty-nine thousand three hundred fifty-five dollars (\$59,355.00)" and insert the words and figures "fifty-nine thousand six hundred fifty-five dollars (\$59,655.00)".

In line 16a strike "1,500.00" and insert "1,800.00".

In line 28 strike "58,855.00" and insert "59,155.00".

In line 34 strike "59,355.00" and insert "59,655.00".

Amend Sec. 13 as follows:

In lines 3 and 4 strike the words and figures "six thousand twenty dollars "(\$6,020.00)" and insert the words and figures "nine thousand dollars "(\$9,000.00)".

Strike line 15 and insert the following:

"Miscellaneous, to be expended under the supervision of the state secretary of agriculture.....\$3,230.00".

In line 17 strike "1,900.00" and insert "4,880.00".

In line 21 strike "6,020.00" and insert "9,000.00".

Amend Sec. 14 as follows:

In lines 3 and 4 strike the words and figures "twenty thousand five hundred dollars "(\$20,500.00)" and insert the words and figures "twenty thousand three hundred dollars (\$20,300.00)".

In line 17 strike "1,400.00" and insert "1,200.00".

In line 22 strike "20,500.00" and insert "20,300.00".

In line 26 strike "20,500.00" and insert "20,300.00".

Amend Sec. 14-a as follows:

In lines 3, 4 and 5 strike the words and figures "two hundred four thousand two hundred fifty dollars (\$204,250.00)" and insert the words and figures "one hundred ninety-nine thousand two hundred fifty dollars (\$199,250.00)".

Strike line 15b.

In line 17 strike "204,250.00" and insert "199,250.00".

In line 21 strike "204,250.00" and insert "199,250.00".

Amend Sec. 19 as follows:

In line 4 strike the words and figures "eighteen thousand six hundred fifty dollars (\$18,650.00)" and insert the words and figures "eighteen thousand four hundred dollars (\$18,400.00)".

In line 10 strike "2,850.00" and insert "2,700.00".

In line 14 strike "1,500.00" and insert "1,400.00".

In line 16 strike "16,450.00" and insert "16,200.00".

In line 27 strike "18,650.00" and insert "18,400.00".

Amend Sec. 21 as follows:

In lines 3 and 4 strike the words and figures "sixty-one thousand four hundred dollars (\$61,400.00)" and insert fifty-seven thousand six hundred dollars (\$57,600.00)".

Strike line 10b.

In line 11 strike "2,000.00" and insert "1,800.00".

In line 18 strike "2,000.00" and insert "1,800.00".

In line 19 strike "3,000.00" and insert "2,400.00".

In line 20 strike "2,400.00" and insert "2,000.00".

In line 22 strike "32,300.00" and insert "29,700.00".

In line 24 insert after the word "expenses" the words "not to be used for lecturer".

In line 24 strike "4,000.00" and insert "3,000.00".

In line 29 strike "13,000.00" and insert "12,000.00".

In line 31 strike "45,300.00" and insert "41,700.00".

In line 36 strike "2,000.00" and insert "1,800.00".

In line 39 strike "10,100.00" and insert "9,900.00".

In line 45 strike "16,100.00" and insert "15,900.00".

In line 50 strike "61,400.00" and insert "57,600.00".

Amend Sec. 22 as follows:

In lines 3 and 4 strike the words and figures "forty-six thousand three hundred dollars (\$46,300.00)" and insert "forty-five thousand dollars (\$45,000.00)".

In line 24 strike "1,250.00" and insert "250.00".

In line 40 strike "8,500.00" and insert "7,500.00".

In line 42 strike "28,400.00" and insert "27,400.00".

In line 62 strike "1,500.00" and insert "1,200.00".

In line 64 strike "3,900.00" and insert "3,600.00".

In line 72 strike "46,300.00" and insert "45,000.00".

Amend Sec. 24 as follows:

In line 4 strike the words and figures "forty-one thousand four hundred eighty dollars (\$41,480.00)" and insert "thirty-six thousand thirty dollars (\$36,030.00)".

In line 11 strike "2,350.00" and insert "2,200.00".

In line 14 strike "1,500.00" and insert "1,200.00".

In line 16 strike "16,500.00" and insert "16,050.00".

In line 25 strike "18,380.00" and insert "17,930.00".

In line 28 strike "8,000.00" and insert "5,000.00".

In line 29 strike "12,000.00" and insert "10,500.00".

In line 30 strike "2,500.00" and insert "2,000.00".

In line 33 strike "23,100.00" and insert "18,100.00".

In line 37 strike "41,480.00" and insert "36,030.00".

Amend Sec. 25 as follows:

In lines 3 and 4 strike the words and figures "fifty-four thousand five hundred sixty dollars (\$54,560.00)" and insert "fifty-three thousand five hundred fifty dollars (\$53,550.00)".

In line 8 strike "4,500.00" and insert "4,000.00".

In line 9 strike "3,600.00" and insert "3,000.00".

In line 25 strike "50,650.00" and insert "49,550.00".

In line 34 strike "54,650.00" and insert "53,550.00".

Amend Sec. 26 as follows:

In lines 3 and 4 strike the words and figures "ninety-eight thousand one hundred fifty dollars (\$98,150.00)" and insert "ninety-eight thousand three hundred fifty dollars (\$98,350.00)".

In line 13 strike "1,800.00" and insert "2,000.00".

In line 17 strike "31,900.00" and insert "32,100.00".

In line 28 strike "98,150.00" and insert "98,350.00".

Amend Sec. 27 as follows:

In lines 3 and 4 strike the words and figures "twenty-three thousand nine hundred dollars (\$23,900.00)" and insert "twenty-one thousand four hundred dollars (\$21,400.00)".

Strike line 14a.

In line 16 strike "19,900.00" and insert "18,400.00".

In line 18 strike "4,000.00" and insert "3,000.00".

In line 21 strike "23,900.00" and insert "21,400.00".

Amend Sec. 31 as follows:

In lines 3 and 4 strike the words and figures "thirteen thousand nine hundred sixty dollars (\$13,960.00)" and insert "thirteen thousand sixty dollars (\$13,060.00)".

In line 7 strike "9,000.00" and insert "8,100.00".

In line 10 strike "11,100.00" and insert "10,200.00".

In line 18 strike "13,960.00" and insert "13,060.00".

Amend Sec. 32 as follows:

Amend by combining lines 15 and 17.

Amend Sec. 36 as follows:

In line 4 strike the words and figures "thirty-one thousand seven hundred fifty dollars (\$31,750.00)" and insert "thirty-one thousand six hundred dollars (\$31,600.00)".

In line 10 strike "2,850.00" and insert "2,700.00".

In line 16 strike "24,250.00" and insert "24,100.00".

In line 25 strike "31,750.00" and insert "31,600.00".

Amend Sec. 37 as follows:

In lines 4 and 5 strike the words and figures "four hundred fifty-four thousand nine hundred fifty dollars (\$454,950.00)" and insert "four hundred sixty-four thousand nine hundred fifty dollars (\$464,950.00)".

Insert the following as line 12a:

"12a Mining camp schools emergency fund.....20,000.00".

In line 15 strike "454,950.00" and insert "464,950.00".

Strike out all of the paragraph following line 15 and insert in lieu thereof the following:

"The appropriation for mining camp schools shall be disbursed by the superintendent of public instruction as follows:

(a) There is hereby set aside ten thousand dollars (\$10,000.00) per year as an emergency fund to be disbursed by the superintendent of public instruction by and with the consent of the executive council and upon the application of mining camp schools wherein an emergency arises requiring an expenditure greater than that provided for in the succeeding subdivision. Any unexpended portion remaining in the emergency fund after April first of each year shall be allocated by the superintendent of public instruction as provided in the succeeding subdivision.

(b) The remainder of the appropriation for mining camp schools, after deducting the sum provided for in subdivision (a) hereof, shall be used by the superintendent of public instruction, with the approval of the executive council and under its direction, but not until there is submitted to the executive council by the superintendent of public instruction a comprehensive program showing the entire proposed expenditure of the appropriation for the year under consideration, and not until all of the mining camp schools applying for funds from said appropriation have been notified of said contemplated division and of the time and place

when the proposed division of such funds is to be passed upon by the executive council. Notice of the hearing by the executive council shall be given by registered mail addressed to the secretary of said mining camp school boards and mailed at least ten (10) days prior to the time fixed for the hearing."

In line 20 strike "454,950.00" and insert "464,950.00".

Amend Sec. 39 as follows:

In lines 3, 4 and 5 strike the words and figures "one hundred four thousand five hundred and sixty-seven dollars and fifty cents (\$104,567.50)" and insert "one hundred one thousand sixty-seven dollars and fifty cents (\$101,067.50)".

In line 47 strike "5,000.00" and insert "4,500.00".

In line 53 strike "12,400.00" and insert "11,900.00".

In line 62 strike "14,737.50" and insert "14,237.50".

Strike line 66.

In line 71 strike "10,200.00" and insert "7,200.00".

In line 80 strike "13,775.00" and insert "10,775.00".

In line 99 strike "104,567.50" and insert "101,067.50".

Amend Sec. 40 as follows:

In lines 3 and 4 strike the words and figures "nineteen thousand nine hundred dollars (\$19,900.00)" and insert "nineteen thousand seven hundred fifty dollars (\$19,750.00)".

In line 8 strike "2,850.00" and insert "2,700.00".

In line 16 strike "19,650.00" and insert "19,500.00".

In line 21 strike "19,900.00" and insert "19,750.00".

Amend Sec. 41 as follows:

In lines 3 and 4 strike the words and figures "ten thousand eight hundred fifty dollars (\$10,850.00)" and insert "ten thousand dollars (\$10,000.00)".

In line 7 strike "4,000.00" and insert "3,300.00".

In line 8 strike "2,850.00" and insert "2,200.00".

Add the following as line 11a:

"11a Contingent for stenographic help.....\$500.00".

In line 13 strike "10,850.00" and insert "10,000.00".

In line 18 strike "10,850.00" and insert "10,000.00".

Amend Sec. 42 as follows:

In lines 3 and 4 strike the words and figures "sixty-two thousand fifty dollars (\$62,050.00)" and insert "sixty-three thousand two hundred fifty dollars (\$63,250.00)".

In line 7 strike "18,000.00" and insert "19,500.00".

In line 10 strike "1,800.00" and insert "1,500.00".

In line 12 strike "61,350.00" and insert "62,550.00".

In line 17 strike "62,050.00" and insert "63,250.00".

Amend Sec. 44 as follows:

In lines 3 and 4 strike the words and figures "eighty-two thousand four hundred ninety-five dollars (\$82,495.00)" and insert "eighty-two thousand one hundred sixty-five dollars (\$82,165.00)".

In line 9 strike "2,850.00" and insert "2,700.00".

In line 17 strike "1,500.00" and insert "1,320.00".

In line 20 strike "20,970.00" and insert "20,640.00".

In line 28 strike "28,095.00" and insert "27,765.00".

In line 66 strike "82,495.00" and insert "82,165.00".

Amend Sec. 45 as follows:

In lines 3 and 4 strike the words and figures "thirty-one thousand five hundred ninety-six dollars and forty-five cents (\$31,596.45)" and insert "thirty-two thousand one hundred ninety-six dollars and forty-five cents (\$32,196.45)".

In line 9 strike "1,560.00" and insert "2,160.00".

In line 15 strike "6,260.00" and insert "6,860.00".

In line 23 strike "8,760.00" and insert "9,360.00".

In line 43 strike "31,596.45" and insert "32,196.45".

Amend Sec. 46 as follows:

In lines 21, 22, and 23 strike the words and figures "seven million eight hundred thirty-five thousand seven hundred twenty-four dollars (\$7,835,724.00)" and insert "seven million eight hundred thousand seven hundred twenty-four dollars (\$7,800,724.00)".

In lines 44 and 45 strike the words and figures "seven hundred ninety-seven thousand seven hundred fifty dollars (\$797,750.00)" and insert "seven hundred fifty-seven thousand seven hundred fifty dollars (\$757,750.00)".

Strike out line 48a.

Strike out line 48b.

In lines 86 and 87 strike the words and figures "six hundred seventy-three thousand nine hundred fifty dollars (\$673,950.00)" and insert "seven hundred twenty-eight thousand nine hundred fifty dollars (\$728,950.00)".

Add the following as line 93a:

"93a Rebuilding water plant.....55,000.00".

In line 95 strike "673,950.00" and insert "728,950.00".

In lines 98 and 99 strike the words and figures "two hundred fifty-two thousand two hundred dollars (\$252,200.00)" and insert "two hundred forty-two thousand two hundred dollars (\$242,200.00)".

In line 101a strike "50,000.00" and insert "40,000.00".

In line 101b strike "252,200.00" and insert "242,200.00".

In line 183 strike the words and figures "one hundred thousand dollars (\$100,000.00)" and insert "sixty thousand dollars (\$60,000.00)".

In line 188 strike "100,000.00" and insert "60,000.00".

In line 201 strike "7,835,724.00" and insert "7,800,724.00".

Amend Sec. 47 as follows:

In lines 10, 11 and 12 strike the words and figures "fourteen million five hundred twenty-two thousand one hundred thirteen dollars and twenty cents (\$14,522,113.20)" and insert "thirteen million five hundred nineteen thousand one hundred thirteen dollars and twenty cents (\$13,519,113.20)".

In lines 18 and 19 strike the words and figures "five million eighty-one thousand three dollars and twenty cents (\$5,081,003.20)" and insert "four million six hundred thirty-one thousand three dollars and twenty cents (\$4,631,003.20)".

Strike lines 30, 31, and 32.

In line 41 strike "5,081,003.20" and insert "4,631,003.20".

In lines 44 and 45 strike the words and figures "five million three hundred and thirty thousand dollars (\$5,330,000.00)" and insert "four million eight hundred thirty thousand dollars (\$4,830,000.00)".

Insert immediately following line 53 the following:

"\$10,000.00 of the foregoing appropriation shall be used for research work in the incidence of state and county taxes."

Strike lines 62 and 63.

In line 67 strike "5,330,000.00" and insert "4,830,000.00".

In lines 70 and 71 strike the words and figures "one million three hun-



dred nine thousand dollars (\$1,309,000.00)" and insert "one million two hundred sixty-one thousand dollars (\$1,261,000.00)".

In line 77 strike "72,000.00" and insert "24,000.00".

In line 81 strike "1,309,000.00" and insert "1,261,000.00".

In lines 84 and 85 strike the words and figures "four hundred fifty-three thousand six hundred dollars (\$453,600.00)" and insert "four hundred forty-eight thousand six hundred dollars (\$448,600.00)".

Strike line 90a.

In line 93 strike "453,600.00" and insert "448,600.00".

In lines 96 and 97 strike the words and figures "two hundred fifty-three thousand four hundred dollars (\$253,400.00)" and insert "two hundred thirty-three thousand four hundred dollars (\$233,400.00)".

Strike line 106b.

In line 108 strike "253,400.00" and insert "233,400.00".

In line 151 strike "14,522,133.20" and insert "13,519,113.20".

Amend Sec. 52 as follows:

In line 5 strike "2,700.00" and insert "3,000.00".

In lines 19 and 20 strike the words and figures "two hundred eighteen thousand four hundred dollars (\$218,400.00)" and insert "one hundred eighty thousand dollars (\$180,000.00)".

### HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 10, amended by the House, and moved that the Senate concur in the House amendments.

On the question "Shall the Senate concur?" the vote was:

Ayes, 14.

Booth	Fackler	Kern	Skromme
Campbell	Fulton	McLeland	Thompson
Dotts	Gunderson	Shinn	Ulstad
Ellis	Hartman		

Nays, 22.

Baird	Clark	Lange	Roberts
Benson	Clearman	Langfitt	Shaff
Bergman	Darting	McFarlane	Shane
Breakenridge	Johnston	Ramsey	Stoddard
Brookins	Kimberly	Rigby	Wilson of Polk
Cavanaugh	Klemme		

Absent or not voting, 14.

Beatty  
Browne  
Brush  
Carden

Dean  
Frailey  
Gilchrist  
Haskell

Merritt  
Mills  
Slemmons

Stanley  
Topping  
Wilson of Page

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 Stoddard moved that the vote by which the Senate refused to concur in the House amendments be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE MESSAGES CONSIDERED

House File No. 317, a bill for an act to amend section seventy-one hundred ninety-three (7193) of the code, 1924, as amended by chapter one hundred forty-eight (148), acts of the forty-first (41) general assembly, relating to compromise of taxes by the board of supervisors.

Read first and second times and referred to sifting committee.

House File No. 475, a bill for an act to repeal section eighty-eight hundred thirty-seven (8837) as amended by section one (1) of chapter one hundred sixty-seven (167), acts of the forty-first (41) general assembly, sections eighty-eight hundred thirty-eight (8838), eighty-eight hundred thirty-nine (8839), eighty-eight hundred forty (8840), eighty-eight hundred forty-one (8841), eighty-eight hundred forty-two (8842), and eighty-eight hundred forty-four (8844) of the code, 1924, and to enact substitutes therefor, relating to benefits on lives of children.

Read first and second times and referred to sifting committee.

House File No. 458, a bill for an act to amend sections fifty-nine hundred seventy-five (5975), fifty-nine hundred seventy-eight (5978), six thousand and two (6002), six thousand three (6003), six thousand twenty-four (6024), and six thousand thirty-two (6032) of the code, 1924, relating to street improvements.

Read first and second times and referred to sifting committee.

## THIRD READING OF BILLS

On motion of Senator Shaff, House File No. 143, a bill for an act to repeal section sixty-three hundred ten (6310) of the code as amended by chapters one hundred forty-one (141) and one hundred forty-two (142), acts forty-first (41) general assembly, and to enact a substitute therefor relating to levy of taxes for firemen's and policemen's pension funds, reported out by the sifting committee, was taken up and considered.

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, 35.

Baird	Clearman	Kern	Roberts
Beatty	Dotts	Kimberly	Shaff
Benson	Ellis	Klemme	Shane
Bergman	Fackler	Lange	Stoddard
Booth	Frailey	McFarlane	Thompson
Breakenridge	Fulton	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark	Johnston	Rigby	

Nays, none.

Absent or not voting, 15.

Brookins	Darting	Langfitt	Slemmons
Browne	Dean	McLeland	Stanley
Brush	Gilchrist	Shinn	Topping
Carden	Haskell	Skromme	

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 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 Breakenridge, House File No. 65, a bill for an act to encourage horse and mule industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Ellis moved the previous question, which motion prevailed.

The bill was read for information.

Senator Breakenridge moved that the reading just had be considered the third reading, which motion prevailed.

Senator Breakenridge invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 29.

Baird	Clark	Kimberly	Roberts
Beatty	Clearman	Lange	Shaff
Benson	Darting	McFarlane	Shane
Bergman	Ellis	Merritt	Stanley
Breakenridge	Fackler	Mills	Stoddard
Brookins	Frailey	Ramsey	Ulstad
Carden	Johnston	Rigby	Wilson of Polk
Cavanaugh			

Nays, 12.

Booth	Gunderson	Klemme	Shinn
Dotts	Hartman	Langfitt	Thompson
Fulton	Kern	McLeland	Wilson of Page

Absent or not voting, 9.

Browne	Dean	Haskell	Stemmons
Brush	Gilchrist	Skromme	Topping
Campbell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Breakenridge 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 Stanley, House File No. 228, a bill for an act to amend section forty-two hundred sixty-six (4266) of the Code relating to the establishment of kindergarten departments in connection with the common schools, reported out by the sifting committee, was taken up and considered.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by inserting in line 7 immediately after the word "city" the

words "with a population of over 10,000" and further amend said line 7 by striking therefrom the words "or town".

Senator Wilson of Page withdrew the amendment.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by striking from line 6 the word "kindergarten" and inserting in lieu thereof the word "school".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17.

Beatty	Gunderson	Mills	Stoddard
Booth	Hartman	Roberts	Thompson
Browne	Klemme	Shinn	Ulstad
Dotts	Merritt	Skromme	Wilson of Page
Fackler			

Nays, 23.

Baird	Clark	Kimberly	Shaff
Benson	Clearman	Lange	Shane
Bergman	Ellis	Langfitt	Stanley
Breakenridge	Fulton	McFarlane	Topping
Brookins	Johnston	Ramsey	Wilson of Polk
Cavanaugh	Kern	Rigby	

Absent or not voting, 10.

Brush	Darting	Gilchrist	McLeland
Campbell	Dean	Haskell	Slemmons
Carden	Frailey		

The amendment was lost.

President Pro Tem Shane took the chair at 12:05 p. m.

President Kimball resumed the chair at 12:10 p. m.

Senator Bergman moved the previous question, which motion prevailed.

The bill was read for information.

Senator Stanley moved 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.

Baird	Cavanaugh	Kern	Rigby
Benson	Clark	Lange	Shaff
Bergman	Clearman	Langfitt	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Frailey	Mills	Topping
Browne	Fulton	Ramsey	Wilson of Polk
Carden	Johnston		

Nays, 11.

Booth	Hartman	Merritt	Thompson
Dotts	Klemme	Shinn	Wilson of Page
Gunderson	McLeland	Skromme	

Absent or not voting, 13.

Beatty	Dean	Haskell	Shane
Brush	Fackler	Kimberly	Slemmons
Campbell	Gilchrist	Roberts	Ulstad
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ellis 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 Johnston the Senate adjourned until 1:30 p. m.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### REPORT OF SIFTING COMMITTEE

April 11, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bills on the calendar:

Senate Files Nos. 380, and 405.

H. GUY ROBERTS, *Chairman.*

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 17, 262, 327 and 453.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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, 242, 194, 195, 187, 271, 289, 352, and 476.

**D. L. WILSON,**  
*Chairman Senate Committee.*

**FRED R. BLYTHE,**  
*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. 57, 242, 194, 195, 187, 271, 289, 352, and 476.

## MESSAGES FROM THE HOUSE

The 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. 448, a bill for an act to provide for the organization of township high school boards and for the levying of a tax for maintenance of township high schools.

Also, that the House insists on its amendment to Senate File No. 10 and requests a conference committee and that the Speaker has appointed as members of the conference committee on the part of the House, Representatives Saunders, Hale, Lovrien, Forsling, Reimers and Grimwood.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 348, a bill for an act to legalize acts of the clerks of probate courts and their deputies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 407, a bill for an act relating to the number of judges of the supreme court, and the division of said court in two sections, and to provide for an additional judge.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 182, a bill for an act relating to the selection of trial juries and to provide for the selection of substitute jurors for jurors who become incapacitated.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 490, a bill for an act relating to standard schools.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 217, a bill for an act providing for school facilities for children of appointees or employees residing in state institutions, whose children attend school in a school district in which such institution is situated or who attend school in a nearby school district.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 484, a bill for an act relating to teachers certificates.

Also, that the House has adopted the following Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 17 to direct the attention of the President of the United States and the Secretary of Agriculture at Washington to a program of eradication of bovine tuberculosis in the state of Iowa, and to request their cooperation therein.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 223, a bill for an act to provide for the reinstatement of licensee whose license has expired by reason of failure to pay the renewal license fee as required by section twenty-seven hundred sixty-nine (2769).

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 285, a bill for an act relating to the payment of tuition in public schools.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION NO. 17

House Concurrent Resolution to direct the attention of the President of the United States and the Secretary of Agriculture at Washington to a program of eradication of bovine tuberculosis in the state of Iowa, and to request their cooperation therein.

*Whereas*, The General Assembly of Iowa has amended the law relating to tuberculosis in cattle wherein the Iowa law now provides for new and additional provisions that will bring about a more effective campaign against this disease infecting our herds, thus bringing about an earlier



date when our livestock will be cleansed of this terrible and destructive disease and human life thereby protected; and

*Whereas*, The Iowa law now enacted provides for additional indemnities for loss sustained by the Iowa farmer, allowing a maximum of fifty dollars (\$50.00) on grade cattle and seventy-five dollars (\$75.00) on pure breds, and discontinue the five per cent (5%) reduction of the appraised value of the herd tested, which was an entire sacrifice on the part of the farmer, so that the law now in effect will gain a heartier and more wholesome cooperation from the cattle owners of our state; and

*Whereas*, The state of Iowa is setting a fine example in carrying on this work, already having twenty-nine (29) counties on the accredited list and many other counties actively at work testing out the animals that have tuberculosis; and

*Whereas*, The Iowa farmer is one of the most loyal and patriotic citizens of this State and Nation, and at present is suffering from a depressed economic condition and in no position to assume the serious losses in reactor cattle that now might be infecting his herd, and the fullest cooperation is due the Iowa farmer by both the State and the Nation in carrying forward this work; and

*Whereas*, The government of the United States has heretofore adopted a policy of meeting every cooperative movement on an equal basis; therefore,

*Be It Resolved by the House of Representatives, the Senate concurring*, That we petition and request the Honorable William M. Jardine, the Secretary of Agriculture, that the Federal Government through its Department of Agriculture respond with funds and a schedule of indemnities to correspond with the present Iowa law thus bringing relief to a depressed agriculture from a sacrifice which has been made for the welfare and benefit of the entire nation.

*Be It Further Resolved*, That the chief clerk be authorized to mail a copy of this resolution to President Calvin Coolidge and to William M. Jardine, Secretary of Agriculture, at Washington.

#### HOUSE AMENDMENTS TO SENATE FILE NO. 223

Amend section one (1) by striking the figures "10.00" in line ten (10) and substituting in lieu thereof the figures "5.00".

Further amend by striking therefrom all of sections two (2) and three (3), and renumber section four (4) as Sec. 2.

#### HOUSE AMENDMENT TO SENATE FILE NO. 285

Amend Senate File No. 285 as follows:

Amendment to title—

Amend by changing the comma after the word "age" in line two (2) to a period and striking out the balance of the title.

Further amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section forty-two hundred sixty-eight (4268) of the code is hereby amended by striking the period (.) after the word "age" in line three and adding thereto the following:

"provided, however, that a board may establish and maintain evening schools for all residents of the corporation regardless of age and for which no tuition need be charged."

#### MOTION TO RECONSIDER CONSIDERED

Senator Lange called up for consideration the motion to reconsider the vote by which Senate File No. 351 passed the Senate.

There being a call of the Senate filed on the consideration of this motion, the roll was called.

The roll call revealed the presence of the following Senators:

Baird	Clark	Kern	Roberts
Beatty	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Dean	Lange	Shinn
Booth	Dotts	Langfitt	Thompson
Breakenridge	Fackler	McFarlane	Topping
Brookins	Fulton	McLeland	Ustad
Campbell	Gunderson	Merritt	Wilson of Page
Carden	Hartman	Ramsey	Wilson of Polk
Cavanaugh	Johnston	Rigby	

By unanimous consent on request of Senator Bergman, Senator Haskell was excused on account of illness.

By unanimous consent on request of Senator U'lstad, Senator Slemmons was excused from the call.

Senators Brush, Stanley, Skromme and Browne appeared in the Senate Chamber.

Senator Stoddard appeared in the Senate Chamber.

The motion prevailed and the vote by which the bill passed the Senate was reconsidered.

On motion of Senator Beatty the vote by which the bill passed to its third reading was reconsidered.

Senator Lange offered the following amendments and moved their adoption:

Strike out the title and insert in lieu thereof the following:

"A BILL FOR

An Act to provide for the licensing of certain mercantile establishments in this state, to fix the fee for such license and the distribution thereof, and to provide penalties for a failure to comply with the provisions of this act."

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. License required. No person shall operate or maintain within this state and under the same management, supervision or ownership, six (6) or more mercantile establishments without first obtaining from the secretary of agriculture a license so to do.

Sec. 2. Exceptions. The preceding section shall not apply:

1. To a person who is the absolute owner either of the land upon which the mercantile establishment is being operated and maintained, or of the building in which said business is being carried on, nor

2. To a person who is operating and maintaining said mercantile establishment on land under an irrevocable fifty-year lease on said land.

Sec. 3. Expiration of license. All licenses shall expire on December thirty-first (31st) of each year.

Sec. 4. Fee. The license fee for each license shall, when issued prior to July first of any year, be fifty dollars (\$50) for each mercantile establishment; when issued on or subsequent to July first of any year such fee shall be twenty-five dollars (\$25) for each mercantile establishment; provided the said fee for the balance of the calendar year 1927 shall be twenty-five dollars (\$25) for each such mercantile establishment.

Sec. 5. Enforcement. The secretary of agriculture shall enforce the provisions of this chapter. He shall furnish each licensee with a license certificate for each particular establishment and the holder thereof shall keep the said certificate posted in said place of business in some conspicuous place where the same may be easily seen and read by the public.

Sec. 6. Distribution of fees. The said secretary shall each month remit to the treasurer of each city or town all license fees collected by said secretary on mercantile establishments operated in such city or town. In case of villages the remittances shall be made to the township clerk. All such remittances shall be credited to the general fund of the city, town or township, as the case may be.

Sec. 7. Penalties. Any person who operates or maintains a mercantile

establishment without having obtained a license as herein required or who otherwise violates any provision of this chapter shall be punished by a fine of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200).

Sec. 8. Definition. The term "person" as used herein shall in addition to its ordinary meaning, be deemed to embrace a firm, partnership, association or corporation."

Senators Frailey and Mills appeared in the Senate Chamber.

Senator Ellis appeared in the Senate Chamber and the call was declared complete.

Senator Beatty offered the following amendment and moved its adoption:

Amend by inserting after the word "establishments" in line 3 of section 1 the words "of like character".

The amendment was adopted.

Senator Lange invoked rule 8.

On the question "Shall the amendments be adopted?" the vote was:

**Ayes, 24.**

Beatty	Clearman	Klemme	Shinn
Booth	Ellis	Lange	Skromme
Browne	Fackler	Langfitt	Stanley
Campbell	Frailey	McLeland	Thompson
Carden	Gunderson	Mills	Ulstad
Clark	Hartman	Shaff	Wilson of Page

**Nays, 23.**

Baird	Cavanaugh	Kern	Roberts
Benson	Darting	Kimberly	Shane
Bergman	Dean	McFarlane	Stoddard
Breakenridge	Dotts	Merritt	Topping
Brookins	Fulton	Ramsey	Wison of Polk
Brush	Johnston	Rigby	

Absent or not voting, 3.

Gilchrist	Haskell	Slemmons
-----------	---------	----------

The amendments were adopted.

The bill was read for information.

Senator Lange moved 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.

Beatty	Dean	Klemme	Skromme
Booth	Ellis	Lange	Stanley
Brookins	Fackler	Langfitt	Stoddard
Browne	Frailey	McFarlane	Thompson
Campbell	Gunderson	McLeland	Topping
Carden	Hartman	Mills	Ulstad
Clark	Kimberly	Shaff	Wilson of Page
Clearman		Shinn	

Nays, 16.

Baird	Cavanaugh	Kern	Rigby
Benson	Dotts	Merritt	Roberts
Bergman	Fulton	Ramsey	Shane
Breakenridge	Johnston		Wilson of Polk
Brush			

Absent or not voting, 4.

Darting	Gilchrist	Haskell	Slemmons
---------	-----------	---------	----------

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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.

There being a call of the Senate filed on the consideration of Senate File No. 429, the roll was called.

The roll call revealed the call complete.

### THIRD READING OF BILLS

On motion of Senator Bergman, Senate File No. 429, a bill for an act to amend sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-two hundred twenty (9220), ninety-two hundred twenty-one (9221), ninety-two hundred fifty-five (9255), ninety-two hundred fifty-seven (9257), and ninety-two hundred ninety-seven (9297) and to repeal section ninety-two hundred twenty-two (9222) of the Code, 1924, and to enact additional provisions relating to the superintendent

of banking, the state banking department, the state banking board, and the duties of each and making certain appropriations therefor; providing additional regulations, restrictions and requirements on banking, banking institutions and stockholders, officers, directors and employees of banking institutions; creating certain preferences in the assets of closed banking institutions; providing for the establishment of district banking associations and the management and control thereof; and providing penalties and punishments for violations of certain provisions, a sifting committee bill, was taken up and considered.

The amendments filed by Senator Fulton (page 1267 of the Senate Journal) as proposed by the subcommittee of the committee on banks and banking, were taken up and considered.

The amendments were adopted.

The following amendments filed by Senator Wilson of Page were considered:

Strike from section two, line one, the figures 9237 and insert in lieu thereof the figures 9137;

Also strike out subdivision (b) of section 4 and substitute therefor the following: "(b) In cities having a population of over 3,000 but not exceeding 6,000, not less than \$50,000 (fifty thousand dollars)";

Further amend by striking from line eleven of section four the words "and towns";

Also strike from line three of section six the words "other than his own";

And further amend said Senate File No. 429 by striking from line four of section 13 the word and figures "twenty (20)" and substituting therefor the word and figures "fifteen (15)".

The first amendment was withdrawn.

By unanimous consent on request of Senator Wilson of Page, the word "eleven" was stricken from the third amendment and the word "nine" inserted in lieu thereof.

The second and third amendments were adopted.

Senator Booth offered the following amendment as a substitute for the fourth amendment and moved its adoption:

Amend by inserting the words "as such" after the word "bank" in line 2 of section 6.

The substitution was made.

The amendment was declared adopted.

A roll call was asked for.

Senator Wilson of Page raised the point of order that as the decision had been announced a roll call would be out of order.

The President held the point well taken.

Senator Wilson of Polk moved that the vote by which the substitute amendment was adopted be reconsidered, which motion prevailed.

On the question "Shall the amendment, as substituted, be adopted?" the vote was:

Ayes, 10.

Booth	Fulton	Skromme	Thompson
Browne	Mills	Stanley	Wilson of Page
Dotts	Shinn		

Nays, 34.

Baird	Cavanaugh	Johnston	Merritt
Beatty	Clark	Kern	Ramsey
Benson	Clearman	Kimberly	Rigby
Bergman	Darting	Klemme	Roberts
Breakenridge	Dean	Lange	Shane
Brookins	Fackler	Langfitt	Stoddard
Brush	Frailey	McFarlane	Topping
Campbell	Gunderson	McLeland	Wilson of Polk
Carden	Hartman		

Absent or not voting, 6.

Ellis	Haskell	Slemmons	Ulstad
Gilchrist	Shaff		

The amendment was lost.

The last amendment was lost.

The following amendment filed by Senator Benson was considered:

Amend by inserting immediately after section 11 the following:

Sec. 12. (a) Section 140 of the Code, 1924, is amended by striking from line 4 the words "and one-half".

(b) Section 5548 of the Code, 1924, is amended by striking from lines 5 and 6 the words "and one-half".

(c) Section 5651 of the Code, 1924, is amended by striking from line 7 the words "and one-half".

(d) Section 7404 of the Code, 1924, is amended by striking from line 8 the words "and one-half".

(e) Henceforth all interest paid by banks and trust companies under the provisions of sections 140, 4319, 5548, 5651 and 7404 of the Code, 1924, shall be based, in the months of April and October, on the minimum balance of the accounts for each of the said months.

Further amend by renumbering the remaining sections so as to follow in consecutive order with the foregoing section.

Further amend by striking from lines 3 and 4 of section 18 the words and figures "five hundred dollars (\$500)" and inserting in lieu thereof the words "five per cent (5%) of the capital and surplus".

Amend section 29 by striking the period after the word "Necessary" and substituting a comma and inserting the following: "subject to the provisions of section 15 of this act".

Further amend by striking from line 10 of section 31 the word "department" and substituting in lieu thereof the word "board".

The first amendment, inserting section 12, was lost.

The second amendment was withdrawn.

Senator Beatty offered the following amendments as a substitute for the third amendment and moved their adoption:

Strike from line one (1) of section 18 the words "it shall be incumbent upon".

Insert after the word "company" in line two (2) of section 18 the word "may".

Strike from line four (4) of section 18 the word "to" which appears at the end of said line.

Strike from line eight (8) of section 18 the word "smaller".

Strike from section 18 lines nine (9), ten (10), eleven (11), twelve (12), and thirteen (13).

Senator Shane moved the previous question, which motion prevailed.

On the question "Shall the substitution be made?" the vote was:



Ayes, 21.

Beatty	Dean	Lange	Ramsey
Benson	Dotts	Langfitt	Shinn
Brookins	Fackler	McLeland	Skromme
Browne	Fulton	Merritt	Thompson
Brush	Kern	Mills	Ulstad
Clark			

Nays, 26.

Baird	Clearman	Kimberly	Shane
Bergman	Darting	Klemme	Stanley
Booth	Ellis	McFarlane	Stoddard
Breakenridge	Frailey	Rigby	Topping
Campbell	Gunderson	Roberts	Wilson of Page
Carden	Hartman	Shaff	Wilson of Polk
Cavanaugh	Johnston		

Absent or not voting, 3.

Gilchrist	Haskell	Slemmons
-----------	---------	----------

The substitution was lost.

The third amendment was lost.

Senator Benson withdrew the last two amendments.

Senator Dean withdrew his amendments found on page 1330 of the Senate Journal.

The amendments filed by Senator Fulton, found on page 1279 of the Senate Journal, were considered.

The amendments were adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by adding at the end of the bill the following:

Sec. 34. No person, firm, association or corporation shall own or require any share or shares of stock in a banking institution organized under the laws of this state, unless there has first been deposited with the superintendent of banking a surety company bond in a company permitted to do business in this state, or such securities as may be approved by the superintendent of banking, in an amount equal to the total par value of the stock owned or to be acquired.

If an assessment against the stock in any banking institution is ordered and the stockholder fails to pay the same within thirty days after the levy thereof, the superintendent of banking may appropriate any securities in his possession deposited by any stockholder who has failed to

pay the assessment, and may either sell the same or deliver the securities to the bank concerned in order to satisfy said assessment. If a surety company bond has been deposited in lieu of securities, the superintendent of banking shall forthwith proceed to collect the amount required from the surety company, and shall pay said proceeds into the bank concerned for distribution to the depositors and creditors thereof. Until any such securities have been appropriated by the superintendent of banking under the provisions thereof, the title thereto shall remain in the stockholders depositing them and said stockholders shall be entitled to the earnings thereon.

The provisions of this section shall not apply to those who are stockholders at the time of the taking effect of this act, until on and after January 1st, 1928.

The amendment was lost.

Senator Mills offered the following amendment and moved its adoption:

Amend by striking out section 27.

The amendment was lost.

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.

Baird	Clearman	Johnston	Rigby
Benson	Darting	Kern	Roberts
Bergman	Dean	Kimberly	Shaff
Booth	Ellis	Lange	Shane
Breakenridge	Fackler	Langfitt	Stanley
Brush	Frailey	McFarlane	Stoddard
Campbell	Fulton	McLeland	Topping
Carden	Gunderson	Merritt	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark			

Nays, 8.

Brookins	Dotts	Mills	Skromme
Browne	Klemme	Shinn	Thompson

Absent or not voting, 5.

Beatty	Haskell	Slemmons	Ulstad
Gilchrist			

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Fulton offered the following amendment to the title and moved its adoption:

Strike out the title and insert in lieu thereof the following:

#### A BILL FOR

An act to amend sections ninety-one hundred thirty-six (9136), ninety-one hundred thirty-seven (9137), ninety-two hundred nine (9209), ninety-two hundred twenty (9220), ninety-two hundred twenty-one (9221), ninety-two hundred fifty-seven (9257), and ninety-two hundred ninety-seven (9297) of the code; to repeal sections ninety-one hundred sixty (9160) and ninety-one hundred seventy-six (9176) of the code and to enact substitutes therefor; to repeal section ninety-two hundred twenty-two (9222) of the code; to declare the applicability of section ninety-one hundred sixty-seven (9167) of the code; and to enact additional provisions relating to the superintendent of banking, the state banking department, the state banking board, and the duties of each and making certain appropriations therefor; providing additional regulations, restrictions and requirements on banking, banking institutions and stockholders, officers, directors and employees of banking institutions; creating certain preferences in the assets of closed banking institutions; providing for the establishment of district banking associations and the management and control thereof; and providing penalties and punishments for violations of certain provisions.

The amendment was adopted.

The title as amended was agreed to.

Senator Bergman 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. 444, by sifting committee, a bill for an act to legalize a bond issue in the sum of five thousand dollars voted by the town of Dike, Iowa, for the purpose of building, erecting and equipping a memorial building in Dike, Iowa, in conjunction with the county.

Read first and second times and placed on the calendar.

Senate File No. 445, by committee on claims, a bill for an act to

make appropriation to H. C. Jones to compensate him for hospital and medical care of Patricia Jones.

Read first and second times and referred to committee on appropriations.

#### HOUSE MESSAGES CONSIDERED

House File No. 182, a bill for an act to amend, revise, and codify sections eleven thousand four hundred fifty-nine (11459), eleven thousand four hundred seventy-one (11471), thirteen thousand eight hundred thirty-nine (13839), and thirteen thousand eight hundred forty-one (13841) of the code, 1924, relating to the selection of trial juries and to provide for the selection of substitute jurors for jurors who become incapacitated.

Read first and second times and referred to sifting committee.

House File No. 490, a bill for an act to amend section forty-three hundred twenty-nine (4329) of the code, 1924, relating to standard schools.

Read first and second times and referred to sifting committee.

House File No. 217, a bill for an act providing for school facilities for children of appointees or employees residing in state institutions, whose children attend school in a school district in which such institution is situated or who attend school in a nearby school district.

Read first and second times and referred to sifting committee.

House File No. 448, a bill for an act to provide for the organization of township high school boards and for the levying of a tax for maintenance of township high schools.

Read first and second times and referred to sifting committee.

House File No. 348, a bill for an act to legalize acts of the clerks of probate courts and their deputies.

Read first and second times and referred to sifting committee.

House File No. 407, a bill for an act to amend section 12801 (twelve thousand eight hundred one) and to repeal section twelve thousand eight hundred two (12802) of the code, 1924, and to enact a substitute therefor, relating to the number of judges of the

supreme court, and the division of said court in two sections, and to provide for an additional judge.

Read first and second times and referred to sifting committee.

House File No. 484, a bill for an act to amend section thirty-eight hundred sixty-eight (3868) and section thirty-eight hundred sixty-four (3864) of the code of Iowa, 1924, relating to teachers certificates.

Read first and second times and referred to sifting committee.

#### CONFERENCE COMMITTEE ON SENATE FILE NO. 10

The President announced the appointment of the following members of the conference committee, on the part of the Senate, on Senate File 10: Senators Stoddard, Bergman, Cavanaugh, Roberts, Merritt, and Wilson of Polk.

#### AMENDMENTS FILED

I move to amend House File No. 362 as follows:

Insert in line three (3) of the title after the comma (,) therein the following "3137 (three thousand one hundred thirty-seven)".

Further amend said bill by inserting immediately following section four (4) thereof the following section:

"Sec. 5. Section 3137 (three thousand one hundred thirty-seven) of the Code is hereby amended by striking from lines four (4), five (5) and six (6) thereof the following: 'Canada thistle, quack grass, buckhorn, wild carrot, horse nettle, or dodder (clover, alfalfa or field)', and by substituting in lieu thereof the following: 'Any noxious weed defined in section 3127 of the Code.'"

Further amend said bill by renumbering sections five (5) and six (6) so as to read Sections 6 and 7 respectively.

B. M. STODDARD.

The journal of April 9th was corrected and approved.

On motion of Senator Clark the Senate adjourned until 8:00 p. m.

#### EVENING SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

The session was devoted to memorial services in honor of for-

mer members of the Senate who have passed away since the close of the last session of the General Assembly.

The memorial resolutions will appear in the bound volume of the Senate Journal and will also be printed in a separate pamphlet.

Senator Bergman moved that the Senate send flowers to Senator Haskell, who was taken suddenly ill last night.

Senator Benson moved to amend the motion, by adding that Senator Bergman be made chairman of the flower committee to send flowers to Senator Haskell.

The amendment was adopted and the motion prevailed.

On motion of Senator McLeland the Senate adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 12, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. W. S. Harries, pastor of the Highland Park Presbyterian church, of Des Moines.

## PETITIONS AND MEMORIALS

The following petition was presented and referred to the sifting committee:

By Senator Baird, from automobile dealers of Council Bluffs, favoring the three cent gas tax.

## REPORT OF SIFTING COMMITTEE

April 11, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bills on the calendar:

House File No. 407, by Rice.

Senate File No. 390, by Wilson of Polk.

H. GUY ROBERTS, *Chairman.*

## PROOF OF PUBLICATION

I hereby certify, that as Secretary of the Senate, I have received the proof of publication of Senate File No. 444, a proposed bill for an act to legalize a bond issue in the sum of five thousand dollars for the purpose of building, erecting and equipping a memorial building at Dike, Iowa.

WALTER H. BEAM, *Secretary.*

## MESSAGES FROM THE HOUSE

The 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. 417, a bill for an act to provide an appropriation of six hundred ninety dollars to indemnify George Simpson for damages occasioned by reason of injury suffered by reason of the collision of an automobile in which he was riding with road drag operated by the Iowa State Highway Commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 419, a bill for an act to provide an appropriation of sixty-five hundred dollars (\$6500.00) to indemnify C. T. Murphy for damages occasioned by reason of injury suffered by reason of collision of automobile in which he was riding with road drag operated by Iowa State Highway Commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 422, a bill for an act to make appropriation from the sinking fund in the office of the treasurer of state to the city of Keokuk, Iowa, to reimburse said city for interest paid thereto.

Also: That the House has concurred in Senate amendment to House File No. 265, a bill for an act relating to the making of a financial statement by school districts.

Also: That the House has concurred in Senate amendment to House File No. 228, a bill for an act relating to the establishment of kindergarten departments in connection with the common schools.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 508, a bill for an act to make an appropriation to Marshall county, Iowa, for publication of delinquent automobile taxpayers for the year 1925.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 509, a bill for an act to make appropriation for animals slaughtered on account of tuberculosis.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 512, a bill for an act to appropriate the sum of eight thousand four hundred dollars (\$8,400.00) to complete the roster of Iowa soldiers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:



House File No. 503, a bill for an act appropriating the sum of thirteen hundred ninety dollars and eighty-five cents (\$1390.85) in payment of certain insurance companies' claims for refund of taxes heretofore paid by them under protest.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 398, a bill for an act to appropriate sufficient funds to pay the maintenance tax against state lands in Drainage District Number Thirteen (13), located in Muscatine and Louisa Counties, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 449, a bill for an act to compensate John Joseph Rouse for injuries received while in the employ of the state sanitarium at Oakdale, and to make an appropriation therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 471, a bill for an act to provide an appropriation of six-hundred fifty-seven and 10/100 dollars (\$1657.10) to indemnify Elsie Brogan for damages and injuries received as and while a student at 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. 470, a bill for an act to provide an appropriation of twenty-four hundred seventy-five dollars (\$2475.00) to indemnify Roy Rogers for damages occasioned by reason of injury suffered when struck by an accidental discharge of a shotgun while acting as deputy game warden.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 472, a bill for an act to provide an appropriation of twenty-four hundred dollars (\$2400.00) to indemnify Bertha Sheesley for damages occasioned by reason of injury suffered when she fell from a platform of a building rented at the Iowa state fair grounds, September 3, 1925.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 385, a bill for an act to make an appropriation for the prevention, control, and eradication of the European corn borer, including incidental and miscellaneous expenses connected therewith.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE NO. 385

Amend Section One (1), lines twelve (12) and thirteen (13) by striking the words "shall be expended" and inserting in lieu thereof the words "may be expended, if necessary".

## HOUSE AMENDMENTS CONSIDERED

Senator Brookins called up for consideration Senate File No. 223, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by striking the figures "10.00" in line ten (10) and substituting in lieu thereof the figures "5.00".

Further amend by striking therefrom all of sections two (2) and three (3), and renumber section four (4) as Sec. 2.

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Benson	Darting	Klemme	Shane
Booth	Ellis	Lange	Shinn
Breakenridge	Fackler	Langfitt	Slemmons
Brookins	Fulton	McLeland	Thompson
Browne	Gilchrist	Mills	Topping
Campbell	Hartman	Ramsey	Ulstad
Clark	Johnston	Rigby	Wilson of Page
Clearman	Kimberly		

Nays, none.

Absent or not voting, 20.

Baird	Cavanaugh	Haskell	Shaff
Beatty	Dean	Kern	Skromme
Bergman	Dotts	McFarlane	Stanley
Brush	Frailey	Merritt	Stoddard
Carden	Gunderson	Roberts	Wilson of Polk

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator McFarlane called up for consideration Senate File No. 285, amended by the House, and moved that the Senate concur in the following amendments:

Amendment to title—

Amend by changing the comma after the word "age" in line two (2) to a period and striking out the balance of the title.

Further amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section forty-two hundred sixty-eight (4268) of the code is hereby amended by striking the period (.) after the word "age" in line three and adding thereto the following:

"provided, however, that a board may establish and maintain evening schools for all residents of the corporation regardless of age and for which no tuition need be charged."

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Beatty	Dotts	Klemme	Shaff
Benson	Ellis	Lange	Shane
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Fulton	McFarlane	Stoddard
Brookins	Gilchrist	McLeland	Thompson
Brush	Gunderson	Merritt	Topping
Campbell	Hartman	Mills	Ulstad
Cavanaugh	Johnston	Ramsey	Wilson of Page
Clark	Kern	Rigby	Wilson of Polk
Clearman	Kimberly		

Nays, none.

Absent or not voting, 12.

Baird	Carden	Fraily	Shinn
Bergman	Darting	Haskell	Skromme
Browne	Dean	Roberts	Stanley

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 360, amended by the House, and moved that the Senate concur in the following amendment:

Amend section two (2), line six (6) by striking the word "drew" and inserting in lieu thereof the words "were entitled to draw".

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Beatty	Clearman	Klemme	Shane
Benson	Darting	Lange	Skromme
Bergman	Dotts	Langfitt	Slemmons
Booth	Ellis	McFarlane	Stoddard
Breakenridge	Fackler	McLeland	Thompson
Brookins	Fulton	Merritt	Topping
Brush	Gilchrist	Mills	Ulstad
Campbell	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark	Kern	Shaff	

Nays, none.

Absent or not voting, 11.

Baird	Dean	Johnston	Shinn
Browne	Frailey	Kimberly	Stanley
Carden	Haskell	Roberts	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

#### SENATE CONCURRENT RESOLUTION NO. 28 CONSIDERED

Senator Cavanaugh called up for consideration Senate Concurrent Resolution No. 28, found on page 1345 of the Senate Journal, and moved its adoption.

The resolution was adopted.

There being a call of the Senate filed on the consideration of House File No. 42, the roll was called.

The roll call revealed the presence of the following Senators:

Beatty	Clearman	Kimberly	Shaff
Benson	Darting	Klemme	Shane
Bergman	Dotts	Langfitt	Shinn
Booth	Ellis	McFarlane	Slemmons
Breakenridge	Fackler	McLeland	Stoddard
Brookins	Fulton	Merritt	Thompson
Browne	Gilchrist	Mills	Topping
Brush	Gunderson	Ramsey	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern		

By unanimous consent on request of Senator Brush, Senator Haskell was excused on account of illness.

Senators Skromme and Lange appeared in the Senate Chamber.

By unanimous consent on request of Senator Gilchrist, Senator Carden was excused from the call.

#### THIRD READING OF BILLS

On motion of Senator Gilchrist, House File No. 42, a bill for an act to amend sections forty-three hundred nineteen (4319) and seventy-four hundred four (7404) of the code, and chapter one hundred seventy-three (173), acts forty-first (41) general assembly

as amended by chapter one hundred seventy-four (174), acts forty-first (41) general assembly, relating to the state sinking fund for public deposits, to provide the applicability of said statutes to special charter cities, to provide for the issuance, sale, and application by the treasurer of state of warrants of indebtedness in order temporarily to replace said fund when depleted, to provide the form and amounts of said warrants, to specify the particular and exclusive funds which shall be applied in the payment of said warrants, reported out by the sifting committee, was taken up and considered.

Senators Stanley and Baird appeared in the Senate Chamber.

Senator Dean appeared in the Senate Chamber.

The following amendment filed by Senator Wilson of Page was considered:

Add to section five (5), chapter one hundred seventy-three (173) acts of the Forty-first (41) General Assembly, the following, to wit:

"No council or board which is by law charged with the duty of selecting depository banks and fixing the limit of funds to be deposited therein, shall increase the limit for the depositing of such public funds, except with the approval of the treasurer of state."

The amendment was adopted.

The following amendment filed by Senator Wilson of Polk was considered:

Amend by adding to section three (3) thereof the following: Each certificate or warrant issued under the provisions of this act shall have printed on the face thereof in bold type at least one-half inch in height and in different colored ink than the body of the certificate the words "NOT GUARANTEED BY THE STATE OF IOWA".

Senator Johnston offered the following amendment to the amendment and moved its adoption:

Amend by striking out the words "NOT GUARANTEED BY THE STATE OF IOWA" and inserting in lieu thereof the words "NOT AN OBLIGATION OF THE STATE OF IOWA".

Action was deferred temporarily.

Senator Shaff moved that ex-Senator Dutcher, from Johnson county, be invited to address the Senate.

The motion prevailed and Senator Dutcher addressed the Senate briefly.

Senator Wilson of Page moved that the remarks of Senator Dutcher be printed in the Journal, which motion prevailed.

### THIRD READING OF BILLS

The Senate resumed consideration of House File No. 42.

Senator Johnston offered the following amendment as a substitute for the amendment to the amendment and moved its adoption:

Amend the amendment by striking the words "NOT GUARANTEED BY THE STATE OF IOWA" and inserting in lieu thereof the words "THIS WARRANT IS AN OBLIGATION ONLY OF THE STATE SINKING FUND FOR PUBLIC DEPOSITS".

The substitution was made.

By unanimous consent on request of Senator Johnston the word "only" was stricken and inserted after the word "deposits".

The amendment was adopted.

Senator Gilchrist offered the following amendment to the amendment and moved its adoption:

Amend by striking all after the word "thereof" up to and including the word "certificate".

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 26.

Beatty	Dean	McFarlane	Shinn
Breakenridge	Dotts	McLeland	Skromme
Brookins	Gilchrist	Merritt	Slemmons
Browne	Gunderson	Mills	Stanley
Brush	Hartman	Shaff	Ulstad
Campbell	Kern	Shane	Wilson of Page
Cavanaugh	Langfitt		

Nays, 21.

Baird	Clearman	Johnston	Rigby
Benson	Darting	Kimberly	Roberts
Bergman	Ellis	Klemme	Stoddard
Booth	Fackler	Lange	Thompson
Clark	Fulton	Ramsey	Topping
			Wilson of Polk

Absent or not voting, 3.

Carden	Frailey	Haskell
--------	---------	---------

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The following amendment filed by Senator Wilson of Page was considered:

Renumber Sec. 15 to read: "Sec. 16." and insert as section fifteen the following:

"Sec. 15. Amend Section five (5) of Chapter One Hundred Seventy-three (173) of the Acts of the Forty-first (41) General Assembly, by adding at the end thereof the following:

"However, no suit shall be maintained upon any such bond if the money was legally deposited by authority of the governing council or board, and no premium has been paid for the bond."

The amendment was adopted.

Senator Stoddard moved that the Senate adjourn until 1:30 p. m., which motion was lost.

Senator Johnston offered the following amendments and moved their adoption:

Amend section 13 at the end thereof by inserting after the word "border", "within the state of Iowa."

Also amend Sec. 14 by inserting after the word "county" at the end thereof, "within the state of Iowa."

The amendments were adopted.

Senator Fackler 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, 28.

Beatty	Darting	Kern	Shaff
Bergman	Dean	Langfitt	Shane
Breakenridge	Dotts	McFarlane	Shinn
Browne	Gilchrist	McLeland	Skromme
Brush	Gunderson	Merritt	Slemmons
Campbell	Hartman	Mills	Ulstad
Cavanaugh	Johnston	Ramsey	Wilson of Page

Nays, 19.

Baird	Clearman	Klemme	Stoddard
Benson	Ellis	Lange	Thompson
Booth	Fackler	Rigby	Topping
Brookins	Fulton	Roberts	Wilson of Polk
Clark	Kimberly	Stanley	

Absent or not voting, 3.

Carden                      Frailey                      Haskell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gilchrist moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### EXPLANATION OF VOTE

MR. PRESIDENT: I vote "No" on House File No. 42 on the grounds that I am opposed to a law that will compel the taxpayer of my district to pay public drafts for other counties in the state under this bill.

(Signed) WM. H. KLEMME.

On motion of Senator Fackler the Senate adjourned until 1:30 p. m.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 143, 267, 268, and 426, and

Senate Files Nos. 430, 290, 403, 35, 113, 140, 369, and 300.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 290, 430, 403, 35, 113, 140, 369, and 300, and House Files Nos. 143, 267, 268, and 426.



## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills, submitted the following report :

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has on the 12th day of April, 1927, sent to the governor for his approval:

Senate Files Nos. 403, 35, 113, 140, 369, 300, 430, and 290.

D. L. WILSON, *Chairman.*

The report was adopted.

## HOUSE MESSAGES CONSIDERED

House File No. 508, a bill for an act to make an appropriation to Marshall county, Iowa, for publication of delinquent automobile taxpayers for the year 1925.

Read first and second times and referred to committee on appropriations.

House File No. 509, a bill for an act to make appropriation for animals slaughtered on account of tuberculosis.

Read first and second times and referred to committee on appropriations.

House File No. 512, a bill for an act to appropriate the sum of eight thousand four hundred dollars (\$8,400.00) to complete the roster of Iowa soldiers.

Read first and second times and referred to committee on appropriations.

House File No. 503, a bill for an act appropriating the sum of thirteen hundred ninety dollars and eighty-five cents (\$1,390.85) in payment of certain insurance companies' claims for refund of taxes heretofore paid by them under protest.

Read first and second times and referred to committee on appropriations.

House File No. 398, a bill for an act to appropriate sufficient funds to pay the maintenance tax against state lands in Drainage District Number Thirteen (13), located in Muscatine and Louisa counties, Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 449, a bill for an act to compensate John Joseph Rouse for injuries received while in the employ of the state sanitarium at Oakdale, and to make appropriation therefor.

Read first and second times and referred to committee on appropriations.

House File No. 471, a bill for an act to provide an appropriation of sixteen hundred fifty-seven and 10/100 dollars (\$1657.10) to indemnify Elsie Brogan for damages and injuries received as and while a student at the Iowa state teachers college.

Read first and second times and referred to committee on appropriations.

House File No. 470, a bill for an act to provide an appropriation of twenty-four hundred and seventy-five dollars (\$2475.00) to indemnify Roy Rogers for damages occasioned by reason of injury suffered when struck by an accidental discharge of a shotgun while acting as deputy game warden.

Read first and second times and referred to committee on appropriations.

House File No. 472, a bill for an act to provide an appropriation of twenty-four hundred dollars (\$2400.00) to indemnify Bertha Sheesley for damages occasioned by reason of injury suffered when she fell from a platform of a building rented at the Iowa state fair grounds, September 3, 1925.

Read first and second times and referred to committee on appropriations.

The President appointed Senator Clearman as a member of the sifting committee in place of Senator Haskell, until Senator Haskell is able to resume his duties.

#### MESSAGES FROM THE HOUSE

The 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. 507, a bill for an act making an appropriation to compensate Francine Talbot for injuries received from being struck by a stray bullet from rifle range, Iowa National Guard, Marshalltown, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 506, a bill for an act making an appropriation to compensate Vera Gage for injuries received while a student at the Iowa School for the Deaf, Council Bluffs, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 315, a bill for an act to reimburse Buchanan County, Iowa, for money expended in the care of a state patient at the Hospital for the Insane at Independence, Iowa, and making appropriation to pay the same.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 394, a bill for an act making an appropriation for the payment of typewriter rental, fees of legislative chaplains and other expenses of the general assembly.

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 reimburse Hardin County, Iowa, for money expended for the care of a state patient at the State Hospital for the Insane at Independence, Iowa, and making appropriation to pay the same.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 235, a bill for an act to cancel certain special deposits heretofore made by former Treasurers of State and to provide for the payment of the claims for which such deposits were made.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 432, a bill for an act making an appropriation to pay for repairs upon the state capitol and historical buildings.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 418, a bill for an act to make appropriation to pay miscellaneous claims against the state.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 383, a bill for an act to promote thrift and savings, to provide for loans and a general banking business on the cooperative plan under the provisions of the cooperative laws of the state, to provide for the organization of such banks, manner of conducting the business, the scope of business and the control and operation of the same.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 99, a bill for an act to make an appropriation to pay a claim of the City of Iowa City, Iowa, for interest due said City under the caption of Chapter Two Hundred and Forty-nine, Acts of the Forty-first General Assembly, and erroneously computed.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 253, a bill for an act relating to the use of appropriations.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 421, a bill for an act to make an appropriation to Havner, Flick & Powers for attorneys' fees as attorneys for Robert L. Leach in the cause of City of Washington, Iowa, vs. Robert L. Leach.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 423, a bill for an act to make an appropriation to James A. Devitt for attorney's fees as attorney for Robert L. Leach in the cause of City of Washington, Iowa, vs. Robert L. Leach.

Also: That the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 218, a bill for an act providing for the creation and appointment of a commission for the purpose of promoting the agricultural, industrial and commercial development and welfare of the State of Iowa and making an appropriation therefor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 420, a bill for an act to provide an appropriation of fifteen hundred dollars to indemnify Charles Feenstra for damages occasioned by reason of injury suffered when attacked in the Iowa state penitentiary by another inmate.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE NO. 421

Amend Senate File No. 421 by striking the words and figures "one thousand dollars (\$1,000.00)" in lines two (2) and three (3) of Section One (1) and inserting in lieu thereof the words and figures "five hundred dollars (\$500.00)".

## HOUSE AMENDMENT TO SENATE FILE NO. 423

Amend Senate File No. 423 by striking the words and figures "one thousand dollars (\$1,000.00)" in lines two (2) and three (3) of Section One (1) and inserting in lieu thereof the words and figures "five hundred dollars (\$500.00)".

## HOUSE AMENDMENT TO SENATE FILE NO. 218

Amend Senate File No. 218 by striking Section Seven (7), the Publication Clause.

## HOUSE AMENDMENT TO SENATE FILE NO. 420

Amend Senate File No. 420 by striking from line two (2) of section one (1) "fifteen hundred (1,500)" and inserting in lieu thereof "one thousand (\$1,000)".

Also amend title by striking from line one (1) "fifteen hundred" and inserting in lieu thereof "one thousand".

## HOUSE AMENDMENTS CONSIDERED

Senator Benson called up for consideration Senate File No. 385, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section One (1), lines twelve (12) and thirteen (13) by striking the words "shall be expended" and inserting in lieu thereof the words "may be expended, if necessary".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Baird	Dean	Kern	Rigby
Benson	Dotts	Kimberly	Shaff
Booth	Ellis	Klemme	Shane
Breakenridge	Frailey	Lange	Stanley
Brookins	Fulton	Langfitt	Thompson
Browne	Gunderson	McFarlane	Topping
Brush	Hartman	Mills	Ulstad
Clearman	Johnston	Ramsey	Wilson of Page

Nays, none.

Absent or not voting, 18.

Beatty	Clark	McLeland	Skromme
Bergman	Darting	Merritt	Slemmons
Campbell	Fackler	Roberts	Stoddard
Carden	Gilchrist	Shinn	Wilson of Polk
Cavanaugh	Haskell		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Benson moved that the vote by which the House amendment 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 McFarlane, Senate File No. 437, a bill for an act to regulate the practice of barbering, and to provide for the examination and licensing of practitioners thereof; to provide rules and regulations concerning sanitation and health in such practice; and to amend sections 2438, 2439, 2440, 2450, 2452, 2455, 2462, and 2516 of the code, 1924, relating to the practice of certain professions affecting public health, a sifting committee bill, was taken up and considered.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking the words "without compensation," from subsection 3 of section 2.

Senator Lange invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17.

Baird	Clark	Gilchrist	Langfitt
Benson	Dotts	Gunderson	Shinn
Booth	Fackler	Kern	Slemmons
Brookins	Fulton	Lange	Wilson of Page
Browne			

Nays, 23.

Breakenridge	Frailey	McLeland	Skromme
Brush	Hartman	Mills	Stanley
Clearman	Johnston	Ramsey	Thompson
Darting	Kimberly	Rigby	Topping
Dean	Klemme	Shaff	Ulstad
Ellis	McFarlane	Shane	

Absent or not voting, 10.

Beatty	Carden	Merritt	Stoddard
Bergman	Cavanaugh	Roberts	Wilson of Polk
Campbell	Haskell		

The amendment was lost.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking the word "may" from line 15 of section 2 and inserting in lieu thereof the word "shall".

The amendment was lost.

Senator Benson offered the following amendments and moved their adoption:

Amend by striking the word "all" in line 15 and inserting in lieu thereof the word "any"; by inserting the word "any" after the word "of" in line 16; and by striking the word "persons" in line 16 and by inserting the word "person" in lieu thereof in both instances.

The amendments were adopted.

Senator Fackler offered the following amendment and moved its adoption:

Amend by striking the following from line 16 of section 2: "under twelve years of age".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13.

Booth	Fackler	Gunderson	Shinn
Browne	Fulton	Kern	Slemmons
Clark	Gilchrist	Lange	Stanley
Dotts			

Nays, 23.

Beatty	Clearman	Kimberly	Rigby
Benson	Darting	Klemme	Shaff
Breakenridge	Dean	McFarlane	Shane
Brookins	Frailey	McLeland	Thompson
Brush	Hartman	Mills	Topping
Campbell	Johnston	Ramsey	

Absent or not voting, 14.

Baird	Ellis	Roberts	Ulstad
Bergman	Haskell	Skromme	Wilson of Page
Carden	Langfitt	Stoddard	Wilson of Polk
Cavanaugh	Merritt		

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking out section 18.

The amendment was adopted.

The bill was read for information.

Senator McFarlane moved 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	Clearman	Lange	Skromme
Beatty	Darting	McFarlane	Slemmons
Benson	Dean	McLeland	Stanley
Booth	Fackler	Mills	Stoddard
Breakenridge	Frailey	Ramsey	Thompson
Brookins	Hartman	Rigby	Topping
Brush	Johnston	Shaff	Ulstad
Campbell	Kimberly	Shane	Wilson of Page
Clark	Klemme		

Nays, 4.

Browne	Dotts	Gunderson	Shinn
--------	-------	-----------	-------

Absent or not voting, 12.

Bergman	Ellis	Haskell	Roberts
Carden	Fulton	Kern	Wilson of Polk
Cavanaugh	Gilchrist	Langfitt	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.



Senator McFarlane 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 Thompson, House File No. 222, a bill for an act to repeal section three hundred seventy-three (373) of the code, 1924, and to enact a substitute therefor, relating to the levy of tax for an emergency, and providing for the transfer thereof to any other fund of the municipality, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Clark moved 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	Cavanaugh	Johnston	Rigby
Beatty	Clark	Kern	Roberts
Benson	Clearman	Kimberly	Shane
Bergman	Dean	Klemme	Skromme
Booth	Dotts	Lange	Stanley
Breakenridge	Fackler	Langfitt	Stoddard
Brookins	Frailey	McFarlane	Thompson
Browne	Fulton	McLeland	Topping
Brush	Gunderson	Mills	Ulstad
Campbell	Hartman	Ramsey	Wilson of Page

Nays, none.

Absent or not voting, 10.

Carden	Gilchrist	Shaff	Slemmons
Darting	Haskell	Shinn	Wilson of Polk
Ellis	Merritt		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Thompson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shane, House File No. 362, a bill for an act to amend sections 3067 (three thousand sixty-seven), 3093 (three thousand ninety-three), 3127 (three thousand one hundred twenty-seven), 3129 (three thousand one hundred twenty-nine),

and 3188 (three thousand one hundred eighty-eight) of the code relating to the labeling and sale of food, agricultural seeds, and paints, reported out by sifting committee, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out section 3.

The amendment was adopted.

Senator Stoddard withdrew the amendment previously filed.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking out section 6.

Senator Lange withdrew the amendment.

Senator Stoddard offered the following amendment and moved its adoption:

Amend section 6 by striking out all following the word "in" in line 3 and inserting in lieu thereof the following: "the Sloan Star, a newspaper published in Sloan, Iowa, and the Danbury News, a newspaper published in Danbury, Iowa."

Senator Shane offered the following amendment as a substitute amendment and moved its adoption:

Amend section 6 by striking out all following the word "in" in line 2 and inserting in lieu thereof the following: "The Ottumwa Courier, a newspaper published in Ottumwa, Iowa, and the Blakesburg Excelsior, a newspaper published in Blakesburg, Iowa."

The substitute amendment was lost.

Senator Gilchrist offered the following amendment to the amendment and moved its adoption:

Amend by striking out the words "Danbury News, a newspaper published in Danbury, Iowa," and inserting in lieu thereof the following: "Laurens Star, a newspaper published in Laurens, Iowa."

The amendment to the amendment was lost.

The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend section 6 by striking out all following the word "in" in line 3 and inserting in lieu thereof the following: "the Sloan Star, a newspaper published in Sloan, Iowa, and the Blakesburg Excelsior, a newspaper published in Blakesburg, Iowa."

The amendment was lost.

Senator Klemme offered the following amendment and moved its adoption:

Amend section 6 by striking out all following the word "in" in line 3 and inserting in lieu thereof the following: "the Decorah Journal, a newspaper published in Decorah, Iowa."

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding thereto the following: "and in the Blakesburg Excelsior, a newspaper published in Blakesburg, Iowa".

The amendment to the amendment was lost.

The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend section 6 by striking out all after the word "in" in line 3 and inserting in lieu thereof the following: "the Sloan Star, a newspaper published in Sloan, Iowa, and the Decorah Journal, a newspaper published in Decorah, Iowa."

The amendment was lost.

On motion of Senator Shane further action was deferred.

Senator Shane moved that Hon. Howard J. Clark be invited to address the Senate.

The motion prevailed and Mr. Clark addressed the Senate briefly.

#### SENATE CONCURRENT RESOLUTION NO. 26 CONSIDERED

Senator Thompson called up for consideration Senate Concurrent Resolution No. 26, found on page 1029 of the Senate Journal.

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking out the word "Des Moines" wherever it appears and inserting in lieu thereof the word "Fort Madison".

Senator Thompson offered the following amendment as a substitute amendment and moved its adoption:

Amend by striking out paragraph No. 2.

On the question "Shall the substitution be made?" the vote was:

Ayes, 36.

Baird	Clearman	Johnston	Rigby
Benson	Dean	Klemme	Roberts
Bergman	Dotts	Lange	Shane
Booth	Ellis	Langfitt	Skromme
Breakenridge	Fackler	McFarlane	Slemmons
Brookins	Fulton	McLeland	Stanley
Browne	Gilchrist	Merritt	Stoddard
Campbell	Gunderson	Mills	Thompson
Clark	Hartman	Ramsey	Ulstad

Nays, 1.

Brush

Absent or not voting, 13.

Beatty	Darting	Kimberly	Topping
Carden	Frailey	Shaff	Wilson of Page
Cavanaugh	Haskell	Shinn	Wilson of Palk
	Kern		

The substitution was made.

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding at the end of the last section the following: "Provided that the members of each political party and each in its separate sphere shall write the platform for each National Convention that comes to Des Moines."

Senator Ellis moved that the resolution be referred to the sifting committee for the purpose of coordinating it properly with the statute passed by this session of the legislature appropriating an amount to advertise Iowa.

On the question "Shall the motion prevail?" the vote was:

Ayes, 10.

Benson	Booth	Clearman	Ramsey
Bergman	Breakenridge	Ellis	Shaff
	Brush	Frailey	

Nays, 25.

Beatty	Fulton	Lange	Shinn
Brookins	Gunderson	Langfitt	Skromme
Browne	Hartman	McFarlane	Slemmons
Campbell	Johnston	McLeland	Stanley
Dean	Kern	Roberts	Thompson
Fackler	Kimberly	Shane	Wilson of Polk
	Klemme		

Absent or not voting, 15.

Baird	Darting	Merritt	Topping
Carden	Dotts	Mills	Ulstad
Cavanaugh	Gilchrist	Rigby	Wilson of Page
Clark	Haskell	Stoddard	

The motion was lost.

Senator Frailey withdrew the amendment.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking the second paragraph of the preamble.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Benson	Darting	Johnston	Shane
Bergman	Ellis	Lange	Stanley
Booth	Frailey	McFarlane	Stoddard
Breakenridge	Fulton	Ramsey	Topping
Brush	Gilchrist	Roberts	Wilson of Page
Clearman	Gunderson	Shaff	Wilson of Polk

Nays, 15.

Beatty	Dean	Klemme	Shinn
Browne	Hartman	Langfitt	Slemmons
Campbell	Kern	McLeland	Thompson
Cavanaugh	Kimberly	Merritt	

Absent or not voting, 11.

Baird	Clark	Haskell	Skromme
Brookins	Dotts	Mills	Ulstad
Carden	Fackler	Rigby	

The amendment was adopted.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 14.

Beatty	Fulton	Kimberly	Shinn
Brookins	Gilchrist	Lange	Skromme
Browne	Hartman	Mills	Thompson
Campbell	Kern		

Nays, 29.

Baird	Dean	Langfitt	Shane
Benson	Dotts	McFarlane	Slemmons
Bergman	Ellis	Merritt	Stanley
Booth	Fackler	Ramsey	Stoddard
Breakenridge	Frailey	Rigby	Topping
Cavanaugh	Johnston	Roberts	Wilson of Page
Clearman	Klemme	Shaff	Wilson of Polk
Darting			

Absent or not voting, 7.

Brush	Clark	Haskell	Ulstad
Carden	Gunderson	McLeland	

The resolution was lost.

### THIRD READING OF BILLS

On motion of Senator Stanley, House File No. 19, a bill for an act to repeal section forty-three hundred seventy (4370) of the Code, 1924, relating to the erection or repair of school houses and to enact a substitute therefor, reported out by the sifting committee, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting after the word "submitted" in line 6 of section 1 the words "unless such plans have been prepared or approved by a licensed architect".

The amendment was adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Clark	Johnston	Ramsey
Benson	Darting	Kern	Roberts
Bergman	Dotts	Kimberly	Shane
Booth	Ellis	Klemme	Skromme
Breakenridge	Fackler	Lange	Slemmons
Brookins	Frailley	Langfitt	Stanley
Browne	Fulton	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Wilson of Page
Cavanaugh	Hartman		

Nays, none.

Absent or not voting, 12.

Beatty	Dean	Rigby	Thompson
Carden	Haskell	Shaff	Ulstad
Clearman	Mills	Shinn	Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### HOUSE CONCURRENT RESOLUTION NO. 17 CONSIDERED

Senator Benson called up for consideration House Concurrent Resolution No. 17, found on page 1364 of the Senate Journal, and moved its adoption.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 33.

Baird	Dotts	Klemme	Roberts
Benson	Ellis	Lange	Shane
Breakenridge	Fackler	McFarlane	Skromme
Brookins	Frailley	McLeland	Slemmons
Browne	Fulton	Merritt	Stanley
Brush	Gilchrist	Mills	Stoddard
Campbell	Johnston	Ramsey	Topping
Cavanaugh	Kimberly	Rigby	Wilson of Polk
Dean			

Nays, none.

Absent or not voting, 17.

Beatty	Clearman	Haskell	Shinn
Bergman	Darting	Kern	Thompson
Booth	Gunderson	Langfitt	Ulstad
Carden	Hartman	Shaff	Wilson of Page
Clark			

The resolution was adopted.

Senator Benson 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.

### THIRD READING OF BILLS

On motion of Senator Shinn, House File No. 214, a bill for an act to amend section seventy-four hundred twenty-seven (7427) of the code, 1924, relative to the establishment of a levee or drainage district by petition, reported out by the sifting committee, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out section 2.

The amendment was 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, 27.

Benson	Dean	Langfitt	Shaff
Booth	Dotts	McFarlane	Shane
Breakenridge	Fulton	McLeland	Shinn
Browne	Gunderson	Merritt	Slemmons
Brush	Johnston	Mills	Stanley
Campbell	Kern	Ramsey	Thompson
Clark	Kimberly	Roberts	

Nays, 2.

Lange	Stoddard
-------	----------

Absent or not voting, 21.

Baird	Cavanaugh	Gilchrist	Skromme
Beatty	Clearman	Hartman	Topping
Bergman	Darting	Haskell	Ulstad
Brookins	Ellis	Klemme	Wilson of Page
Carden	Fackler	Rigby	Wilson of Polk
	Frailay		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.



Senator Shinn moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Mills, Senate File No. 404, a bill for an act amending the law as it appears in section 3552, code of 1924, and providing for the commitment of insane war veterans to United States Veterans' Hospitals under certain circumstances, reported out by the sifting committee, was taken up and considered.

Senator Mills moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Beatty	Dean	McFarlane	Shinn
Benson	Dotts	McLeland	Skromme
Booth	Ellis	Merritt	Slemmons
Breakenridge	Fackler	Mills	Stanley
Browne	Fulton	Ramsey	Thompson
Brush	Gilchrist	Roberts	Topping
Campbell	Gunderson	Shaff	Ulstad
Clearman	Johnston	Shane	Wilson of Page
	Klemme		

Nays, none.

Absent or not voting, 17.

Baird	Cavanaugh	Haskell	Langfitt
Bergman	Clark	Kern	Rigby
Brookins	Darting	Kimberly	Stoddard
Carden	Frailey	Lange	Wilson of Polk
	Hartman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Mills 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 MESSAGES CONSIDERED

House File No. 507, a bill for an act making an appropriation to compensate Francine Talbot for injuries received from being struck by a stray bullet from rifle range, Iowa National Guard, Marshalltown, Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 506, a bill for an act making an appropriation to compensate Vera Gage for injuries received while a student at the Iowa School for the Deaf, Council Bluffs, Iowa.

Read first and second times and referred to committee on appropriations.

The journal of April 11th was corrected and approved.

Senator Stanley moved that the Senate adjourn until 10:00 a. m., Wednesday.

Senator Browne moved to amend the motion by making the time 9:30 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m., Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 13, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. A. W. Armstrong, Perry, Iowa.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 385, 419, 417, 422, 285, 223, and 360.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 428, a bill for an act relating to the establishing of a public road or highway in Calhoun County, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 387, a bill for an act to legalize the transfer of certain funds in the treasury of the town of Ryan, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 347, a bill for an act relating to the collection of gasoline license fees.

Also: 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 provide for the detection, seizure and disposition of motor vehicles, the serial or engine number of which has been unlawfully defaced, altered or tampered with.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 222, a bill for an act relating to sales to satisfy warehouseman's lien by permitting sales to be made by sheriff or constable and by giving warehousemen the right to purchase property at such sales.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 278, a bill for an act relative to memorial halls and monuments for soldiers, sailors and marines.

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 the improvement of township roads.

Also: That the House has passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 3 relating to the apportionment of the state into senatorial districts.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 28 providing that certain officers of the General Assembly shall remain on duty after final adjournment.

Also: That the House has concurred in Senate amendment to House File No. 42, a bill for an act relating to the bond to the treasurer of cities acting under special charters.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 127, a bill for an act relative to procedure, pleading, trial and evidence in disbarment proceedings against attorneys and counselors at law.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 215, a bill for an act relating to cigarettes, cigarette papers, wrappers and tubes, to the mulct tax thereon, and to the administration of the law relating to such tax.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE NO. 127

Amend Senate File No. 127 by inserting after the word "answer" in line four of what is designated as section 10933 in said bill the words "in the court where the accusation or charge shall have been filed". Also by striking the words "and place" in line eighteen of said section and by inserting after the word "designate" in line nineteen of said section the following: "and shall be held within the county where the accusation was originally filed".

## HOUSE AMENDMENT TO SENATE FILE NO. 215

Amend Senate File No. 215 as follows:

Amend section three (3) of said bill by inserting immediately following the word "holder" in line four (4) thereof the following: " , except wholesale dealers who also sell at retail,".

## CONFERENCE COMMITTEE REPORT CONSIDERED

Senator Stoddard moved that the following conference committee report on Senate File No. 10 be adopted:

TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE:

We, the conference committee appointed to consider the differences between the Senate and the House on Senate File No. 10, beg leave to report that we have had the same under consideration and desire to report as follows:

We recommend that the Senate concur in the House amendment to Section 2, line 24a.

Also, that the House recede from its amendment to Section 2, line 28.

Also, that the Senate concur in the House amendment to Section 2, lines 56 and 57.

Also, that the Senate concur in the House amendment to Section 3, lines 79, 80, 81, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, and 101.

Also, that the Senate concur in the House amendment to Section 3, line 107.

Also, that the House recede from its amendment to Section 3, line 111.

Also, that the House recede from its amendment to Section 4, line 7.

Also, that the House recede from its amendment to Section 5, line 9.

Also, that the Senate concur in the House amendment to Section 5, line 14.

Also, that the Senate concur in the House amendment to Section 5, line 18.

Also, that the Senate concur in the House amendment to Section 6.

Also, that the House recede from its amendment to Section 9, line 13, and that said line be then amended by striking the figures "2,200.00" and inserting "2,100.00".

Also, that the House recede from its amendment to Section 9, line 15.

Also, that the Senate concur in the House amendment to Section 9, line 17.

Also, that the House recede from its amendment to Section 9, line 23.

Also, that the House recede from its amendment to Section 9, line 25a.

Also, that the House recede from its amendment to Section 9, line 31.

Also, that the Senate concur in the House amendment to Section 10, line 16a.

Also, that the Senate concur in the House amendment to Section 13, line 15.

Also, that the House recede from its amendment to Section 14, line 17.

Also, that the House recede from its amendment to Section 14-a, line 15b.

Also, that the House recede from its amendment to Section 19, line 10.

Also, that the Senate concur in the House amendment to Section 19, line 14.

Also, that the Senate concur in the House amendment to Section 21, line 10b.

Also, that the Senate concur in the House amendment to Section 21, line 11.

Also, that the Senate concur in the House amendment to Section 21, line 18.

Also, that the Senate concur in the House amendment to Section 21, line 19.

Also, that the Senate concur in the House amendment to Section 21, line 20.

Also, that the Senate concur in the House amendment to Section 21, line 24.

Also, that the Senate concur in the House amendment to Section 21, line 36.

Also, that the Senate concur in the House amendment to Section 22, line 24.

Also, that the House recede from its amendment to Section 22, line 62.

Also, that the House recede from its amendment to Section 24, line 11.

Also, that the House recede from its amendment to Section 24, line 14.

Also, that the Senate concur in the House amendment to Section 24, line 28.

Also, that the Senate concur in the House amendment to Section 24, line 29.

Also, that the Senate concur in the House amendment to Section 24, line 30.

Also, that the Senate concur in the House amendment to Section 25, line 8.

Also, that the House recede from its amendment to Section 25, line 9, and that said line be amended by striking "3,600.00" and inserting "3,400.00".

Also, that the Senate concur in the House amendment to Section 26, line 13.

Also, that the Senate concur in the House amendment to Section 27, line 14a.

Also, that the House recede from its amendment to Section 27, line 18, and that said line be amended by striking the figures "4,000.00" and inserting "3,500.00".

Also, that the House recede from its amendment to Section 31, line 7.

Also, that the Senate concur in the House amendments to Section 32, lines 15 and 17.

Also, that the House recede from its amendment to Section 36, line 10.

Also, that the House recede from its amendment to Section 37, line 12a, and amend said section by inserting as line 12a the following: "Mining Camp Schools, Emergency Fund, 10,000.00".

Also, that the House recede from its amendment to Section 39, line 47.

Also, that the House recede from its amendment to Section 39, line 66.

Also, that the House recede from its amendment to Section 40, line 8.

Also, that the House recede from its amendment to Section 41, line 7, and that said line be amended by striking the figures "4,000.00" and inserting "3,600.00".

Also, that the House recede from its amendment to Section 41, line 8, and that said line be amended by striking the figures "2,850.00" and inserting "2,500.00".

Also, that the Senate concur in the House amendment to Section 41, line 11a.

Also, that the Senate concur in the House amendment to Section 42, line 7.

Also, that the House recede from its amendment to Section 42, line 10.

Also, that the House recede from its amendment to Section 44, line 9.

Also, that the Senate concur in the House amendment to Section 44, line 17.

Also, that the Senate concur in the House amendment to Section 45, line 9.

Also, that the Senate concur in the House amendment to Section 46, line 48a.

Also, that the Senate concur in the House amendment to Section 46, line 93a.

Also, that the Senate concur in the House amendment to Section 46, line 101a.

Also, that the House recede from its amendment to Section 46, line 188, and that said line be amended by striking the figures "\$100,000.00" and inserting "\$75,000.00".

Also, that the Senate concur in the House amendment to Section 47, lines 30, 31, and 32.

Also, that the Senate concur in the House amendment to Section 47, line 53.

Also, that the House recede from its amendment to Section 47, lines 52, and 63.

Also, that the House recede from its amendment to Section 47, line 77, and that said line be amended by striking the figures "72,000.00" and inserting "50,000.00".

Also, that the Senate concur in the House amendment to Section 47, line 90a.

Also, that the Senate concur in the House amendment to Section 47, line 106b.

Also, that the House recede from its amendments to Section 50, lines 3, and 4.

Also, that the Senate concur in the House amendment to Section 52, line 5.

Also, that the Senate concur in the House amendment to Section 52, lines 19 and 20.

Also, that the Secretary of the Senate and the Chief Clerk of the House, cooperating with the office of the Budget Director, be authorized to make



such changes in the bill as are necessary to correct the totals in the various sections to correspond with the changes made.

B. M. STODDARD.  
 H. GUY ROBERTS.  
 J. G. MERRITT.  
 GEO. A. WILSON.  
 E. E. CAVANAUGH.  
 A. H. BERGMAN.  
 W. E. G. SAUNDERS.  
 FRED C. LOVRIEN.  
 E. A. GRIMWOOD.  
 L. B. FORSLING.  
 JOHN T. HALE.  
 O. J. REIMERS.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

Ayes, 30.

Benson	Clearman	Langfitt	Skromme
Bergman	Darting	McFarlane	Stanley
Booth	Dean	Merritt	Stoddard
Breakenridge	Gilchrist	Mills	Thompson
Brush	Johnston	Rigby	Topping
Carden	Kern	Roberts	Wilson of Polk
Cavanaugh	Kimberly	Shaff	
Clark	Lange	Shane	

Nays, 17.

Baird	Campbell	Fulton	McLeland
Beatty	Dotts	Gunderson	Shinn
Brookins	Ellis	Hartman	Stemmons
Browne	Fackler	Klemme	Ulstad
			Wilson of Page

Absent or not voting, 3.

Frailey	Haskell	Ramsey
---------	---------	--------

The report was adopted and concurred in.

Senator Stoddard moved that the vote by which the report was adopted and concurred in by 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 Stoddard, the reference to the amendment to section 50 was stricken from the conference committee report on Senate File No. 10.

Senator Gunderson moved that House File No. 283 be withdrawn from the sifting committee and placed on the calendar.

Senator Cavanaugh raised the point of order that Senator Campbell's remarks were not germane.

The President held the point not well taken.

#### CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, ask for a call of the Senate on the above bill:

A. J. SHINN.  
 O. E. GUNDERSON.  
 A. T. BROOKINS.  
 FRANK SHANE.  
 S. E. FACKLER.  
 H. GUY ROBERTS.  
 C. J. FULTON.  
 G. S. HARTMAN.  
 C. D. BOOTH.  
 J. G. MERRITT.  
 WILLIAM CARDEN.  
 LARS J. SKROMME.  
 H. E. DEAN.  
 GEO. F. SLEMMONS.  
 OSCAR ULSTAD.  
 CHAS. S. BROWNE.  
 D. L. WILSON.

The roll call revealed the presence of the following Senators:

Baird	Clark	Johnston	Roberts
Beatty	Clearman	Kern	Shaff
Benson	Darting	Kimberly	Shane
Bergman	Dean	Klemme	Shinn
Booth	Dotts	Lange	Skromme
Brookins	Ellis	Langfitt	Slemmons
Browne	Fackler	McFarlane	Stoddard
Brush	Fulton	McLeland	Thompson
Campbell	Gilchrist	Merritt	Topping
Carden	Gunderson	Mills	Ulstad
Cavanaugh	Hartman	Rigby	Wilson of Page
			Wilson of Polk

By unanimous consent on request of Senator Baird, Senator Haskell was excused from the call.

By unanimous consent on request of Senator Gunderson, Senator Frailey was excused from the call.

Senator Shaff moved that the other absent Senators be excused.

On the question "Shall the motion prevail?" the vote was:

Ayes, 18.

Baird	Clark	Kimberly	Shaff
Benson	Clearman	McFarlane	Shane
Bergman	Darting	Rigby	Topping
Brush	Fulton	Roberts	Wilson of Polk
Cavanaugh	Johnston		

Nays, 26.

Booth	Ellis	Lange	Skromme
Brookins	Fackler	Langfitt	Slemmons
Browne	Gilchrist	McLeland	Stoddard
Campbell	Gunderson	Merritt	Thompson
Carden	Hartman	Mills	Ulstad
Dean	Kern	Shinn	Wilson of Page
Dotts	Klemme		

Absent or not voting, 6.

Beatty	Frailey	Ramsey	Stanley
Breakenridge	Haskell		

The motion was lost.

Senator Benson moved that the call be raised until 1:30 p. m.

Senator Baird moved that the Senate adjourn until 1:30 p. m., which motion prevailed.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### 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. 385, 419, 417, 422, 285, 223, and 360.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 13th day of April, sent to the governor for his approval, Senate Files Nos. 385, 419, 417, 422, 285, 223, and 360.

D. L. WILSON, *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 House was asked:

Senate File No. 258, a bill for an act relating to the construction, control and management of dormitories at the state educational institutions by the Iowa State Board of Education.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 256, a bill for an act relative to the regulation and inspection of foods, drugs and other articles.

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 relating to aid for county and district fairs and the levying of a tax therefor.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 251, a bill for an act relating to the licensing of professional engineers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 402, a bill for an act relating to the sale of legal publications, and to the distribution of the book of annotations and supplements thereto.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 184, a bill for an act relating to criminal investigation, identification of persons accused of crime, and identification of dead bodies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 283, a bill for an act authorizing the extension of the time of payment of drainage assessments and the issuance of drainage

refunding bonds for the purpose of renewing and extending all or any part of the legal indebtedness for account of drainage districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 132, a bill for an act to amend Chapter 415 (four hundred fifteen), of Title XXI of the Code, 1924, so as to prohibit branch banking.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 65, a bill for an act relating to notice and the service thereof in proceedings to sell or mortgage real estate of a decedent.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 431, a bill for an act relating to the solicitations of public donations.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 366, a bill for an act to create at each of the state penal institutions at Fort Madison and Anamosa, establishing and maintaining industries revolving funds for the use of said institutions in supporting and maintaining the respective industries at each of said institutions.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 408, a bill for an act to legalize the election of school directors in certain school districts at the annual election in March, 1927, in so far as there was a failure to open and close the polls in strict compliance with the law.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 270, a bill for an act relating to transportation of persons or property for hire by motor vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 467, a bill for an act to extend the provisions of the state sinking fund law for public deposits so as to include fiduciary funds deposited in banks in this state by public officers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 358, a bill for an act to make permanent the temporary transfer of money from the state insane fund to the general county fund of Wapello county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 494, a bill for an act relating to electric transmission lines.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 505, a bill for an act to require the equipping with signal lights of road machinery being used upon any public highway open to the public, and to require the placing of said signal lights upon such machinery when the same is being operated or parked after sundown, and providing penalties for violations.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 516, a bill for an act relating to the ownership, purchase, maintenance and operation of water works by cities having a population over one hundred thousand (100,000) inhabitants or over, and authorizing the board of water works trustees to improve real estate owned for water works purposes, and to enter into contracts therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 504, a bill for an act relating to the license fee for fishing.

Also: That the House requests the recall of Senate File No. 432, a bill for an act making an appropriation to pay for repairs upon the state capitol and historical buildings.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 240, a bill for an act relating to the means or method of conducting the air current in coal mines.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 415, a bill for an act to provide an appropriation of three hundred twenty-five and no/100 (\$325.00) dollars to indemnify Arthur Ashcraft for damages and injuries received as and while a prisoner at Ft. Madison.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 67, a bill for an act relating to the manner and method of computing taxes against mortgaged real estate.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 74, a bill for an act relating to arson, and to enact a substitute therefor.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 353, a bill for an act relating to the improvement of the primary road system and the appointment of members of the highway commission and an auditor therefor.

Also: That the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 91, a bill for an act relating to assessment rolls and books and the recapitulation sheets pertaining thereto.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 436, a bill for an act to provide an appropriation of fourteen hundred sixty-two dollars and ninety cents (\$1462.90) to defray the expenses of a reporter, witness fees and mileage, telegrams and telephone calls, necessitated under Senate Concurrent Resolution No. fourteen (14).

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 74

Amend Senate File No. 74 as follows:

Amend the title by striking out all of said title following the figures "(12984)" in line two (2) and inserting in lieu thereof the following: "to twelve thousand nine hundred ninety-one (12991), inclusive, and to enact substitutes therefor; also to repeal section thirteen thousand eighty-four (13084) of the code, all relating to arson."

Further amend by striking out section one (1) of the bill and in lieu insert the following:

"Section 1. Sections twelve thousand nine hundred eighty-four (12984) to twelve thousand nine hundred ninety-one (12991), inclusive, of the code, are repealed and the following is enacted in lieu thereof."

Further amend by striking from section four (4) of the bill, lines eight (8) and nine (9) the words "of the value of twenty-five dollars (\$25.00) or more and".

Add to the bill the following:

"Section 7. The preceding sections of this chapter extend to a married woman who commits either of the offenses therein described, though

the property burnt or set fire to may belong partly or wholly to her husband."

"Section 8. Section thirteen thousand eighty-four (13084) of the code is hereby repealed."

#### HOUSE AMENDMENT TO SENATE FILE NO. 353

Amend section one (1) of Senate File No. 353 by striking all of section one following the comma in line five (5) and inserting in lieu thereof the following: "five annual payments. The first payment to be made January 1, 1928 and the board of supervisors is authorized to issue certificates anticipating the amount to be received. Said certificates shall not be issued for a period to exceed six (6) years not to bear an interest rate to exceed five (5) per cent."

Amend Section three (3) by striking from line five (5) the word "governor" and inserting in lieu thereof the words: "state board of audit".

#### HOUSE AMENDMENT TO SENATE FILE NO. 91

Amend Senate File No. 91 by striking Section Four (4) Publication Clause.

#### HOUSE AMENDMENTS TO SENATE FILE NO. 436

Amend section 1 by striking out all of line two and insert in lieu thereof the following: "ten hundred thirty-two dollars (\$1032.00)".

Amend section 1 by striking out of line five (5) the figures "731.00" and insert in lieu thereof the figures "300.00".

Amend the title by striking out of lines one (1) and two (2) the following: "fourteen hundred sixty-two dollars and ninety cents (\$1462.90)" and inserting in lieu thereof the following: "ten hundred thirty-two dollars (\$1032.00)".

#### WITHDRAWAL OF BILL CONSIDERED

There being a call of the Senate on House File No. 283, the roll was called.

The roll call revealed the presence of the following Senators:

Baird	Clark	Johnston	Shane
Beatty	Clearman	Kern	Shinn
Benson	Darting	Kimberly	Skromme
Bergman	Dean	Klemme	Slemmons
Booth	Dotts	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brookins	Fackler	McFarlane	Thompson
Browne	Frailey	McLeland	Topping
Brush	Fulton	Mills	Wilson of Page
Campbell	Gilchrist	Rigby	Wilson of Polk
Carden	Gunderson	Roberts	
Cavanaugh	Hartman	Shaff	

Senators Ulstad and Ramsey appeared in the Senate Chamber.



Senator Merritt appeared in the Senate Chamber and the call was declared complete.

Senator Gunderson invoked rule 8.

On the question "Shall the motion prevail and House File No. 283 be withdrawn from the sifting committee?" the vote was:

Ayes, 25.

Beatty	Dean	Kern	Mills
Booth	Dotts	Klemme	Shinn
Breakenridge	Fackler	Lange	Skromme
Brookins	Gilchrist	Langfitt	Slemmons
Browne	Gunderson	McLeland	Thompson
Campbell	Hartman	Merritt	Utstad
			Wilson of Page

Nays, 24.

Baird	Clearman	Johnston	Shaff
Benson	Darting	Kimberly	Shane
Bergman	Clearman	McFarlane	Stanley
Brush	Ellis	Ramsey	Stoddard
Carden	Frailey	Rigby	Topping
Cavanaugh	Fulton	Roberts	Wilson of Polk
Clark			

Absent or not voting, 1.

Haskell

The motion was lost.

#### EXPLANATION OF VOTE

MR. PRESIDENT: I explain my vote on the motion of the senator from Winnebago to withdraw House File No. 283 from the sifting committee and place it on the calendar for the consideration of the Senate as follows:

I am opposed to a sifting committee as a matter of principle. I believe that the proper place to consider a bill is on the floor of the Senate and not by a committee composed of only seven members of the Senate. I will vote to withdraw any bill from the sifting committee whether I am in favor of the passage of the bill or not.

OTTO F. LANGE.

#### HOUSE MESSAGES CONSIDERED

House File No. 387, a bill for an act to legalize the transfer of certain funds in the treasury of the town of Ryan, Iowa.

Read first and second times and referred to sifting committee.

House File No. 428, a bill for an act to legalize a resolution of the Board of Supervisors of Calhoun county, Iowa, relating to the establishing of a public road or highway in Calhoun county, Iowa.

Read first and second times and referred to sifting committee.

House File No. 467, a bill for an act to extend the provisions of the state sinking fund law for public deposits so as to include fiduciary funds deposited in banks in this state by public officers.

Read first and second times and referred to sifting committee.

House File No. 358, a bill for an act to make permanent the temporary transfer of money from the state insane fund to the general county fund of Wapello county, Iowa.

Read first and second times and referred to sifting committee.

House File No. 494, a bill for an act to amend section eight thousand three hundred twelve (8312) and section eight thousand three hundred twenty-two (8322) of the Code, 1924, relating to electric transmission lines.

Read first and second times and referred to sifting committee.

House File No. 505, a bill for an act to require the equipping with signal lights of road machinery being used upon any public highway open to the public, and to require the placing of said signal lights upon such machinery when the same is being operated or parked after sundown, and providing penalties for violations.

Read first and second times and referred to sifting committee.

House File No. 516, a bill for an act to amend the law as it appears in section six thousand one hundred seventy-six (6176) of the code of 1924, relating to the ownership, purchase, maintenance and operation of water works by cities having a population over one hundred thousand (100,000) inhabitants or over, and authorizing the Board of Water Works Trustees to improve real estate owned for water works purposes, and to enter into contracts therefor.

Read first and second times and referred to sifting committee.

House File No. 504, a bill for an act to amend section seventeen hundred twenty-five (1725) of the code, 1924, relating to the license fee for fishing.

Read first and second times and referred to sifting committee.

### HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration Senate File No. 352, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by striking from the interlineation between lines six (6) and seven (7) the word "all" and inserting in lieu thereof the following: "more than three".

On the question "Shall the Senate concur?" the vote was:

Ayes, 7.

Browne	Lange	Slemmons	Ulstad
Ellis	Shinn	Thompson	

Nays, 36.

Baird	Carden	Kern	Rigby
Beatty	Cavanaugh	Kimberly	Roberts
Benson	Clark	Klemme	Shaff
Bergman	Clearman	Langfitt	Shane
Booth	Darting	McFarlane	Stanley
Breakenridge	Dotts	McLeland	Stoddard
Brookins	Frailey	Merritt	Topping
Brush	Hartman	Mills	Wilson of Page
Campbell	Johnston	Ramsey	Wilson of Polk

Absent or not voting, 7.

Dean	Fulton	Gunderson	Skromme
Fackler	Gilchrist	Haskell	

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 Shaff moved that the vote by which the Senate refused to concur in the House amendment be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Browne called up for consideration Senate File No. 420, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 420 by striking from line two (2) of section one (1) "fifteen hundred (1,500)" and inserting in lieu thereof "one thousand (\$1,000)".

Also amend title by striking from line one (1) "fifteen hundred" and inserting in lieu thereof "one thousand".

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Baird	Clark	Johnston	Roberts
Beatty	Clearman	Kern	Shane
Benson	Darting	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fackler	McFarlane	Thompson
Brookins	Frailey	Merritt	Topping
Browne	Fulton	Mills	Ulstad
Brush	Gilchrist	Ramsey	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Campbell	Gunderson	Kimberly	Shaff
Cavanaugh	Haskell	McLeland	Shinn
Dean			Stoddard

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Browne called up for consideration Senate File No. 421, amended by the House, and moved that the Senate concur in the following amendment.

Amend Senate File No. 421 by striking the words and figures "one thousand dollars (\$1,000.00)" in lines two (2) and three (3) of Section One (1) and inserting in lieu thereof the words and figures "five hundred dollars (\$500.00)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 1.

Roberts

Nays, 32.

Baird	Browne	Kimberly	Shane
Beatty	Clark	Lange	Skromme
Benson	Clearman	Langfitt	Stanley
Bergman	Darting	McFarlane	Stoddard
Booth	Dotts	McLeland	Thompson
Brush	Frailey	Mills	Topping
Breakenridge	Johnston	Ramsey	Wilson of Page
Brookins	Kern	Rigby	Wilson of Polk

Absent or not voting, 17.

Campbell	Ellis	Gunderson	Merritt
Carden	Fackler	Hartman	Shaff
Cavanaugh	Fulton	Haskell	Shinn
Dean	Gilchrist	Klemme	Slemmons
			Ulstad

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 Browne called up for consideration Senate File No. 423, amended by the House, and moved that the Senate concur in the following amendment.

Amend by striking the words and figures "one thousand dollars (\$1,000.00)" in lines two (2) and three (3) of Section One (1) and inserting in lieu thereof the words and figures "five hundred dollars (\$500.00)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 3.

Fackler	Roberts	Shinn
---------	---------	-------

Nays, 35.

Baird	Campbell	Kern	Shane
Beatty	Carden	Kimberly	Skromme
Benson	Clark	Lange	Stanley
Bergman	Clearman	McFarlane	Stoddard
Booth	Dotts	McLeland	Thompson
Breakenridge	Ellis	Merritt	Topping
Brookins	Frailey	Mills	Wilson of Page
Browne	Hartman	Ramsey	Wilson of Polk
Brush	Johnston	Rigby	

Absent or not voting, 12.

Cavanaugh	Fulton	Haskell	Shaff
Darting	Gilchrist	Klemme	Slemmons
Dean	Gunderson	Langfitt	Ulstad

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 Frailey called up for consideration Senate File No. 127, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting after the word "answer" in line four of what is designated as section 10933 in said bill the words "in the court where the accusation or charge shall have been filed". Also by striking the words "and place" in line eighteen of said section and by inserting after the word "designate" in line nineteen of said section the following: "and shall be held within the county where the accusation was originally filed".

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Baird	Cavanaugh	Johnston	Roberts
Beatty	Clark	Kern	Shaff
Benson	Clearman	Klemme	Shane
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fackler	McFarlane	Stoddard
Browne	Frailey	McLeland	Thompson
Brush	Fulton	Merritt	Topping
Campbell	Gunderson	Ramsey	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Brookins	Gilchrist	Mills	Ulstad
Darting	Haskell	Shinn	
Dean	Kimberly	Slemmons	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Baird called up for consideration Senate File No. 215, amended by the House, and moved that the Senate concur in the following amendments:

Amend section three (3) of said bill by inserting immediately following the word "holder" in line four (4) thereof the following: ", except wholesale dealers who also sell at retail,".

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Baird	Cavanaugh	Klemme	Shinn
Beatty	Clark	Langfitt	Skromme
Benson	Dotts	McFarlane	Slemmons
Bergman	Fackler	McLeland	Stanley
Booth	Frailey	Merritt	Stoddard
Breakenridge	Fulton	Ramsey	Thompson
Browne	Gunderson	Rigby	Topping
Brush	Hartman	Shaff	Wilson of Page
Campbell	Johnston	Shane	Wilson of Polk
Carden	Kern		

Nays, none.

**Absent or not voting, 12.**

Brookins	Dean	Haskell	Mills
Clearman	Ellis	Kimberly	Roberts
Darting	Gilchrist	Lange	Ulstad

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Wilson of Polk called up for consideration Senate File No. 74, amended by the House, and moved that the Senate concur in the following amendments:

Amend the title by striking out all of said title following the figures " (12984) " in line two (2) and inserting in lieu thereof the following: "to twelve thousand nine hundred ninety-one (12991), inclusive, and to enact substitutes therefor; also to repeal section thirteen thousand eighty-four (13084) of the code, all relating to arson."

Further amend by striking out section one (1) of the bill and in lieu insert the following:

"Section 1. Sections twelve thousand nine hundred eighty-four (12984) to twelve thousand nine hundred ninety-one (12991), inclusive, of the code, are repealed and the following is enacted in lieu thereof."

Further amend by striking from section four (4) of the bill, lines eight (8) and nine (9) the words "of the value of twenty-five dollars (\$25.00) or more and".

Add to the bill the following:

"Section 7. The preceding sections of this chapter extend to a married woman who commits either of the offenses therein described, though the property burnt or set fire to may belong partly or wholly to her husband."

"Section 8. Section thirteen thousand eighty-four (13084) of the code is hereby repealed."

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Baird	Clark	Kern	Shinn
Benson	Dean	Klemme	Skromme
Bergman	Dotts	Langfitt	Stanley
Booth	Fackler	McFarlane	Stoddard
Breakenridge	Frailey	McLeland	Thompson
Browne	Fulton	Merritt	Topping
Brush	Gilchrist	Roberts	Wilson of Page
Campbell	Gunderson	Shaff	Wilson of Polk
Carden	Johnston	Shane	

Nays, none.

Absent or not voting, 15.

Beatty	Darting	Kimberly	Rigby
Brookins	Ellis	Lange	Slemmons
Cavanaugh	Hartman	Mills	Ulstad
Clearman	Haskell	Ramsey	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Ellis moved that Senate File No. 175 be taken from the sifting committee and placed on the calendar.

Senator Ellis invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 12.

Beatty	Clark	Gunderson	Skromme
Browne	Ellis	Hartman	Thompson
Campbell	Gilchrist	Shinn	Ulstad

Nays, 27.

Baird	Dean	Langfitt	Shaff
Benson	Dotts	McFarlane	Shane
Bergman	Fackler	McLeland	Stanley
Booth	Frailey	Merritt	Stoddard
Breakenridge	Fulton	Ramsey	Wilson of Page
Brush	Kern	Rigby	Wilson of Polk
Carden	Klemme	Roberts	

Absent or not voting, 11.

Brookins	Darting	Kimberly	Slemmons
Cavanaugh	Haskell	Lange	Topping
Clearman	Johnston	Mills	

The motion was lost.

Senator Stoddard moved that Senate File No. 432 be returned to the House, as per their request, which motion prevailed.

### THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and House File No. 506, a bill for an act making an appropriation to compensate Vera Gage for injuries received while a student at



the Iowa School for the Deaf, Council Bluffs, Iowa, with report of committee recommending passage, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Baird	Dean	Kern	Roberts
Benson	Dotts	Kimberly	Shane
Bergman	Fackler	Klemme	Shinn
Booth	Frailey	Lange	Skromme
Breakenridge	Fulton	Langfitt	Stoddard
Browne	Gilchrist	McFarlane	Thompson
Brush	Gunderson	McLeland	Topping
Carden	Hartman	Merritt	Ulstad
Clark	Johnston	Rigby	Wilson of Page
			Wilson of Polk

Nays, none.

Absent or not voting, 13.

Beatty	Cavanaugh	Ellis	Ramsey
Broekins	Clearman	Haskell	Shaff
Campbell	Darting	Mills	Slemmons
			Stanley

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. 507, a bill for an act making an appropriation to compensate Francine Talbot for injuries received from being struck by a stray bullet from rifle range, Iowa National Guard, Marshalltown, Iowa, was taken up and considered.

Senator Stoddard moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Baird	Fackler	Lange	Shane
Beatty	Frailey	Langfitt	Shinn
Benson	Fulton	McFarlane	Skromme
Bergman	Gunderson	McLeland	Stoddard
Browne	Hartman	Merritt	Thompson
Brush	Johnston	Ramsey	Topping
Carden	Kern	Rigby	Ulstad
Clark	Kimberly	Roberts	Wilson of Page
Dotts	Klemme	Shaff	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Booth	Cavanaugh	Ellis	Mills
Breakenridge	Clearman	Gilchrist	Slemmons
Brookins	Darting	Haskell	Stanley
Campbell	Dean		

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 Stoddard moved that the Senate recess for one-half hour, in order that the committee on appropriations might have a meeting.

The motion was lost.

#### CALL OF THE SENATE FILED

We, the undersigned members of the Senate, request a call of the Senate on S. F. 353.

A. H. BERGMAN.  
 B. M. STODDARD.  
 CHAS. D. BOOTH.  
 J. O. SHAFF.  
 D. L. WILSON.  
 ARCH W. MCFARLANE.  
 G. S. HARTMAN.  
 J. G. MERRITT.  
 J. R. FRAILEY.  
 W. S. BAIRD.  
 H. GUY ROBERTS.  
 C. A. BENSON.  
 C. J. FULTON.  
 CLYDE H. TOPPING.

The roll call revealed the presence of the following Senators:

Baird	Dean	Lange	Shinn
Beatty	Dotts	Langfitt	Skromme
Benson	Ellis	McFarlane	Slemmons
Bergman	Fackler	McLeland	Stanley
Booth	Frailey	Merritt	Stoddard
Brookins	Fulton	Mills	Thompson
Browne	Gunderson	Ramsey	Topping
Brush	Hartman	Rigby	Ulstad
Carden	Kimberly	Roberts	Wilson of Page
Clark	Johnston	Shaff	Wilson of Polk
Darting	Klemme	Shane	

Senator Stoddard moved that the Senate recess for one-half hour, so that the committee on appropriations might have a meeting.

On the question "Shall the motion prevail?" the vote was:

Ayes, 33.

Baird	Dean	Langfitt	Shinn
Beatty	Frailey	McFarlane	Stanley
Benson	Fulton	McLeland	Stoddard
Bergman	Hartman	Mills	Thompson
Booth	Johnston	Ramsey	Topping
Brush	Kimberly	Rigby	Ulstad
Carden	Klemme	Shaff	Wilson of Page
Clark	Lange	Shane	Wilson of Polk
Darting			

Nays, 3.

Browne	Gunderson	Slemmons
--------	-----------	----------

Absent or not voting, 14.

Breakenridge	Clearman	Gilchrist	Merritt
Brookins	Dotts	Haskell	Roberts
Campbell	Ellis	Kern	Skromme
Cavanaugh	Fackler		

The motion prevailed and the Senate recessed for one-half hour.

The Senate reconvened.

There being a call of the Senate filed on Senate File No. 353, the roll was called.

The roll call revealed the presence of the following Senators:

Baird	Breakenridge	Carden	Dean
Beatty	Brookins	Cavanaugh	Dotts
Benson	Browne	Clark	Fackler
Bergman	Brush	Clearman	Frailey
Booth	Campbell	Darting	Fulton

Gunderson	Langfitt	Roberts	Stoddard
Hartman	McFarlane	Shaff	Thompson
Johnston	McLeland	Shane	Topping
Kern	Merritt	Shinn	Ulstad
Kimberly	Mills	Skromme	Wilson of Page
Klemme	Ramsey	Slemmons	Wilson of Polk
Lange	Rigby	Stanley	

Senator Ellis appeared in the Senate Chamber.

Senator Shaff moved that Senator Gilchrist be excused from the call of the Senate temporarily.

Senator Gilchrist appeared in the Senate Chamber and the call was declared complete.

Senator Shaff withdrew his motion.

#### HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration Senate File No. 353, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by striking all of section one following the comma in line five (5) and inserting in lieu thereof the following: "five annual payments. The first payment to be made January 1, 1928, and the board of supervisors is authorized to issue certificates anticipating the amount to be received. Said certificates shall not be issued for a period to exceed six (6) years not to bear any interest rate to exceed five (5) per cent.

Amend Section three (3) by striking from line five (5) the word "governor" and inserting in lieu thereof the words: "state board of audit".

Senator Bergman offered the following amendments to the House amendments and moved their adoption:

Amend the House amendment to section one (1) of Senate File No. 353 by adding thereto the following:

"There is hereby levied on all gasoline sold in this state a license fee of one (1) cent per gallon, which shall be in addition to the license fee levied by Chapter six (6), laws of the forty-first General Assembly. All of the provisions and conditions of said Chapter six (6), laws of the forty-first General Assembly relating to the levy, collection or payment of the license fee on gasoline shall apply with equal force to the license fee levied herein. Out of the proceeds of said additional license fee the state highway commission shall, each year, set aside a sufficient amount to pay the portion of the bridge and right-of-way refund becoming due and payable on January first of the succeeding year. The remainder of the proceeds of said additional license fee shall be credited to the primary road fund."

By unanimous consent on request of Senator Roberts the words "sold in" were stricken from lines one and two of the amendment and the words "imported and used within" inserted in lieu thereof; also the words "as amended by Senate File No. 347, of the 42d G. A." were inserted between the word "Assembly" and the word "relating" in line seven.

Senator Browne moved that further action be deferred and made a special order for 10:00 a. m., tomorrow.

On the question "Shall the motion prevail?" the vote was:

Ayes, 19.

Breakenridge	Fackler	Kern	Slemmons
Brookins	Fulton	Lange	Stoddard
Browne	Gilchrist	McLeland	Thompson
Dean	Gunderson	Shinn	Ulstad
Dotts	Hartman	Skromme	

Nays, 26.

Baird	Carden	Kimberly	Shaff .
Beatty	Cavanaugh	Langfitt	Shane
Benson	Clark	McFarlane	Stanley
Bergman	Clearman	Ramsey	Topping
Booth	Darting	Rigby	Wilson of Page
Brush	Frailey	Roberts	
Campbell	Johnston		

Absent or not voting, 6.

Ellis	Klemme	Mills	Wilson of Polk
Haskell	Merritt		

The motion was lost.

Senator Browne moved that the Senate recess for thirty minutes.

The motion was lost.

Senator Gilchrist offered the following amendment to the amendment to the House amendment and moved its adoption:

Amend by adding thereto after the words "the primary road fund" in line 19 of the amendment the following: "and the secondary road funds of the several counties, one-half thereof to go to the primary road fund and one-half to the secondary road funds of the several counties. That half which is to go to such secondary road fund shall be distributed among the several counties according to the county area plan as heretofore provided by law."

Senator Roberts raised the point of order that the amendment

was out of order as it was an amendment to an amendment to an amendment.

The President held the point not well taken.

Senator Frailey moved the previous question on the last amendment.

On the question "Shall the motion prevail?" the vote was:

Ayes, 35.

Baird	Carden	Kimberly	Roberts
Beatty	Cavanaugh	Klemme	Shane
Benson	Clark	Lange	Skromme
Bergman	Clearman	Langfitt	Stanley
Booth	Darting	McFarlane	Stoddard
Breakenridge	Ellis	Merritt	Thompson
Browne	Frailey	Mills	Topping
Brush	Hartman	Ramsey	Wilson of Page
Campbell	Johnston	Rigby	

Nays, 10.

Dean	Fulton	Kern	Slemmons
Dotts	Gilchrist	Shinn	Ulstad
Fackler	Gunderson		

Absent or not voting, 5.

Brookins	Haskell	McLeland	Shaff
			Wilson of Polk

The motion prevailed.

Senator Fackler raised the point of order that the amendment was out of order, as it was not germane, and was amending a House measure.

The President held the point not well taken.

On the question "Shall the amendment to the amendment to the House amendment be adopted?" the vote was:

Ayes, 21.

Breakenridge	Fackler	Kern	Shinn
Brookins	Fulton	Klemme	Skromme
Browne	Gilchrist	McLeland	Slemmons
Campbell	Gunderson	Merritt	Thompson
Dean	Hartman	Mills	Ulstad
Dotts			

Nays, 27.

Baird	Clark	Lange	Shane
Benson	Clearman	Langfitt	Stanley
Bergman	Darting	McFarlane	Stoddard
Booth	Ellis	Ramsey	Topping
Brush	Frailey	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk
Cavanaugh	Kimberly	Shaff	

Absent or not voting, 2.

Beatty                      Haskell

The amendment to the amendment to the House amendment was lost.

Senator Lange invoked rule 8.

On the question "Shall the amendment to the House amendment be adopted?" the vote was:

Ayes, 26.

Baird	Cavanaugh	Lange	Shaff
Beatty	Clark	Langfitt	Shane
Benson	Clearman	McFarlane	Stanley
Bergman	Darting	Mills	Topping
Booth	Ellis	Ramsey	Wilson of Page
Brush	Frailey	Rigby	
Carden	Johnston	Roberts	

Nays, 23.

Breakenridge	Fackler	Kimberly	Slemmon
Brookins	Fulton	Klemme	Stoddard
Browne	Gilchrist	McLeland	Thompson
Campbell	Gunderson	Merritt	Ulstad
Dean	Hartman	Shinn	Wilson of Polk
Dotts	Kern	Skromme	

Absent or not voting, 1.

Haskell

The amendment to the amendment was adopted.

On the question "Shall the House amendments as amended be concurred in?" the vote was:

Ayes, 28.

Baird	Cavanaugh	Lange	Roberts
Beatty	Clark	Langfitt	Shaff
Benson	Clearman	McFarlane	Shane
Bergman	Darting	Mills	Stanley
Booth	Ellis	Ramsey	Topping
Breakenridge	Frailey	Rigby	Wilson of Page
Brush	Hartman		
Carden	Johnston		

Nays, 17.

Browne	Gilchrist	Klemme	Skromme
Dean	Gunderson	McLeland	Slemmons
Dotts	Kern	Merritt	Stoddard
Fackler	Kimberly	Shinn	Thompson
			Ulstaad

Absent or not voting, 5.

Brookins	Fulton	Haskell	Wilson of Polk
Campbell			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Shaff moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

#### AMENDMENT TO RULES

Senator Gilchrist offered the following motion:

I move the adoption of the following special rule:

As a special rule for the remainder of the session no senator except the mover shall be allowed to debate any motion longer than five minutes; and the mover may debate it no longer than five minutes in opening and five minutes in closing. The time during which any speaker is interrupted by questions or otherwise shall not be included within such five-minute periods.

The motion prevailed.

By unanimous consent on request of Senator Stoddard the conference committee report on Senate File No. 10 was amended by inserting after the reference to the amendment to line 12a of section 37 the following:

"Also that the Senate concur in the House amendment following line 15 of section 37."

#### REPORTS OF SIFTING COMMITTEE

April 13, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bills on the calendar:

House File No. 257, by Venard.



Senate File No. 348, by Rigby.

H. GUY ROBERTS, *Chairman.*

Also:

Your sifting committee wishes to amend House File No. 25, by Hill, as follows:

Amend by striking Sections 1, 2 and 3, and substituting the following:

Section 1. Hereafter issues of bonds of every kind and character by counties, cities, towns and school districts shall be consecutively numbered. The annual levy shall be sufficient to pay the interest and approximately such portion of the principal of the bonds as will retire them in a period not exceeding twenty (20) years from date of issue. As fast as funds allow, beginning with the second year, after the payment of interest due, bonds shall be called and retired in the same order as numbered.

Sec. 2. The governing authority of these political subdivisions before issuing bonds shall, by resolution, provide for the assessment of an annual levy upon all the taxable property in such public corporation sufficient to pay the interest and principal of such bonds within a period named not exceeding twenty (20) years. A certified copy of this resolution shall be filed with the county auditor or auditors of the counties, as the case may be, in which such public corporation is located; and the filing thereof shall make it a duty of such officer or officers to enter annually this levy for collection until funds are realized to pay the bonds in full.

Sec. 3. Whenever the governing authority of such political subdivision shall have on hand funds derived from any other source than taxation which may be appropriated to the payment either of interest or principal, or both principal and interest, of such bonds such funds may be so appropriated and used and the levy for the payment of the bonds correspondingly reduced.

And, when the bill is so amended, we desire to place it on the calendar.

H. GUY ROBERTS, *Chairman.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 228, 265, 65, and 42.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 228, 265, 65, and 42.

## COMMUNICATION FROM THE GOVERNOR

Executive Department, State of Iowa

Des Moines, April 13, 1927.

*Mr. President, Mr. Speaker, Senators, and Representatives of the Forty-second General Assembly:*

GENTLEMEN: In pursuance of Senate Joint Resolution No. 1, I appointed the following Commission to ascertain and report the facts relative to the feasibility of constructing an interstate bridge, or purchasing one of the present erected bridges across the Mississippi River, adjoining the State of Iowa through Dubuque County, with the State of Illinois through Jo Daviess County, and joining the State of Iowa through Dubuque County with the State of Wisconsin through Grant County:

George McLean, Dubuque, Iowa.

Anthony F. Heeb, Dubuque, Iowa.

John A. Cunningham, Dubuque, Iowa.

I herewith submit the report of said Commission as filed with me. You will note that the report consists of a majority and a minority report. The same is presented to you for your thoughtful consideration and for such action as in your judgment the facts warrant.

Respectfully submitted,

JOHN HAMMILL, *Governor.*

## COMMUNICATION FROM COMMISSIONER OF INTERSTATE BRIDGES

April 9, 1927.

*To His Excellency, the Honorable John Hammill, Governor, and to the Senate and the House of Representatives of the Forty-second General Assembly of the State of Iowa:*

Pursuant to Senate Joint Resolution No. 1, introduced by Senator Lange, of Dubuque County, Governor Hammill, March 17, 1927, appointed George McLean, John A. Cunningham and Anthony F. Heeb, all of Dubuque, Commissioners to confer with representatives of the States of Wisconsin and Illinois for the purpose of making recommendations relative to the erection of a new bridge across the Mississippi River at Dubuque, or the purchase of one of the toll bridges now connecting Iowa at Dubuque with Illinois and Wisconsin, the bridge erected or purchased in pursuance of these negotiations to be a free bridge.

While the language of the joint resolution contemplates the erection or purchase of but one bridge, the Commissioners are directed to report to the Forty-second General Assembly their general recommendations on the subject. It is, therefore, considered appropriate to state at the outset that two toll bridges cross the Mississippi at Dubuque, one extending to East Dubuque, Illinois, and the other to the Wisconsin shore. The public need for both is evidenced by the fact that the profits of both, and those of the lower bridge especially, are highly satisfactory. A free bridge built or purchased and maintained at public cost would destroy the pecuniary value of either or both of the existing bridges, and under some decisions of the courts, as we are advised, would constitute a violation of constitutional provisions against the taking of private property for public use without just compensation and without due process of law.

Therefore, on receipt, March nineteenth, of our commissions from His Excellency, Governor Hammill, we determined to present this situation to the representatives of the States of Wisconsin and Illinois with whom we might confer.

March twenty-fourth, we visited Madison and Mr. McLean, through the courtesy of that body and the invitation of its presiding officer, addressed the Senate of Wisconsin on the subject of our mission. We then went into conference with Senator C. B. Casperson and Assemblymen C. N. Saugen and L. D. Eastman, constituting the Joint Committee appointed to meet with us, and with Mr. H. J. Kuelling, C. E., State Highway Engineer of Wisconsin.

These gentlemen advised us that the General Assembly of Wisconsin could not properly appoint a commission to deal with this particular project because the whole matter of the construction of intrastate and interstate bridges is already under the jurisdiction of the Wisconsin State Highway Commission.

The law of Wisconsin existing at this date, April 9, 1927, provides that a portion, not exceeding fifty per cent, of the State's share of the cost of constructing or purchasing an interstate bridge shall be borne by the county or counties benefited, and that a special portion of the county's share of the cost may be, by action of the county board of supervisors, imposed on any municipality, or municipalities, especially benefited.

However, Senate Bill No. 301-S., by Senator Roethe, which, it is expected, will pass both the Senate and the House and receive Governor Fred R. Zimmerman's approval, provides that the State's entire share of the cost of constructing any interstate bridge shall be paid by the State out of its highway fund.

Wisconsin's State Highway Commission has before it at the present time, applications for the construction of interstate bridges at other points on the boundary. However, while no definite statement to this

effect was made, we gathered from the Conference that Wisconsin's State Highway Commission will be found disposed to cooperate whenever Iowa, by means of the necessary legislation and appropriations, may be found prepared to proceed with construction at any location or locations acceptable to the Commissioners of our neighboring State.

March twenty-second, Governor Small of Illinois advised Governor Hammill that he had appointed as a Commission to confer with the Iowa Commission on the subject of interstate bridges, Colonel C. R. Miller, Director of Public Works and Buildings, Mr. Frank T. Sheets, Chief Highway Engineer, and Senator Richard R. Meents, Chairman of the Highway Advisory Board. March thirtieth, having learned that the first-named two members of this Commission were engaged at Chicago and Waukegan, Illinois, in holding hearings that would continue indefinitely, we proceeded to Springfield to endeavor by conference with Governor Small and Senator Meents to expedite our meeting with the full Commission.

The result was a conference with the Illinois Commissioners at Chicago on the night of March thirtieth. At this conference it was learned that the Illinois Highway Commission has felt obliged to reject many applications for the construction of bridges across rivers wholly within the State because such bridges are not included as part of the State road system for which provision has been made by vote of the people authorizing bond issues; and, also, many requests for cooperation in the construction of interstate bridges across the Mississippi, Ohio and Wabash rivers because the proceeds of the bonds the people of Illinois have voted up to the present time will not be sufficient to meet the cost of constructing the 9,800 miles of roads already authorized by the legislature and the people.

The final twenty-five hundred miles of this system must be constructed out of current revenues, as the situation now stands, and probably will not be completed until 1942. At present, the good roads fund of Illinois has as sources of revenue motor vehicle license fees and federal aid.

Should the legislature conclude to add a tax on gasoline, this financial situation will be greatly improved. Meanwhile, the Illinois Commission feels compelled to decline participation in the construction of interstate bridges. A more complete statement of its position will be found in the attached copy of a letter, dated April fourth, to the Chairman of the Iowa Commission, and signed by all members of the Commission appointed for this conference by Governor Small.

Attached to this report, also, is a copy of the bill 240-A., authorizing the construction of interstate bridges without cost to the abutting city or county which has passed the Wisconsin House and is now pending in the Senate.

The conclusions and recommendations of the undersigned special Commissioners for Iowa, who now respectfully request their discharge, are as follows:

First—That the bridge across a boundary stream, being a part of the national and state highway system, should be purchased or constructed and maintained at public expense, and should be free of toll, at least eventually.

Second—That, pending the enactment of Federal legislation providing appropriations for the specific purpose of purchasing or constructing free highway bridges across boundary streams, and for compensating private owners or States which may have provided such bridges, the expense of purchasing or constructing them should be borne largely from the highway funds under control of the State Highway Commission.

Third—That the free bridge across a boundary stream is a matter of not merely local advantage, but of such benefit to the patrons of trunk highways in general, and to the Commerce of the State that it should be the policy of Iowa to look forward to the acquisition of such bridges at the earliest possible day.

Respectfully submitted,

GEORGE MCLEAN, *Chairman*  
ANTHONY F. HEEB.

*Special Commissioners for Iowa.*

#### MINORITY REPORT

April 9, 1927

*To His Excellency, the Honorable John Hammill, Governor, and to the Senate and the House of Representatives of the Forty-second General Assembly of the State of Iowa:*

I respectfully concur in the attached report except as to lines, five, six and seven, page two, reading as follows: "Would constitute a violation of constitutional provisions against the taking of private property for public use without just compensation and without due process of law." I do not desire to commit myself under the terms of this joint resolution as suggesting an argument for the protection of the owners of the present bridges.

I further recommend the creation of a corporation by the State Legislature with full power and authority to act as an agency for and in behalf of the State of Iowa and if need be to pledge the credit of the State for the purpose of purchasing all toll bridges constructed over interstate navigable streams and suggest that said commission might proceed to purchase by agreement or otherwise, such bridges issuing in consideration of the agreed purchase price, bonds or instruments of credit payable within a certain definite specified time at an agreed rate of interest out of the proceeds derived from the toll collected over these bridges and upon liquidation of the indebtedness by such tolls, the bridges to become free.

In the event of the authorization by the State of a corporation to act as an agency for the State, this corporation could secure full authority

from the government as has been done in other cases of a similar nature, such for instance as the Act of June 30, 1906: "An Act to improve channels along the New Jersey seacoast wherein authority was given to the state of New Jersey or to a commission, individual, corporation, etc., designated by the legislature of the state, to improve channels on the New Jersey seacoast." The United States Compiled Statutes 1901 Supplement 1907.

I am reliably informed that the obsolete, worn-out condition is the cause of restrictions being placed upon traffic by the owners of the East Dubuque bridge restricting the maximum weight to pass over their bridge to four tons at Dubuque, Iowa. I therefore recommend that some definite action be taken by your Excellency with a view to ascertaining the present condition of the bridge passing over the Mississippi River from East Dubuque, Illinois, into Dubuque, Iowa, as information has come to me as a member of this committee that the abutments of said bridge have been washed away leaving the present structure in a condition where it endangers the property and life of the people passing over it.

I further submit to your Excellency and your Honorable Body that both bridges referred to in this report have been built and toll has been collected since they were built, the East Dubuque bridge about 1888, the north bridge to the Wisconsin side over twenty-five years. The same toll is now being charged that was charged to the first individual who used the bridge and in view of the tremendous increase in traffic by use of the automobile, I invite your attention to Section 9442: Obstruction of navigation by bridges; lights and signals; draws and tolls.—BARNES FEDERAL CODE, 1919, the last part of which section reads as follows: "If toll shall be charged for the transit over any bridges constructed under the provisions of this Act, of engines, cars, street cars, wagons, carriages, vehicles, animals, foot passengers, or other passengers, such tolls shall be reasonable and just, and the Secretary of War, may at any time, and from time to time, prescribe the reasonable rates of toll for such transit over such bridge, and the rates so prescribed shall be the legal rates and shall be the rates demanded and received for such transit."

In view of the Federal statute and in view of the fact that these tolls have never been changed, I recommend that your Excellency and the State Legislature of Iowa take action by resolution requesting the Secretary of War to proceed under the terms of this Act to determine whether or not the present tolls being collected by all toll bridges in Iowa are reasonable and just and if not, that he take such steps as he deems necessary under the law to protect the public from paying an unjust toll charge.

I further recommend that all toll bridges be required to accept from each passenger a fare for one way passage and that the rule in force by most of them requiring a passenger to pay fare both ways be abrogated.

Respectfully submitted as a Minority Report.

(Signed) "JOHN A. CUNNINGHAM,  
*Member Special Commission from Iowa.*"

April 4, 1927.

HON. GEORGE McLEAN, Chairman  
Iowa Commission regarding  
Mississippi River Bridge at Dubuque, Iowa,  
Dubuque, Iowa.

DEAR SIR: Governor Len Small has appointed a Commission of three members to confer with the Commission appointed by the Governor of Iowa regarding the possibility of securing a free interstate bridge between Iowa and Illinois at Dubuque. This action was taken by the Governor of Illinois following receipt of a letter dated March 17, 1927, from Governor Hammill.

The members of the Iowa Commission as named by Governor Hammill are as follows:

George McLean, Dubuque, Iowa.  
Anthony F. Heeb, Dubuque, Iowa.  
John A. Cunningham, Dubuque, Iowa.

The Commission appointed for this purpose by Governor Small is as follows:

Cornelius R. Miller, Director Department of Public Works and Buildings, Springfield, Illinois.

Richard R. Meents, State Senator and Chairman of the Highway Advisory Board, Ashkum, Illinois.

Frank T. Sheets, Chief Highway Engineer, Division of Highways, Department of Public Works and Buildings, Springfield, Illinois.

Following the appointment of these Commissions, a conference between the two bodies was held at Chicago on Wednesday, March 30, 1927. At the conclusion of this conference, it was agreed that the Illinois Commission should write to you as Chairman of the Iowa Commission, stating our position regarding the possibility of Illinois assisting financially in acquiring or erecting a free bridge between Iowa and Illinois at Dubuque. Accordingly, we are sending you the following formal statement of our position, and this statement is voiced by us as members of this special Commission, and also in our official capacities as officers of the Illinois Department of Public Works and Buildings, Division of Highways.

In November, 1918, the people of Illinois, by referendum vote, adopted the \$60,000,000 State road bond issue providing for the issuing of bonds

for State highway purposes to be paid principal and interest by automobile license fees, and for the proceeds of these bonds to be used for the construction of a system of 4,800 miles of State highways.

Very little work was begun on this road system until after the World War, and following this war the price of roads had practically doubled and the purchasing power of the dollar had been cut approximately in half with the result that the moneys provided in the original bond issue were not sufficient to finish the State system of roads.

Governor Small, foreseeing this condition, recommended to the General Assembly in 1923 the passage of a law permitting the people to pass on \$100,000,000 of additional bonds, the proceeds of the bonds to be used for finishing the 4,800-mile system provided in the first bond issue act, and adding to it approximately 2,500 miles of new roads.

The General Assembly of Illinois saw fit to increase the mileage from 2,500 miles of new roads recommended by the Governor to about 5,000 miles, but did not see fit to increase the amount of the bond issue. The people of Illinois subsequently ratified this bond issue law by a three to one favorable vote at the general election in November, 1924, in the face of the fact that the General Assembly had, entirely within its rights and powers, increased the mileage as recommended by the Governor and the Highway Officials of the State by about 2,500 miles without increasing the amount of the bonds.

It therefore became apparent that the construction of the first system of 4,800 miles and the first 2,500 miles of the second bond issue system could be constructed within a few years out of bond issue funds, Federal aid funds, and surplus motor license fees, but that the construction of the latter half of the second bond issue system must necessarily proceed at a slower rate because only current revenues would be available, and out of these revenues a yearly reserve for principal and interest payments on State road funds and for the maintenance of State roads must be made.

An analysis of our present financial condition shows that our present scale of motor license fees will yield sufficient revenues to pay all principal and interest on both of our State road bond issues and for the maintenance of our roads, and that there will be in addition a yearly surplus which may be used for new road construction. However, there will be required approximately \$45,000,000 of our second bond issue of \$100,000,000 to complete the 4,800 mile road system authorized under the first bond issue act, and this will leave available approximately \$55,000,000, which, together with Federal aid funds and surplus motor license fees will be used for the construction of the second bond issue system.

Accordingly, we will by the end of the year 1929, have expended all of our State road bonds and will have completed by that time the entire first bond issue system and approximately 2,500 miles of the second bond issue system, leaving unfinished at that time about 2,500 miles of our authorized road system. This last 2,500 miles will of necessity be constructed on the "pay as you go" plan and on the basis of revenues now in sight would not be entirely completed before the year 1942.



We are contemplating the possibility of a gasoline tax in Illinois, which, if authorized by the General Assembly, would yield sufficient revenues to finish our entire 9,800 mile system within the next five or six years.

We have set up this statement in order that you may be fully conversant with our general financial situation and in order that you may realize that every penny of revenues which we may derive from motor license fees or Federal aid funds has been pledged to the construction of our State road system by referendum vote of the people of the State.

For this reason we have been forced to adopt a negative position regarding the numerous requests we have had for the diversion of our State funds to the construction of interstate bridges. We have had numerous requests to use State road funds in the construction of large interstate bridges. An examination of the map of Illinois will show that the State is bordered entirely on the west by the Mississippi River and for approximately half of the distance on the east by the Ohio and Wabash Rivers.

Bridge projects are either under way or contemplated at the following points:

Wabash River at Vincennes, Indiana.

Wabash River at Mt. Carmel.

Ohio River at Shawneetown.

Ohio River at Cave-in-Rock, opposite Paducah, Ky.

Ohio and Mississippi Rivers at Cairo.

Mississippi River at Cape Girardeau.

Mississippi River at Alton.

Mississippi River at Louisiana, Mo.

Mississippi River at Quincy.

Mississippi River at Fulton.

Mississippi River at Savanna.

Mississippi River at Dubuque, Iowa.

The aggregate cost of these projects would be approximately \$32,000,000. The one alone at Cairo, we have been informed, would cost at least \$20,000,000 since a tri-state bridge is contemplated at that point.

In addition, we face the necessity of constructing within our own borders over the Illinois River, which, as you know, is a very large navigable stream, bridges at the following points:

Hardin.

Florence.

Pekin.

Peoria.

Lacon-Sparland.

LaSalle.

Henry.

These might conservatively be estimated to cost \$5,000,000. It is thus apparent that Illinois could easily become involved in approximately \$37,000,000 worth of bridge projects, all of which are ready to proceed at once.

Part of the bridges on the Illinois River, we are required by law to build, others we are not. With the exception of one interstate bridge, none are a part of our State bond issue system, and consequently have not been authorized either by our General Assembly or by our people.

We face the fact that we need additional revenues to complete the road projects already authorized by the citizens of the State, and we do not feel that we would be acting fairly nor in good faith if we were to support the diversion of our motor license fees and other road funds to interstate bridge projects until such time at least as our State road system has been completely financed.

The interstate structures must of necessity finance themselves for the present, and several of them have already been undertaken as toll propositions which may later be acquired by the state at a reasonable cost. In one instance at Quincy, Illinois, we were requested to participate in the cost of an interstate structure but declined to do so and the City of Quincy has arranged the financing of a free bridge as a city project.

It would therefore be entirely inconsistent for us to agree to assist in the financing of a free bridge at Dubuque, which, of course, will be of primary interest to the citizens of Dubuque, when we have refused to participate in the cost of structures at Quincy, Alton, Cairo, and Shawneetown, all of which would be structures, which would primarily be of great value to these Illinois cities.

Further, we do not feel that it would be consistent for us to support financially the construction of these large bridge projects at the expense of the citizens of Illinois at large who are demanding the completion of our road system at the earliest possible date.

Some have advocated the use of Federal aid funds for these interstate bridge projects and have quoted the U. S. Bureau of Public Roads as being willing for the funds to be used in this manner. The Federal aid funds may not be used for interstate bridge projects except at the option of both State Highway Departments.

Under the appropriations made to the Illinois Department of Public Works and Buildings for the purpose of meeting Federal aid funds, all moneys from Federal aid must be used on our State bond issue road system. Our State bond issue road system and our Federal aid road system

are coincident. The diversion of any Federal aid money to interstate bridge projects means exactly the same thing as the diversion of State money to these projects. We are obliged to expend state funds and then secure reimbursement from the Federal Government, and so far as the operation of our State highway program is concerned, there is no difference between Federal aid funds and State funds.

Therefore, we regret that the State of Illinois cannot at this time participate in the cost of establishing a free bridge between Iowa and Illinois at Dubuque. We appreciate fully the importance of this as well as the many other interstate bridges which are now pending but our present financial conditions and the obligations which the people of Illinois have voted upon us make it imperative that every available dollar of road funds be used on our State highway system.

Very truly yours,

(Signed) C. R. MILLER,  
*Director Department of Public Works and Buildings of the State of Illinois.*

(Signed) RICHARD R. MEENTS,  
*State Senator from the 20th District. Chairman Illinois State Board of Highway Advisors.*

(Signed) FRANK T. SHEETS,  
*Chief Highway Engineer, Division of Highways, Department of Public Works and Buildings.*

Constituting the Commission appointed by Governor Len Small to confer with the Commission appointed by Governor John Hammill of Iowa regarding the feasibility of establishing a free bridge between Iowa and Illinois at Dubuque.

#### REPORTS OF COMMITTEE

Senator Stoddard submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 398, a bill for an act to appropriate sufficient funds to pay the maintenance tax against state lands in drainage district Number 13, located in Muscatine and Louisa counties, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 470, a bill for an act to provide an appropriation of \$2475.00 to indemnify Roy Rogers for damages occasioned by reason

of injury sustained when struck by an accidental discharge of a shotgun while acting as a deputy game warden, 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. 449, a bill for an act to compensate John Joseph Rouse for injuries received while in the employ of the state sanitarium at Oakdale and to make an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 471, a bill for an act to provide an appropriation of \$1657.10 to indemnify Elsie Brogan for damages and injuries received as and while a student at the Iowa State Teachers College, 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. 472, a bill for an act to provide an appropriation of \$2400.00 to indemnify Bertha Sheesley for damages occasioned by reason of injury suffered when she fell from a platform of a building rented at the Iowa State Fair grounds, September 3, 1925, begs leave to report that 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. 503, a bill for an act appropriating the sum of \$1390.85 in payment of certain insurance companies' claims for refund of taxes heretofore paid by them under protest, 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. 508, a bill for an act to make an appropriation to Marshall county, Iowa, for publication of delinquent automobile taxpayers for the year 1925, 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. 509, a bill for an act to make an appropriation for animals slaughtered on account of tuberculosis, 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. 512, a bill for an act to appropriate the sum of \$8,400.00 to complete the roster of Iowa soldiers, begs leave to report it has had the same under consideration and recommends the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 443, a bill for an act to appropriate the sum of \$250,000 or so much thereof as may be necessary to carry out the intent and purposes of Concurrent Resolution No. 26, extending to both the Republican and Democratic Committees a cordial invitation to hold their next national convention in the city of Des Moines, state of Iowa, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

MR. PRESIDENT: I move to amend House File No. 362 by striking section six thereof and substituting therefor the following:

Sec. 6. Strike out the period at the end of sub-paragraph four (4) of Section thirty-one hundred twenty-nine (3129) of the Code and add the following:

"in excess of two (2) in thirty (30) grams".

D. L. WILSON

The journal of April 12th was corrected and approved.

On motion of Senator Lange the Senate adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 14, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by D. F. Landis, pastor of the First Church of the Brethern of Des Moines.

## REPORTS OF SIFTING COMMITTEE

April 14, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bill on the calendar:

House File No. 475, by Committee on Insurance, as amended.

H. GUY ROBERTS, *Chairman.*

Also:

Your sifting committee wishes to place the following bills on the calendar:

House Files Nos. 182, by Venard; 196, by Kline; 217, by Hollingsworth; 358, by Simmer; 387, by Cole of Delaware; 428, by McCaulley; 444, by Eden; 505, by Committee on Motor Vehicles; Senate File No. 382, by Breakenridge.

H. GUY ROBERTS, *Chairman.*

## COMMUNICATION FROM THE GOVERNOR

Executive Department

State of Iowa

April 14, 1927.

*Mr. President, Mr. Speaker, Senators and Representatives of the Forty-second General Assembly:*

GENTLEMEN: Allow me to present to you the conditions of the primary road finances and suggestions in connection therewith.

If Iowa wants roads, funds must be provided with which to pay for them. We cannot have well constructed, well maintained highways with-

out providing a fund with which to pay the bills. The road legislation of this session is admirable insofar as it relates to the administration of our primary road system.

Instead of dealing with the primary road system in ninety-nine units, the Legislature has adopted a unified system of control and administration of this system of roads. But this far no additional funds have been provided with which to carry on a comprehensive program of road improvement. As a matter of fact, the new legislation provides for a series of fixed charges against the primary road fund amounting to approximately three million dollars per year. These new fixed charges include the following:

A. Refund for paving assessments heretofore levied, \$600,000.00 per year for a period of five years, or three million dollars in total.

B. Payment of interest on primary road bonds issued by the counties, about \$700,000.00 for a three-year period.

C. Refund to the counties for bridges constructed by the Counties on primary roads, total amount about five million dollars, or \$1,700,000.00 for a three-year period.

In 1926 the primary road fund available for construction work (after paying the fixed charges, such as maintenance, etc.) amounted to about \$8,300,000.00. Under the new legislation adopted by the 42nd General Assembly this construction fund will have been reduced by new refunds and fixed charges to about \$5,300,000.00 per year. This statement is based on the following facts:

Annual income in primary road fund

Motor Fees .....	\$ 9,000,000.00	
One-third of 2c Gas Tax.....	1,600,000.00	
Federal Aid .....	2,000,000.00	
	<hr/>	
Total annually .....	\$12,700,000.00	

Annual fixed charges under former law

Maintenance of primary road.....	\$3,400,000.00	
Principal of bonds.....	1,000,000.00	\$ 4,400,000.00
	<hr/>	

Available per year for construction work

under former law..... \$ 8,300,000.00

Annual fixed charges added by 42nd General Assembly

Refund of paving assessment.....	\$ 600,000.00	
Interest on primary road bonds.....	700,000.00	
Bridge Refund .....	1,700,000.00	\$3,000,000.00
	<hr/>	

Available per year for construction work

under new laws..... \$ 5,300,000.00

Iowa cannot secure the roads she wants and must have by depleting the fund available for the building thereof in this manner. If we are to make any reasonable progress with our primary road improvements, we must provide funds therefor. An additional one-cent gas tax going into the primary road fund will add about \$2,500,000.00 per year.



It is self-evident that if we are going to have an adequate road program an additional one-cent gasoline tax must be provided for the use and benefit of the primary road system. Even with this measure of relief, the road building program will, due to the refunds added by this General Assembly, shrink below that provided and contemplated in my recommendations at the beginning of the session. There should be \$10,000,000.00 available for primary highway construction each year. It will not be possible to complete the three-year road building program as outlined, within the three-year period, if the refunds of the present Legislature are granted, nor would it be possible without the one-cent gasoline tax.

My recommendation at the beginning of the session provided and contemplated an annual primary road construction fund, after setting aside for fixed charges, amounting to approximately \$10,000,000.00 per year. By the addition of the one-cent gasoline tax and the repeal of the bridge refund amendment to Senate File No. 104, to which I will refer later, the annual construction fund will amount to approximately \$10,000,000.00 per year.

The present Legislature in the adoption of the bridge refund amendment, as found in Senate File No. 104, has committed itself to a precedent that is unfair and iniquitous, not alone to the counties but to the State as a whole and is unfair to the people who paid the gasoline tax for the purpose of constructing highways.

The gasoline tax paid into the primary highway fund is paid for the purpose of constructing primary highways. By this bridge refund you have transferred money from the primary highway fund to the county, thereby providing for its use upon the county highways. These funds belong to and should be used in the construction of primary highways. There is just as much reason and sound logic for the taking of the primary road fund for the purpose of paying for drainage and grading already done in many counties as there is for taking it for refunding for bridge construction.

The iniquity of the principle of refund becomes more and more apparent as the question is studied. The only principle on which a gasoline tax is justified and is collected is on the theory that it is a road-use tax and that it will be used for road construction and it certainly was not contemplated that it would be used for refund of expenditures made a number of years ago.

The injustice of the bridge refund amendment will become more and more apparent to the people of Iowa and they will not be satisfied with an increased gasoline tax with this unjust provision remaining upon the statute books. I am inclined to the opinion that the citizens of Iowa would feel more kindly toward a gasoline tax or any other special method of raising road funds if assured in advance that the funds would not be diverted to other purposes than building roads or used for refunds to counties long after the improvements had been made and liquidated by other means.

I deem it advisable to call this matter to your attention at this time while you are in session in order that we may not later be disappointed at the road building progress that is made.

In conclusion I wish to make the following special recommendations, based upon the foregoing statement of facts:

1. That the gasoline tax be increased one cent per gallon, the proceeds of said additional tax to be devoted to the construction of primary roads.
2. That the so-called Bridge Refund Amendment to Senate File No. 104 be repealed.

Respectfully submitted,

JOHN HAMMILL, *Governor.*

### MESSAGES FROM THE HOUSE

The 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. 404, a bill for an act providing for the commitment of insane war veterans to United States Veterans' Hospitals under certain circumstances.

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 to provide for the transfer to the state hospitals for the insane of insane inmates of the women's reformatory and to provide for their retransfer and the expense attending such action.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 236, a bill for an act to appropriate a fund for the expenses of the National Champion Band of the American Legion of the United States of America, the National Champion Drum Corps of the American Legion of the United States of America, and the National Champion American Legion Auxiliary Drill Team, in attending the National Convention of the American Legion of the United States of America, to be held in Paris, France, in September, 1927.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 115, a bill for an act relating to children's boarding homes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 297, a bill for an act relating to the education of deaf children.

Also: That the House has passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 5, a bill for an act providing for the appointment of a joint commission of House and Senate for the purpose of considering the revision of the laws relating to the valuation of property for taxation, and the levy and collection of taxes.

Also: That the House has concurred in Senate amendment to House File No. 214, a bill for an act relative to the establishment of a levee or drainage district by petition.

Also: That the House has concurred in Senate amendment to House File No. 19, a bill for an act relating to the erection or repair of school houses and to enact a substitute therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 520, a bill for an act to authorize the treasurer of state to employ an auditor in the cigarette division of his office, and to make an appropriation to pay the compensation of said auditor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 487, a bill for an act relating to the anticipation of special city or town taxes and the issuance of certificates or bonds therefor, and providing that the paving repair fund may be anticipated.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 342, a bill for an act relating to river front and levee improvements.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 416, a bill for an act relating to elections in independent school districts having a population of one hundred twenty-five thousand (125,000) or more.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 210, a bill for an act relative to the salaries of officials and their maintenance and the salaries of guards at the penitentiary and men's reformatory.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE NO. 297

Amend the title to Senate File No. 297 by striking out all of said title following the word "act" in the first line thereof and inserting in lieu thereof the following: "to amend chapter ninety-two (92), acts of the forty-first (41) general assembly, relating to the education of deaf children."

## HOUSE AMENDMENT TO SENATE FILE NO. 210

Strike out all after the enacting clause and insert in lieu thereof:

"Sec. 1. That section thirty-seven hundred forty-two (3742) of the code of 1924 be repealed and the following enacted in lieu thereof: 'Salary of Guards. Turnkeys and Guards shall receive the following monthly salaries:

1. Of the first class, one hundred ten dollars (\$110.00).
2. Of the second class, one hundred dollars (\$100.00).
3. Of the third class, ninety dollars (\$90.00).'

Also amend Senate File No. 210 by striking the title and substituting the following:

## "A BILL FOR

**An act to repeal section thirty-seven hundred forty-two (3742) of the code, 1924, and to enact a substitute therefor, relative to the salaries of guards at the penitentiary and men's reformatory."**

## THIRD READING OF BILLS

On motion of Senator Shane, House File No. 362, a bill for an act to amend sections 3067 (three thousand sixty-seven), 3093 (three thousand ninety-three), 3127 (three thousand one hundred twenty-seven), 3129 (three thousand one hundred twenty-nine), and 3188 (three thousand one hundred eighty-eight) of the code relating to the labeling and sale of food, agricultural seeds, and paints, reported out by sifting committee, was taken up and considered.

Senator Fackler moved that the vote by which the amendment, striking out section 3, was adopted be reconsidered.

Senator Wilson of Page raised the point of order that action was taken by the Senate on this bill day before yesterday; that there was no motion filed to reconsider and the motion was now too late.

The President held the point well taken.

Senator Fackler moved that the rules be suspended and the vote by which the amendment was adopted be reconsidered.

On the question "Shall the motion prevail?" the vote was:

Ayes, 28.

Benson	Clark	Hartman	Shaff
Bergman	Clearman	Johnston	Shane
Booth	Dean	Kimberly	Slemmons
Breakenridge	Dotts	Lange	Stanley
Browne	Ellis	McFarlane	Thompson
Campbell	Fackler	Merritt	Topping
Carden	Gunderson	Ramsey	Ulstad

Nays, 6.

Baird	Fulton	Wilson of Page	Wilson of Polk
Brush	Klemme		

Absent or not voting, 16.

Beatty	Frailey	Langfitt	Roberts
Brookins	Gilchrist	McLeland	Shinn
Cavanaugh	Haskell	Mills	Skromme
Darting	Kern	Rigby	Stoddard

The motion was declared to have been lost, not having received a two-thirds vote of those present.

Senator Benson raised the point of order that as the motion had twenty-eight ayes out of thirty-four votes, and rule eight was not invoked, the motion had a two-thirds vote of those present.

The President held the point not well taken, but declared the motion carried.

On the question "Shall the amendment, striking out section 3, be adopted?" the vote was:

Ayes, 7.

Bergman	Fulton	Stoddard	Wilson of Page
Brush	Klemme	Ulstad	

Nays, 28.

Benson	Dean	Kern	Rigby
Booth	Dotts	Kimberly	Shane
Breakenridge	Ellis	Lange	Shinn
Browne	Fackler	Langfitt	Skromme
Carden	Gunderson	McLeland	Slemmons
Clark	Hartman	Merritt	Thompson
Clearman	Johnston	Ramsey	Topping

Absent or not voting, 15.

Baird	Cavanaugh	Haskell	Shaff
Beatty	Darting	McFarlane	Stanley
Brookins	Frailey	Mills	Wilson of Polk
Campbell	Gilchrist	Roberts	

The amendment was lost.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by striking out section 6 and substituting therefor the following:

Sec. 6. Strike out the period at the end of subparagraph four (4) of Section thirty-one hundred twenty-nine (3129) of the Code and add the following: "in excess of two (2) in thirty (30) grams".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 11.

Brush	Fulton	Klemme	Wilson of Page
Campbell	Gilchrist	Ramsey	Wilson of Polk
Clearman	Hartman	Skromme	

Nays, 27.

Benson	Darting	Lange	Shinn
Bergman	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Breakenridge	Ellis	McLeland	Thompson
Browne	Fackler	Merritt	Topping
Carden	Johnston	Shaff	Ulstad
Clark	Kern	Shane	

Absent or not voting, 12.

Baird	Cavanaugh	Haskell	Rigby
Beatty	Frailey	Kimberly	Roberts
Brookins	Gunderson	Mills	Stoddard

The amendment was lost.

The bill was read for information.

Senator Fackler moved 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	Clearman	Kern	Rigby
Benson	Dean	Klemme	Shaff
Bergman	Ellis	Lange	Shane
Booth	Fackler	Langfitt	Slemmons
Breakenridge	Fulton	McFarlane	Stanley
Browne	Gilchrist	McLeland	Thompson
Carden	Gunderson	Merritt	Topping
Cavanaugh	Hartman	Ramsey	Ulstad
Clark	Johnston		

Nays, 4.

Brush	Dotts	Wilson of Page	Wilson of Polk
-------	-------	----------------	----------------

Absent or not voting, 12.

Beatty	Darting	Kimberly	Shinn
Brookins	Frailey	Mills	Skromme
Campbell	Haskell	Roberts	Stoddard

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Fackler 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 McFarlane moved that the Senate consider only Senate Files on the calendar during the forenoon.

On the question "Shall the motion prevail?" the vote was:

Ayes, 29.

Benson	Clark	Lange	Shaff
Bergman	Clearman	Langfitt	Shane
Booth	Darting	McFarlane	Stanley
Breakenridge	Fulton	McLeland	Stoddard
Brush	Hartman	Merritt	Thompson
Campbell	Johnston	Ramsey	Topping
Carden	Kimberly	Roberts	Wilson of Polk
Cavanaugh			

Nays, 8.

Browne	Gilchrist	Klemme	Slemmons
Dotts	Gunderson	Shinn	Ulstad

Absent or not voting, 13.

Baird  
Beatty  
Brookins

Dean  
Ellis  
Fackler  
Frailey

Haskell  
Kern  
Mills

Rigby  
Skromme  
Wilson of Page

The motion prevailed.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 286, a bill for an act relating to the salary of county officials.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 70, a bill for an act relating to violations of the law governing registration of animals.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 259, a bill for an act relating to the tax levy for fire department maintenance fund in 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. 209, a bill for an act to make the primary roads arterial highways and to regulate traffic as it enters upon such highways.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENT TO SENATE FILE NO. 209

Amend Senate File No. 209 by striking Section Four (4) and renumbering section Five (5) as Section Four (4).

### THIRD READING OF BILLS

On motion of Senator Wilson of Page, Senate File No. 425, a bill for an act to amend the provisions of section one hundred thirteen



(113) of the code, 1924, providing for examination of offices of cities and towns, reported out by the sifting committee, was taken up and considered.

Senator Roberts offered the following amendment and moved its adoption:

Amend by adding thereto 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 Mount Ayr Record News, a newspaper published in Mount Ayr, Iowa, and the Evening Sentinel, a newspaper published in Shenandoah, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Wilson of Page moved 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.

Baird	Clark	Johnston	Rigby
Benson	Clearman	Kern	Roberts
Bergman	Dean	Kimberly	Shane
Booth	Dotts	Klemme	Slemmons
Breakenridge	Ellis	Lange	Stoddard
Browne	Fackler	Langfitt	Thompson
Brush	Fulton	McLeland	Topping
Campbell	Gunderson	Merritt	Ulstad
Carden	Hartman	Ramsey	Wilson of Page

Nays, none.

Absent or not voting, 14.

Beatty	Frailey	Mills	Skromme
Brookins	Gilchrist	Shaff	Stanley
Cavanaugh	Haskell	Shinn	Wilson of Polk
Darting	McFarlane		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Roberts moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Browne, Senate File No. 438, a bill for an act to make appropriation to pay for hospital and medical at-

tion to B. F. Skyles, superintendent of the state farm at Clive, Iowa, on account of injuries received while in the performance of his duties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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, 36.

Baird	Clearman	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stoddard
Breakenridge	Fackler	McFarlane	Thompson
Brookins	Fulton	McLeland	Topping
Browne	Gunderson	Merritt	Ulstad
Brush	Johnston	Roberts	Wilson of Page
Carden	Kern	Shaff	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Beatty	Darting	Haskell	Rigby
Campbell	Frailey	Mills	Skromme
Cavanaugh	Gilchrist	Ramsey	Stanley
Clark	Hartman		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Browne, Senate File No. 439, a bill for an act to make appropriation to reimburse the Liberty club of Sioux City, Iowa, for certain equipment lost or destroyed by parties acting as officers of a company known as Company D, 4th Iowa Infantry, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Baird	Clark	Kern	Roberts
Benson	Clearman	Kimberly	Shane
Bergman	Dean	Klemme	Slemmons
Booth	Dotts	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brookins	Fulton	McFarlane	Topping
Browne	Glichrist	McLeland	Ulstad
Brush	Hartman	Merritt	Wilson of Page
Carden	Johnston	Rigby	Wilson of Polk

Nays, 1.

Thompson

Absent or not voting, 13.

Beatty	Fackler	Haskell	Shaff
Campbell	Frailey	Mills	Shinn
Cavanaugh	Gunderson	Ramsey	Skromme
Darting			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Browne, Senate File No. 440, a bill for an act to make appropriation to compensate Mrs. Cora E. Bolyard for injuries received at the state fair grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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, 35.

Baird	Clearman	Lange	Shinn
Benson	Dean	Langfitt	Slemmons
Bergman	Dotts	McFarlane	Stanley
Booth	Fulton	McLeland	Stoddard
Breakenridge	Gunderson	Merritt	Thompson
Brookins	Hartman	Ramsey	Topping
Browne	Johnston	Rigby	Ulstad
Brush	Kern	Roberts	Wilson of Page
Carden	Kimberly	Shane	

Nays, none.

Absent or not voting, 15.

Beatty	Darting	Gilchrist	Shaff
Campbell	Ellis	Haskell	Skromme
Cavanaugh	Fackler	Klemme	Wilson of Polk
Clark	Frailey	Mills	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Browne, Senate File No. 441, a bill for an act to make appropriation to Bertha M. H. Shambaugh for expenses incurred in the installation of the Iowa corn folk exhibit at the sesquicentennial exposition, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Browne moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Dean	Klemme	Shane
Benson	Dotts	Lange	Shinn
Bergman	Ellis	Langfitt	Skromme
Booth	Fulton	McFarlane	Slemmons
Breakenridge	Gilchrist	McLeland	Stanley
Brookins	Gunderson	Merritt	Thompson
Browne	Hartman	Ramsey	Topping
Brush	Johnston	Rigby	Ultad
Carden	Kern	Roberts	Wilson of Page
Clearman	Kimberly		

Nays, none.

Absent or not voting, 12.

Beatty	Clark	Frailey	Shaff
Campbell	Darting	Haskell	Stoddard
Cavanaugh	Fackler	Mills	Wilson of Polk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Fulton, Senate File No. 359, a bill for an act to repeal section sixty-two hundred forty-six (6246), of the 1924 code relating to the vote required to contract indebtedness by counties or other political or municipal corporations, and enacting in lieu thereof the following, reported out by the sifting committee, was taken up and considered.

By unanimous consent on request of Senator Fulton, the word "with" was inserted after the word "connection" in line 5 of section 2.

Senator McFarlane moved the previous question, which motion prevailed.

The bill was read for information.

Senator Fulton moved that the reading just had be considered the third reading, which motion prevailed.

Senator Thompson invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 12.

Browne	Fackler	Langfitt	Shinn
Carden	Fulton	Rigby	Thompson
Dotts	Gilchrist	Roberts	Wilson of Page

Nays, 32.

Baird	Clark	Klemme	Shane
Beatty	Clearman	Lange	Skromme
Benson	Darting	McFarlane	Slemmons
Bergman	Dean	McLeland	Stanley
Booth	Ellis	Merritt	Stoddard
Breakenridge	Hartman	Mills	Topping
Brookins	Johnston	Ramsay	Ulstad
Cavanaugh	Kern	Shaff	Wilson of Polk

Absent or not voting, 6.

Brush	Frailey	Haskell	Kimberly
Campbell	Gunderson		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Wilson of Polk, Senate File No. 292, a bill for an act to define, regulate and license real estate brokers and real estate salesmen; to create a state real estate commissioner and to provide a penalty for a violation of the provisions hereof, reported out by the sifting committee, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from lines 14 and 15 of section 6 the words "in the performance of his duties as such attorney-at-law".

The amendment was adopted.

Senator Wilson of Polk moved that the bill be read a third time now, which motion prevailed and the bill was read a third time.

Senator Wilson of Polk invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 24.

Baird	Carden	Kimberly	Shaff
Benson	Clark	Lange	Shane
Booth	Clearman	McFarlane	Stanley
Breakenridge	Darting	Merritt	Stoddard
Brookins	Ellis	Mills	Topping
Campbell	Hartman	Ramsey	Wilson of Polk

Nays, 20.

Brush	Fulton	Klemme	Shinn
Cavanaugh	Gilchrist	Langfitt	Skromme
Dean	Gunderson	McLeland	Slemmons
Dotts	Johnston	Rigby	Thompson
Fackler	Kern	Roberts	Wilson of Page

Absent or not voting, 6.

Beatty	Browne	Haskell	Ulstad
Bergman	Frailey		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Johnston, Senate File No. 380, a bill for an act to amend sections five thousand forty-five (5045) and five thousand sixty-five (5065) of the code, 1924, to repeal section thirteen (13) of chapter five (5) of the acts of the forty-first

general assembly, to repeal section five thousand sixty-six (5066) of the code, 1924, and to enact a substitute therefor, relating to the laws of the road, and to authorize the state highway commission to enforce the law with reference to the use of primary roads, reported out by the sifting committee, was taken up and considered.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking from line 7 of section 2 the word "or" and inserting in lieu thereof the word "and".

The 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, 29.

Baird	Dean	Langfitt	Shane
Benson	Gilchrist	McFarlane	Slemmons
Booth	Hartman	Mills	Stanley
Brush	Johnston	Ramsey	Stoddard
Cavanaugh	Kern	Rigby	Topping
Clark	Klemme	Roberts	Wilson of Page
Clearman	Lange	Shaff	Wilson of Polk
Darting			

Nays, 5.

Breakenridge	Kimberly	Shinn	Thompson
Dotts			

Absent or not voting, 16.

Beatty	Campbell	Frailey	McLeland
Bergman	Carden	Fulton	Merritt
Brookins	Ellis	Gunderson	Skromme
Browne	Fackler	Haskell	Ulstad

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Johnston, Senate File No. 405, a bill for an act to amend sections five thousand thirty-six (5036), five thousand thirty-seven (5037), five thousand fifty-eight (5058) and five thousand seventy-four (5074) of the code, 1924, relating to the control of motor vehicle traffic upon the streets of cities and towns and the penalty for the failure to report accidents, reported out by the sifting committee, was taken up and considered.

Senator Slemmons offered the following amendment and moved its adoption :

Amend by striking out section 5.

The amendment was adopted.

Senator Ellis offered the following amendment and moved its adoption :

Amend by inserting the word "fire" before the word "hydrant" in line 7 of section 3.

The 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.

Senator Johnston invoked rule 8.

On motion of Senator Shinn the Senate adjourned until 1:30 p. m.

#### AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

#### REPORT OF SIFTING COMMITTEE

April 14, 1927.

MR. PRESIDENT: Your sifting committee wishes to amend House File No. 266 as follows:

Insert immediately after the word "duties", in line eight (8), the following: "within his county".

And, when the bill is so amended, we wish to place it on the calendar.

H. GUY ROBERTS, *Chairman.*



## COMMUNICATION FROM 198 CITIZENS OF HARRISON COUNTY

Dow City, April 2, 1927.

*To Honorable A. J. Shinn, State Senator, Des Moines, Iowa:*

DEAR SENATOR: We, the undersigned, regardless of party and politics respectfully desire to express our appreciation of your efforts for economy in the administration of the public affairs of the State of Iowa, and earnestly hope that you and your associate members of the Legislature may be able to check the wild orgy of spending and levying of additional tax burdens on the people, with which our State Government seems possessed.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 184, 366, 222, 305, 278, 420, 336, 99, 235, 253, 315, 341, 347, 383, 394, 418, and Senate Joint Resolution No. 3.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 184, 366, 222, 305, 278, 420, 336, 99, 235, 253, 315, 341, 347, 383, 394, 418, and Senate Joint Resolution No. 3.

## BILLS SENT TO THE GOVERNOR

Senator Wilson 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 April, 1927, sent to the governor for his approval:

Senate Files Nos. 184, 366, 222, 305, 278, 420, 336, 99, 235, 253, 315, 341, 347, 383, 394, 418, and Senate Joint Resolution No. 3.

D. L. WILSON, *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 adopted the conference committee report on Senate File No. 10, a bill for an act to establish the general fund of the state of Iowa and to make appropriations therefrom; that the House has receded from its amendments as recommended in said report; and has adopted the amendments proposed therein.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File No. 520, a bill for an act to authorize the treasurer of state to employ an auditor in the cigarette division of his office, and to make an appropriation to pay the compensation of said auditor.

Read first and second times and referred to sifting committee.

House File No. 487, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1924, as amended by chapter one hundred thirty-nine (139), acts of the forty-first (41) general assembly, relating to the levying of a paving repair fund tax in cities and towns, including cities acting under special charter; and to amend section sixty-two hundred sixty-one (6261) of the code, 1924, as amended by chapters one hundred thirty-nine (139) and one hundred four (104), acts of the forty-first (41) general assembly, relating to the anticipation of special city or town taxes and the issuance of certificates or bonds therefor, and providing that the paving repair fund may be anticipated.

Read first and second times and referred to sifting committee.

House File No. 342, a bill for an act to amend section sixty-eight hundred twenty-three (6823) and sixty-eight hundred thirty (6830) of the code, 1924, relating to river front and levee improvements.

Read first and second times and referred to sifting committee.

House Joint Resolution No. 5, a joint resolution providing for the appointment of a joint commission of House and Senate for the purpose of considering the revision of the laws relating to the valuation of property for taxation, and the levy and collection of taxes.

Read first and second times and referred to sifting committee.

House File No. 416, a bill for an act providing for the holding of school elections in independent school districts having a population of one hundred twenty-five thousand (125,000) or more; prescribing the precincts for such election; the notice thereof; the making of nominations for candidates for school office, and the terms of school directors, and providing that the word "annual" in certain sections of the code relating thereto shall be construed as "biennial", and to amend section forty-one hundred twenty-five (4125) of the code, 1924, relating to elections in independent school districts having a population of one hundred twenty-five thousand (125,000) or more.

Read first and second times and referred to sifting committee.

House File No. 67, a bill for an act relating to the manner and method of computing taxes against mortgaged real estate.

Read first and second times and referred to sifting committee.

House File No. 240, a bill for an act to amend chapter sixty-eight (68) of the code, 1924, relating to the means or methods of conducting the air current in coal mines.

Read first and second times and referred to sifting committee.

### THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 405.  
On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Baird	Clark	Klemme	Shaff
Benson	Clearman	Lange	Shane
Bergman	Darting	Langfitt	Slemmons
Booth	Dean	McFarlane	Stanley
Breakenridge	Fackler	McLeland	Stoddard
Brookins	Hartman	Mills	Topping
Brush	Johnston	Ramsey	Wilson of Page
Campbell	Kern	Rigby	Wilson of Polk
Cavanaugh	Kimberly		

Nays, 10.

Browne	Gilchrist	Roberts	Thompson
Dotts	Gunderson	Shinn	Ulstad
Ellis	Merritt		

Absent or not voting, 6.

Beatty	Frailey	Haskell	Skromme
Carden	Fulton		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator McFarlane Senate File No. 444, a bill for an act to legalize a bond issue in the sum of five thousand dollars voted by the town of Dike, Iowa, for the purpose of building, erecting and equipping a memorial building in Dike, Iowa, in conjunction with the county, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator McFarlane moved 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.

Baird	Clearman	Kern	Rigby
Benson	Darting	Kimberly	Shaff
Bergman	Dotts	Klemme	Shane
Booth	Ellis	Lange	Slemmons
Breakenridge	Fackler	Langfitt	Stanley
Brookins	Frailey	McFarlane	Stoddard
Brush	Fulton	McLeland	Thompson
Campbell	Gilchrist	Merritt	Ulstad
Carden	Gunderson	Mills	Wilson of Page
Cavanaugh	Hartman	Ramsey	Wilson of Polk
Clark	Johnston		

Nays, none.

Absent or not voting, 8.

Beatty	Dean	Roberts	Skromme
Browne	Haskell	Shinn	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator McFarlane 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 Wilson of Polk House File No. 339, a bill for an act to amend section ten thousand one hundred forty-seven (10147) of the code, relating to conveyance or incumbrance of homesteads, reported out by the sifting committee, was taken up and considered.

Senator Cavanaugh offered the following amendment and moved its adoption :

Amend Section One by striking out all that part of Section One following the word "six" in line three thereof and substituting therefor the following:

"and the instrument sets out the legal description of the homestead, provided, however, that where the homestead is conveyed or incumbered along with or in addition to other real estate it shall not be necessary to particularly describe or set aside the tract of land constituting such homestead."

The amendment was adopted.

The bill was read for information.

Senator Wilson of Polk moved 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	Dean	Langfitt	Shinn
Benson	Fackler	McFarlane	Slemmons
Brush	Frailey	Merritt	Stanley
Campbell	Fulton	Mills	Stoddard
Carden	Gilchrist	Ramsey	Thompson
Cavanaugh	Johnston	Rigby	Ulstad
Clearman	Klemme	Roberts	Wilson of Polk
Darting	Lange	Shane	

Nays, 2.

Topping

Wilson of Page

Absent or not voting, 17.

Beatty	Browne	Gunderson	Kimberly
Bergman	Clark	Hartman	McLeland
Booth	Dotts	Haskell	Shaff
Breakenridge	Ellis	Kern	Skromme
Brookins			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Cavanaugh 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 Frailey called up for consideration Senate File No. 210, amended by the House, and moved that the Senate concur in the following amendments:

Strike out all after the enacting clause and insert in lieu thereof:

"Sec. 1. That section thirty-seven hundred forty-two (3742) of the code of 1924 be repealed and the following enacted in lieu thereof: 'Salary of Guards. Turnkeys and Guards shall receive the following monthly salaries:

1. Of the first class, one hundred ten dollars (\$110.00).
2. Of the second class, one hundred dollars (\$100.00).
3. Of the third class, ninety dollars (\$90.00).'

Also amend by striking the title and substituting the following:

#### "A BILL FOR

An act to repeal section thirty-seven hundred forty-two (3742) of the code, 1924, and to enact a substitute therefor, relative to the salaries of guards at the penitentiary and men's reformatory."

On the question "Shall the Senate concur?" the vote was:

Ayes, 43.

Baird	Dotts	Lange	Shinn
Benson	Ellis	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Breakenridge	Frailey	McLeland	Stanley
Brookins	Fulton	Merritt	Stoddard
Brush	Gilchrist	Mills	Thompson
Carden	Gunderson	Ramsey	Topping
Cavanaugh	Johnston	Rigby	Ulstad
Clark	Kern	Roberts	Wilson of Page
Clearman	Kimberly	Shaff	Wilson of Polk
Dean	Klemme	Shane	

Nays, none.

Absent or not voting, 7.

Beatty	Browne	Darting	Haskell
Bergman	Campbell	Hartman	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Johnston moved that ex-Senator John Wichman, of Hancock county, be invited to address the Senate.

The motion prevailed, and the President appointed Senator Johnston as a committee of one to escort Senator Wichman to the desk.

Senator Wichman addressed the Senate briefly.

### THIRD READING OF BILLS

On motion of Senator Stanley House File No. 249, a bill for an act to amend section four thousand two hundred seventeen (4217) of the Code, relating to the powers of school electors at annual meetings; to repeal section forty-two hundred sixty-seven (4267) of the Code, 1924, and to enact a substitute therefor, and to amend Chapter two hundred fourteen (214) of the Code, 1924, so as to authorize school boards to establish grade and high schools and, when approved and duly authorized, junior colleges, to prescribe the courses of study therein, and to provide for supervision, reported out by the sifting committee, was taken up and considered.

Senator Clark offered the following amendment and moved its adoption:

Amend by striking out section 4.

The amendment was lost.

The bill was read for information.

Senator Stanley moved 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	Clearman	Johnston	Rigby
Benson	Darting	Kern	Roberts
Bergman	Dean	Kimberly	Shane
Booth	Dotts	Klemme	Shinn
Breakenridge	Ellis	Lange	Skromme
Brookins	Fackler	Langfitt	Slemmons
Brush	Frailey	McFarlane	Stanley
Campbell	Fulton	McLeland	Stoddard
Carden	Gilchrist	Merritt	Topping
Cavanaugh	Gunderson	Mills	Wilson of Page
Clark	Hartman	Ramsey	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Beatty	Haskell	Thompson	Ulstad
Browne	Shaff		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley 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 Wilson of Polk House File No. 64, a bill for an act relating to elections, and to provide a system of permanent registration for cities having a population in excess of one hundred twenty-five thousand (125,000), reported out by sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson of Polk moved 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	Clearman	Kimberly	Shinn
Beatty	Darting	Klemme	Skromme
Benson	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Frailey	McFarlane	Stoddard
Browne	Fulton	McLeland	Thompson
Brush	Gilchrist	Mills	Topping
Campbell	Gunderson	Ramsey	Ulstad
Carden	Hartman	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark	Kern	Shane	



Nays, none.

Absent or not voting, 7.

Bergman	Dean	Haskell	Shaff
Brookins	Fackler	Merritt	

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson of Polk offered the following amendment to the title and moved its adoption:

Amend by striking out the title and inserting in lieu thereof the following:

“A bill for an act relating to elections and providing a system of permanent registration for certain cities, including cities acting under special charter.”

The amendment was adopted and the title, as amended, was agreed to.

Senator Wilson of Polk moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gunderson House File No. 150, a bill for an act to amend section four thousand two hundred seventy-five (4275) of the code, 1924, relating to the attendance of pupils in high schools outside the state, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Gunderson moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 38.

Baird	Clearman	Kimberly	Rigby
Benson	Dean	Klemme	Roberts
Bergman	Dotts	Lange	Shane
Booth	Frailey	Langfitt	Skromme
Brookins	Fulton	McFarlane	Slemmons
Brush	Gilchrist	McLeland	Stoddard
Campbell	Gunderson	Merritt	Thompson
Carden	Hartman	Mills	Ulstad
Cavanaugh	Johnston	Ramsey	Wilson of Page
Clark	Kern		

Nays, 3.

Shinn                      Topping                      Wilson of Polk

Absent or not voting, 9.

Beatty	Darting	Fackler	Shaff
Breakenridge	Ellis	Haskell	Stanley
Browne			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gunderson 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 Benson House File No. 162, a bill for an act to repeal sections seven thousand three hundred nineteen (7319) and eleven thousand nine hundred twelve (11912) of the code; to repeal sections seven thousand three hundred twenty (7320), seven thousand three hundred twenty-four (7324) and eleven thousand nine hundred thirteen (11913) of the code and to enact substitutes therefor; and to amend section eleven thousand nine hundred sixteen (11916) of the code, relating to reports and inventories of executors, administrators, and testamentary trustees, and to the appraisement of personal property in probate proceedings, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Benson moved 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	Cavanaugh	Kimberly	Shane
Beatty	Clark	Klemme	Shinn
Benson	Darting	Lange	Skromme
Bergman	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stoddard
Breakenridge	Ellis	Merritt	Thompson
Brookins	Frailey	Mills	Topping
Browne	Fulton	Ramsey	Ulstad
Brush	Hartman	Rigby	Wilson of Page
Campbell	Johnston	Roberts	Wilson of Polk
Carden	Kern	Shaff	

Nays, none.

Absent or not voting, 7.

Clearman  
Fackler

Gilchrist  
Gunderson

Haskell  
McLeland

Stanley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Benson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Baird House File No. 177, a bill for an act to amend, revise, and codify section thirteen thousand fifteen (13015) of the code, relating to the larceny of domestic fowls and animals, reported out by the sifting committee, was taken up and considered.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking out following the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 13015 of the Code of 1924 is hereby amended by striking the word "domestic" in line two of said section and by inserting in lieu thereof the words "any domestic animal", and by striking from lines three and four thereof the words "from any building, shed, coop, or enclosed premises".

"Sec. 2. The provisions of section 13960 of the Code shall not apply in fixing punishment and passing sentence under section 13015 of the Code".

Senator Shinn withdrew the 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, 40.

Baird	Cavanaugh	Kern	Shane
Benson	Clark	Kimberly	Shinn
Bergman	Clearman	Klemme	Skromme
Booth	Dean	Lange	Slemmons
Breakenridge	Dotts	Langfitt	Stoddard
Brookins	Ellis	McLeland	Thompson
Browne	Fulton	Merritt	Topping
Brush	Gunderson	Mills	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Beatty	Frailey	McFarlane	Shaff
Darting	Gilchrist	Ramsey	Stanley
Fackler	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Johnston House File No. 438, a bill for an act to amend section thirteen thousand one hundred eighteen (13118) of the code, 1924, relating to certain obstructions in highways, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Clark	Kern	Shane
Benson	Dotts	Kimberly	Slemmons
Booth	Ellis	Klemme	Stoddard
Breakenridge	Frailey	Lange	Thompson
Brookins	Fulton	Langfitt	Topping
Brush	Gilchrist	McLeland	Ulstad
Campbell	Gunderson	Merritt	Wilson of Page
Carden	Hartman	Mills	Wilson of Polk
Cavanaugh	Johnston	Rigby	

Nays, none.

Absent or not voting, 15.

Beatty	Darting	McFarlane	Shinn
Bergman	Dean	Ramsey	Skromme
Browne	Fackler	Roberts	Stanley
Clearman	Haskell	Shaff	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Gilchrist House File No. 407, a bill for an act to amend section 12801 (twelve thousand eight hundred one) and to repeal section twelve thousand eight hundred two (12802) of the code, 1924, and to enact a substitute therefor, relating to the number of judges of the supreme court, and the division of said court in two sections, and to provide for an additional judge, reported out by sifting committee, 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, 37.

Baird	Clark	Kern	Roberts
Beatty	Clearman	Kimberly	Shane
Benson	Dean	Klemme	Skromme
Booth	Ellis	Lange	Stanley
Breakenridge	Frailey	Langfitt	Stoddard
Brookins	Fulton	McFarlane	Thompson
Brush	Gilchrist	McLeland	Topping
Campbell	Hartman	Mills	Wilson of Page
Carden	Johnston	Rigby	Wilson of Polk
Cavanaugh			

Nays, 1.

Shinn

Absent or not voting, 12.

Bergman	Dotts	Haskell	Shaff
Browne	Fackler	Merritt	Slemmons
Darting	Gunderson	Ramsey	Ulstad

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 Wilson of Polk Senate File No. 390, a bill for an act to amend section 4657 (four thousand six hundred fifty-seven) of the code relative to the acquisition of gravel pits by counties, reported out by the sifting committee, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Polk offered the following amendment and moved its adoption:

Amend by striking out all of Section One and inserting in lieu thereof the following:

Section 1. Section 4657 of the Code is amended by inserting after the comma (,) in line four (4) thereof the words, "or within the limits of any city or town providing the consent of the city or town council is first obtained."

The amendment was adopted.

The bill was read for information.

Senator Wilson of Polk moved 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.

Benson	Dotts	Klemme	Shane
Booth	Ellis	Lange	Skromme
Breakenridge	Frailey	Langitt	Stanley
Brookins	Fulton	McFarlane	Stoddard
Brush	Gilchrist	McLeland	Thompson
Carden	Hartman	Mills	Topping
Cavanaugh	Johnston	Rigby	Ulstad
Clark	Kern	Roberts	Wilson of Polk
Clearman	Kimberly	Shaff	

Nays, none.

Absent or not voting, 15.

Baird	Campbell	Gunderson	Shinn
Beatty	Darting	Haskell	Slemmons
Bergman	Dean	Merritt	Wilson of Page
Browne	Fackler	Ramsey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Slemmons House File No. 387, a bill for an act to legalize the transfer of certain funds in the treasury of the town of Ryan, Iowa, reported out by the sifting committee, was taken up and considered.

Senator Slemmons moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Baird	Clearman	Lange	Shinn
Beatty	Dotts	Langfitt	Skromme
Benson	Ellis	McFarlane	Slemmons
Booth	Frailey	McLeland	Stanley
Breakenridge	Gilchrist	Merritt	Stoddard
Brookins	Hartman	Mills	Thompson
Brush	Johnston	Rigby	Topping
Carden	Kern	Roberts	Ulstad
Cavanaugh	Kimberly	Shaff	Wilson of Page
Clark	Klemme	Shane	

Nays, none.

Absent or not voting, 11.

Bergman	Darting	Fulton	Ramsey
Browne	Dean	Gunderson	Wilson of Polk
Campbell	Fackler	Haskell	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lange 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 Breakenridge Senate File No. 382, a bill for an act to authorize the transfer of \$25,000.00 (twenty-five thousand dollars) from the electric fund to the general fund of the city of Algona, Kossuth county, Iowa, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Breakenridge moved 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.

Baird	Clearman	Langfitt	Slemmons
Benson	Dotts	McFarlane	Stanley
Booth	Ellis	McLeland	Stoddard
Breakenridge	Frailey	Meritt	Thompson
Brookins	Fulton	Mills	Topping
Brush	Gilchrist	Roberts	Ulstad
Carden	Johnston	Shaff	Wilson of Page
Cavanaugh	Kimberly	Shane	Wilson of Polk
Clark	Lange	Skromme	

Nays, none.

Absent or not voting, 15.

Beatty	Darting	Hartman	Ramsey
Bergman	Dean	Haskell	Rigby
Browne	Fackler	Kern	Shinn
Campbell	Gunderson	Klemme	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Breakenridge moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shane House File No. 358, a bill for an act to make permanent the temporary transfer of money from the state insane fund to the general county fund of Wapello county, Iowa, reported out by the sifting committee, was taken up and considered.

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.

Baird	Clearman	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Booth	Dotts	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brookins	Frailey	McFarlane	Thompson
Browne	Fulton	McLeland	Topping
Brush	Gilchrist	Merritt	Ulstad
Carden	Hartman	Mills	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark	Kern	Shaff	



Nays, none.

Absent or not voting, 11.

Beatty	Darting	Haskell	Skromme
Bergman	Fackler	Ramsey	Slemmons
Campbell	Gunderson	Roberts	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Cavanaugh House File No. 428, a bill for an act to legalize a resolution of the Board of Supervisors of Calhoun county, Iowa, relating to the establishing of a public road or highway in Calhoun county, Iowa, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Cavanaugh moved 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	Clearman	Klemme	Shinn
Benson	Dean	Lange	Skromme
Bergman	Dotts	Langfitt	Slemmons
Booth	Ellis	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Brookins	Fulton	Merritt	Thompson
Browne	Gilchrist	Mills	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Johnston	Shaff	Wilson of Page
Clark	Kern	Shane	Wilson of Polk
	Kimberly		

Nays, none.

Absent or not voting, 9.

Beatty	Campbell	Gunderson	Ramsey
Brush	Darting	Haskell	Roberts
	Fackler		

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 House File No. 25, a bill for an act relating to the maturities and provisions for the payment of bonds of counties, cities, towns, school districts of every character

including cities organized under a special charter and cities operating under commission and city manager forms of government, reported out by the sifting committee, was taken up and considered.

The following amendment proposed by the sifting committee was considered :

Amend by striking Sections 1, 2 and 3, and substituting the following:

Section 1. Hereafter issues of bonds of every kind and character by counties, cities, towns and school districts shall be consecutively numbered. The annual levy shall be sufficient to pay the interest and approximately such portion of the principal of the bonds as will retire them in a period not exceeding twenty (20) years from date of issue. As fast as funds allow, beginning with the second year, after the payment of interest due, bonds shall be called and retired in the same order as numbered.

Sec. 2. The governing authority of these political subdivisions before issuing bonds shall, by resolution, provide for the assessment of an annual levy upon all the taxable property in such public corporation sufficient to pay the interest and principal of such bonds within a period named not exceeding twenty (20) years. A certified copy of this resolution shall be filed with the county auditor or auditors of the counties, as the case may be, in which such public corporation is located; and the filing thereof shall make it a duty of such officer or officers to enter annually this levy for collection until funds are realized to pay the bonds in full.

Sec. 3. Whenever the governing authority of such political subdivision shall have on hand funds derived from any other source than taxation which may be appropriated to the payment either of interest or principal, or both principal and interest, of such bonds such funds may be so appropriated and used and the levy for the payment of the bonds correspondingly reduced.

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, 39.

Baird	Dotts	Klemme	Shinn
Benson	Ellis	Lange	Skromme
Bergman	Fackler	Langfitt	Slemmons
Booth	Frailey	McLeland	Stanley
Breakenridge	Fulton	Merritt	Stoddard
Brookins	Gilchrist	Mills	Topping
Carden	Gunderson	Rigby	Ulstad
Cavanaugh	Johnston	Roberts	Wilson of Page
Clearman	Kern	Shaff	Wilson of Polk
Dean	Kimberly	Shane	

Nays, none.

Absent or not voting, 11.

Beatty	Campbell	Hartman	Ramsey
Browne	Clark	Haskell	Thompson
Brush	Darting	McFarlane	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Brookins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Cavanaugh moved that the vote by which House File No. 428 passed the Senate be reconsidered, which motion prevailed.

Senator Cavanaugh moved that the vote by which House File No. 428 passed to its third reading be reconsidered, which motion prevailed.

Senator Cavanaugh offered the following amendments and moved their adoption:

Amend by inserting after the figure "1" in line 1 the word "That", and by inserting in line 2 after the word "Iowa" the words "be provided".

The amendments were adopted.

Senator Cavanaugh moved 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.

Baird	Dean	Kimberly	Shane
Beatty	Dotts	Klemme	Shinn
Benson	Ellis	Lange	Skromme
Bergman	Fackler	Langfitt	Slemmons
Booth	Frailey	McLeland	Stanley
Breakenridge	Fulton	Merritt	Stoddard
Brookins	Gilchrist	Mills	Thompson
Campbell	Gunderson	Ramsey	Topping
Carden	Hartman	Rigby	Ulstad
Cavanaugh	Johnston	Roberts	Wilson of Page
Clark	Kern	Shaff	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 5.

Browne	Darting	Haskell	McFarlane
Brush			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Skromme House File No. 217, a bill for an act providing for school facilities for children of appointees or employees residing in state institutions, whose children attend school in a school district in which such institution is situated or who attend school in a nearby school district, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Skromme moved 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.

Benson	Dean	Kimberly	Shane
Bergman	Dotts	Klemme	Shinn
Booth	Ellis	Lange	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Browne	Frailey	McFarlane	Stanley
Campbell	Fulton	McLeland	Stoddard
Carden	Gilchrist	Merritt	Thompson
Cavanaugh	Gunderson	Mills	Topping
Clark	Hartman	Roberts	Wilson of Page
Clearman	Johnston	Shaff	Wilson of Polk
	Kern		

Nays, none.

Absent or not voting, 9.

Baird	Brookins	Haskell	Rigby
Beatty	Brush	Ramsey	Ulstad
	Darting		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Skromme 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 Rigby Senate File No. 348, a bill for an act to amend section ninety-six hundred eighty-eight (9688) of the code, 1924, relating to warehouseman's liens, reported out by sifting committee, was taken up and considered.

By unanimous consent, on request of Senator Wilson of Polk, the word and figure "five (5)" were stricken from line 9 and the word and figure "ten (10)" inserted in lieu thereof.

The bill was read for information.

Senator Rigby moved 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	Dotts	Kimberly	Shane
Benson	Ellis	Klemme	Shinn
Bergman	Fackler	Lange	Skromme
Booth	Frailey	McFarlane	Slemmons
Breakenridge	Fulton	McLeland	Stanley
Carden	Gilchrist	Merritt	Stoddard
Cavanaugh	Gunderson	Mills	Thompson
Clearman	Hartman	Rigby	Topping
Darting	Johnston	Roberts	Wilson of Page
Dean	Kern	Shaff	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Beatty	Brush	Haskell	Ulstad
Brookins	Campbell	Langfitt	
Browne	Clark	Ramsey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Ellis House File No. 196, a bill for an act to amend chapter thirty-six (36), acts of the forty-first (41) general assembly, relating to a closed season on muskrat, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Ellis moved 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.

Baird	Darting	Kimberly	Shaff
Benson	Ellis	Langfitt	Shane
Bergman	Fackler	McFarlane	Skromme
Booth	Frailey	McLeland	Stanley
Campbell	Fulton	Merritt	Stoddard
Carden	Gunderson	Mills	Thompson
Cavanaugh	Johnston	Ramsey	Topping
Clearman	Kern	Rigby	Wilson of Polk

Nays, 7.

Breakenridge	Gilchrist	Roberts	Wilson of Page
Dean	Klemme	Slemmons	

Absent or not voting, 11.

Beatty	Brush	Hartman	Shinn
Brookins	Clark	Haskell	Ulstad
Browne	Dotts	Lange	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ellis moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shinn House File No. 471, a bill for an act to provide an appropriation of sixteen hundred fifty-seven and 10/100 dollars (\$1657.10) to indemnify Elsie Brogan for damages and injuries received as and while a student at 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.

Snator 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.

Baird	Clearman	Kern	Rigby
Benson	Darting	Kimberly	Roberts
Bergman	Dean	Klemme	Shaff
Booth	Dotts	Lange	Shane
Breakenridge	Ellis	Langfitt	Shinn
Brookins	Frailey	McFarlane	Skromme
Campbell	Fulton	McLeland	Slemmons
Carden	Gunderson	Merritt	Stanley
Cavanaugh	Hartman	Mills	Stoddard
Clark	Johnston	Ramsey	Thompson

Nays, none.

Absent or not voting, 10.

Beatty	Fackler	Topping	Wilson of Page
Browne	Gilchrist	Ulstad	Wilson of Polk
Brush	Haskell		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Johnston House File No. 505, a bill for an act to require the equipping with signal lights of road machinery being used upon any public highway open to the public, and to require the placing of said signal lights upon such machinery when the same is being operated or parked after sundown, and providing penalties for violations, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 37.

Baird	Dean	Johnston	Ramsey
Benson	Dotts	Kern	Rigby
Bergman	Ellis	Kimberly	Roberts
Booth	Fackler	Klemme	Shaff
Brush	Frailey	Lange	Shane
Carden	Fulton	Langfitt	Shinn
Cavanaugh	Gilchrist	McFarlane	Skromme
Clark	Gunderson	McLeland	Stoddard
Clearman	Hartman	Mills	Thompson
			Wilson of Polk

Nays, none.

Absent or not voting, 13.

Beatty	Browne	Haskell	Stanley
Breakenridge	Campbell	Merritt	Topping
Brookins	Darting	Slemmons	Ulstad
			Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Johnston House File No. 475, a bill for an act to repeal section eighty-eight hundred thirty-seven (8837) as amended by section one (1) of chapter one hundred sixty-seven (167), acts of the forty-first (41) general assembly, sections eighty-eight hundred thirty-eight (8838), eighty-eight hundred thirty-nine (8839), eighty-eight hundred forty (8840), eighty-eight hundred forty-one (8841), eighty-eight hundred forty-two (8842), and eighty-eight hundred forty-four (8844) of the code, 1924, and to enact substitutes therefor, relating to benefits on lives of children, reported out by the sifting committee, was taken up and considered.

Senator Johnston offered the following amendments and moved their adoption:

Amend section one (1) by striking out the words "some adult person" in line 5 thereof and inserting in lieu thereof the following:

"a relative by blood to the fourth degree, stepfather, stepmother, stepbrother, stepsister, or person responsible for the support of the child".



Further amend by striking out of Section 3 the word and figure "three (3)" in line 4 and inserting in lieu thereof the word and figure "two (2)".

Further amend by striking out of Section 4, all of line 3 and inserting in lieu thereof the following:

"and change of beneficiaries, which beneficiary shall be the child itself or a person qualified to make application therefore as provided in Section one (1) hereof, and in all".

The amendments were 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.

Baird	Clark	Johnston	Rigby
Beatty	Clearman	Kimberly	Shaff
Benson	Dean	Klemme	Shane
Bergman	Dotts	McFarlane	Stoddard
Booth	Ellis	McLeland	Thompson
Brush	Frailey	Mills	Topping
Carden	Gilchrist	Ramsey	Wilson of Polk
Cavanaugh	Gunderson		

Nays, 5.

Fulton	Roberts	Shinn	Wilson of Page
Kern			

Absent or not voting, 15.

Breakenridge	Darting	Lange	Stemmons
Brookins	Fackler	Langfitt	Stanley
Browne	Hartman	Merritt	Ulstad
Campbell	Haskell	Skromme	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Johnston moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shaff House File No. 444, a bill for an act to amend sections fifty-seven hundred seventy-three (5773) and sixty-two hundred eleven (6211) of the code, 1924, relating

to the purchase or remodeling of city or town halls and to the levy of a tax for a city hall fund, reported out by the sifting committee, was taken up and considered.

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, 40.

Baird	Cavanaugh	Hartman	Roberts
Beatty	Clark	Johnston	Rigby
Benson	Clearman	Kern	Shaff
Bergman	Darting	Kimberly	Shane
Booth	Dean	Klemme	Shinn
Breakenridge	Dotts	Langfitt	Stanley
Brookins	Ellis	McFarlane	Stoddard
Browne	Fackler	McLeland	Topping
Brush	Frailey	Merritt	Wilson of Page
Carden	Gilchrist	Ramsey	Wilson of Polk

Nays, 1.

Fulton

Absent or not voting, 9.

Campbell	Haskell	Mills	Slemmons
Gunderson	Lange	Skromme	Thompson
			Ulstad

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 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 Dean House File No. 182, a bill for an act to amend, revise, and codify sections eleven thousand four hundred fifty-nine (11459), eleven thousand four hundred seventy-one (11471), thirteen thousand eight hundred thirty-nine (13839), and thirteen thousand eight hundred forty-one (13841) of the code, 1924, relating to the selection of trial juries and to provide

for the selection of substitute jurors for jurors who become incapacitated, reported out by the sifting committee, was taken up and considered.

Further action was deferred.

On motion of Senator Browne House File No. 470, a bill for an act to provide an appropriation of twenty-four hundred and seventy-five dollars (\$2475.00) to indemnify Roy Rogers for damages occasioned by reason of injury suffered when struck by an accidental discharge of a shotgun while acting as deputy game warden, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dean moved 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	Clearman	Langfitt	Shinn
Beatty	Dean	McFarlane	Skromme
Benson	Dotts	McLeland	Slemmons
Bergman	Fackler	Merritt	Stoddard
Booth	Fulton	Mills	Thompson
Breakenridge	Gilchrist	Ramsey	Topping
Brookins	Johnston	Rigby	Ulstad
Browne	Kern	Roberts	Wilson of Page
Brush	Klemme	Shaff	Wilson of Polk
Clark	Lange	Shane	

Nays, none.

Absent or not voting, 11.

Campbell	Darting	Gunderson	Kimberly
Carden	Ellis	Hartman	Stanley
Cavanaugh	Frailey	Haskell	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dean 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 Benson called up for consideration Senate File No. 297, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title by striking out all of said title following the word "act" in the first line thereof and inserting in lieu thereof the following: "to amend chapter ninety-two (92), acts of the forty-first (41) general assembly, relating to the education of deaf children."

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Baird	Darting	Klemme	Shaff
Benson	Dean	Lange	Shane
Bergman	Dotts	Langfitt	Skromme
Booth	Fackler	McFarlane	Slemmons
Breakenridge	Frailey	McLeland	Stoddard
Browne	Fulton	Mills	Topping
Brush	Gilchrist	Ramsey	Ulstad
Cavanaugh	Gunderson	Rigby	Wilson of Page
Clark	Kern	Roberts	Wilson of Polk
Clearman	Kimberly		

Nays, none.

Absent or not voting, 12.

Beatty	Carden	Haskell	Shinn
Brookins	Ellis	Johnston	Stanley
Campbell	Hartman	Merritt	Thompson

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 436, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 1 by striking out all of line two and inserting in lieu thereof the following: "ten hundred thirty-two dollars (\$1032.00)".

Amend section 1 by striking out of line five (5) the figures "731.00" and inserting in lieu thereof the figures "300.00".

Amend the title by striking out of lines one (1) and two (2) the following: "fourteen hundred sixty-two dollars and ninety cents (\$1462.90)" and inserting in lieu thereof the following: "ten hundred thirty-two dollars (\$1032.00)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Baird	Clearman	Lange	Shinn
Beatty	Darting	Langfitt	Skromme
Benson	Dean	McFarlane	Slemmons
Bergman	Dotts	McLeland	Stoddard
Booth	Fackler	Merritt	Thompson
Breakenridge	Gilchrist	Mills	Topping
Brookins	Gunderson	Ramsey	Ulstad
Browne	Johnston	Rigby	Wilson of Page
Brush	Kern	Roberts	Wilson of Polk
Cavanaugh	Klemme	Shane	

Nays, none.

Absent or not voting, 11.

Campbell	Ellis	Hartman	Shaff
Carden	Frailey	Haskell	Stanley
Clark	Fulton	Kimberly	

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Bergman called up for consideration Senate File No. 209, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking section four (4) and renumbering section five (5) as Section four (4).

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Baird	Clearman	Langfitt	Shane
Beatty	Darting	McFarlane	Shinn
Benson	Dean	McLeland	Slemmons
Bergman	Dotts	Merritt	Stoddard
Booth	Fackler	Mills	Thompson
Breakenridge	Gilchrist	Ramsey	Topping
Brookins	Gunderson	Rigby	Ulstad
Browne	Johnston	Roberts	Wilson of Page
Brush	Klemme	Shaff	Wilson of Polk
Cavanaugh	Lange		

Nays, none.

Absent or not voting, 12.

Campbell	Ellis	Hartman	Kimberly
Carden	Frailey	Haskell	Skromme
Clark	Fulton	Kern	Stanley

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

#### INTRODUCTION OF BILLS

Senate Joint Resolution No. 6, by sifting committee, a joint resolution rescinding the actions of the Thirtieth, Thirty-first, Thirty-second and Thirty-third General Assemblies of the State of Iowa, memorializing Congress to call a constitutional convention for the purpose of amending the constitution of the United States.

Read first and second times and placed on the calendar.

The Journal of April 13th was corrected and approved.

On motion of Senator Roberts the Senate adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE SENATE

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 15, 1927.

The Senate met in regular session, President Clem F. Kimball presiding.

Prayer was offered by Rev. Dilman Smith, chaplain of the Methodist Hospital, Des Moines.

## REPORT OF SIFTING COMMITTEE

April 15, 1927.

MR. PRESIDENT: Your sifting committee wishes to place the following bills on the calendar:

House Files Nos. 128, by Forsling; 317, by Johnson of Dickinson; 366, by McCaulley; 396, by Hansen of Scott; 399, by Johnson of Dickinson; 458, by Hill; 504, by Committee on Fish and Game; 516, by Sifting Committee; 520, by Sifting Committee.

H. GUY ROBERTS, *Chairman.*

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 14, 1927, he had approved the following bills:

Senate File No. 290, relating to materials of suspending and disbanding posts of the Grand Army.

Senate File No. 430, an act to amend the law as it appears in section 5902 of the code, 1924.

Senate File No. 403, relating to election held by the voters of Floyd county, Iowa.

Senate File No. 35, relating to the distribution of taxes.

Senate File No. 113, an act to amend section 5191 paragraph 11, of the code, 1924.

Senate File No. 369, an act to amend Chapter 156 of the code, 1924.

Senate File No. 300, an act to amend section 7255 of the 1924 code.

Senate File No. 223, an act to amend Chapter 132 of Title IX of the Code, 1924.

Senate File No. 422, relating to appropriation from the sinking fund in the office of the treasurer of state to the city of Keokuk, Iowa.

Senate File No. 285, relating to school age.

Senate File No. 385, relating to control and eradication of European corn borer.

Senate File No. 417, relating to appropriation of \$690.00 to indemnify George Simpson for damages.

Senate File No. 419, relating to appropriation of \$6,500.00 to indemnify C. T. Murphy for damages.

Senate File No. 360, relating to State aid to county and district fairs or agricultural societies.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 283, 215, 127, 74, 251, 284, 65, 431, 258, 256, 408, 270, 402, 132, 236, 115, 109, and 404, and House Files Nos. 19, 214, and 222.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 283, 215, 127, 74, 251, 284, 65, 431, 258, 256, 408, 270, 402, 132, 236, 115, 109, and 404.

Senator Stoddard moved that ex-Senator George Perkins of Sac county and ex-Senator Addison M. Parker of Polk county be invited to address the Senate.

The motion prevailed and the President appointed Senator Stoddard as a committee of one to escort the senators to the desk, where they 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 concurred in Senate amendment to House amendment to Senate File No. 353, a bill for an act relating to the improvement of the primary road system and the appointment of members of the highway commission and an auditor therefor.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 25, providing for the adjournment of the 42nd General Assembly sine die.

Also: That the House has concurred in Senate amendment to House

File No. 64, a bill for an act relating to elections, and to provide a system of permanent registration for cities having a population in excess of one hundred twenty-five thousand (125,000).

Also: That the House has concurred in Senate amendment to House File No. 339, a bill for an act relating to conveyance or incumbrance of homesteads.

Also: that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 440, a bill for an act providing for a special tax levy by cities having a population of one hundred thousand (100,000) or more, for the purchase, construction, maintenance, and operation of art museums and for the purchase of works of art.

Also: that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 275, a bill for an act relating to the licensing of dogs and the collection of the license fee.

Also: that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 517, a bill for an act relating to indictments.

Also: that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 347, a bill for an act relating to cooperative associations, and to authorize such associations to do business with nonmembers.

Also: that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 308, a bill for an act relating to the membership of the soldiers' relief commission.

Also: that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 90, a bill for an act relating to the punishment for assault with intent to commit rape.

Also: that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 364, a bill for an act to legalize the corporate acts and proceedings of the Frankel Clothing Company of Des Moines, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Company.

Also: that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 200, a bill for an act to confirm in R. E. Rouse the title to a portion of land in Section Sixteen, Township Ninety-three North of the Base Line Range Thirty-four West of the Fifth Principal Meridian, etc., and authorizing and directing the Executive Council of the State of Iowa to quit claim said land to him.

Also: 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 bring the sale of certain contracts within the provisions of the Blue Sky Law of the State of Iowa.

Also: that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 373, a bill for an act relating to the erection of monuments at the graves of soldiers of the Revolutionary War.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 432, a bill for an act making an appropriation to pay for repairs upon the state capitol and historical buildings.

Also: That the House has amended and failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 95, a bill for an act relating to the inheritance tax, the assessment and collection thereof, and the procedure with reference thereto.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 432

Amend section one (1) by inserting at the end of line two (2) the following: "one hundred twenty-nine thousand dollars (\$129,000.00)".

## HOUSE AMENDMENT TO SENATE FILE NO. 95

Amend Senate File No. 95 by striking therefrom Sections six (6), seven (7), eight (8) and nine (9).

## HOUSE MESSAGES CONSIDERED

House File No. 275, a bill for an act to amend sections fifty-four hundred twenty-two (5422), fifty-four hundred twenty-three (5423), fifty-four hundred twenty-eight (5428), fifty-four hundred thirty-four (5434), fifty-four hundred thirty-five (5435), fifty-four hundred forty (5440) and fifty-four hundred forty-three (5443) of the code, 1924, and to repeal sections fifty-four hundred thirty-six (5436), fifty-four hundred thirty-eight (5438), and fifty-four hundred thirty-nine (5439) of the code, 1924, relating to the licensing of dogs and the collection of the license fee.

Read first and second times and referred to sifting committee.

House File No. 347, a bill for an act to amend sections eighty-four hundred eighty-six (8486), eighty-four hundred eighty-seven (8487) and eighty-five hundred six (8506) of the code, 1924, relating to cooperative associations, and to authorize such associations to do business with nonmembers.

Read first and second times and referred to sifting committee.

House File No. 440, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1924, providing for a special tax levy by cities having a population of one hundred thousand (100,000) or more, for the purchase, construction, maintenance, and operation of art museums and for the purchase of works of art.

Read first and second times and referred to sifting committee.

House File No. 517, a bill for an act to amend Senate File Number Thirty-four (34) of the acts of the forty-second (42nd) general assembly, relating to indictments.

Read first and second times and referred to sifting committee.

## SENATE CONCURRENT RESOLUTION NO. 29

Senator Stoddard offered the following resolution:

*Whereas*, Members of the Forty-second General Assembly may desire to purchase the chairs occupied by them during this session; therefore,

*Be It Resolved by the Senate, the House concurring*, That such members be permitted to purchase such chairs from the secretary of the executive council at the price of fifty dollars (\$50.00), 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.

*Be It Further Resolved by the Senate, the House concurring*, That the President of the Senate and the Speaker of the House, the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House, the Chief Doorkeeper of the Senate and the Chief Doorkeeper of the House be presented with the chairs occupied by them during the session, and that the custodian of the state house be instructed to crate such chairs and deliver them to the express office in Des Moines, addressed to the persons mentioned herein.

By unanimous consent the resolution was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking out the words and figures "fifty dollars (\$50.00)" and inserting in lieu thereof "thirty dollars (\$30.00)".

The amendment was adopted.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 30.

Bergman	Clark	Hartman	Shane
Booth	Clearman	Johnston	Slemmons
Breakenridge	Dean	Langfitt	Stoddard
Browne	Dotts	Merritt	Thompson
Brush	Ellis	Mills	Ulstad
Campbell	Fackler	Rigby	Wilson of Page
Carden	Gilchrist	Roberts	Wilson of Polk
Cavanaugh	Gunderson		

Nays, none.

Absent or not voting, 20.

Baird	Frailey	Klemme	Shaff
Beatty	Fulton	Lange	Shinn
Benson	Haskell	McFarlane	Skromme
Brookins	Kern	McLeland	Stanley
Darting	Kimberly	Ramsey	Topping

The resolution was adopted.

#### HOUSE CONCURRENT RESOLUTION NO. 8 CONSIDERED

Senator Cavanaugh called up for consideration the following resolution and moved its adoption:

*Whereas*, Resumption of athletic activities between the State University of Iowa and Iowa State College would increase the interest of prospective students and others; and

*Whereas*, The receipts of such contests would be of considerable aid financially to both of these institutions and to the state because of the large number of interested persons throughout the state and in neighboring states who would attend; therefor,

*Be It Resolved by the House, the Senate concurring: That the Board of Education and the Athletic Departments of these two institutions be urgently requested to seriously consider the possibility and the necessity of renewing athletic connections between the two schools, especially as referring to a proposed annual football game.*

The resolution was lost.

Senator Ulstad moved that Senate File No. 400 be withdrawn from the sifting committee and placed on the calendar.

Senator Slemmons invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

## Ayes, 21.

Beatty	Dean	Gunderson	Mills
Breakenridge	Dotts	Hartman	Shinn
Brookins	Ellis	Klemme	Skromme
Browne	Fackler	Lange	Slemmns
Campbell	Gilchrist	McLeland	Thompson
			Ulstad

## Nays, 19.

Benson	Cavanaugh	Kimberly	Stoddard
Bergman	Clark	Merritt	Topping
Booth	Clearman	Rigby	Wilson of Page
Brush	Fulton	Shaff	Wilson of Polk
Carden	Johnston	Shane	

## Absent or not voting, 10.

Baird	Haskell	McFarlane	Roberts
Darting	Kern	Ramsey	Stanley
Frailey	Langfitt		

The motion was lost.

On motion of Senator Breakenridge House File No. 399, a bill for an act to amend section thirty-six hundred forty-one (3641) of the code, 1924, relating to widow's pensions, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Breakenridge moved 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	Dean	Kern	Shane
Benson	Dotts	Kimberly	Slemmons
Bergman	Ellis	Klemme	Stanley
Booth	Fackler	Lange	Thompson
Breakenridge	Fulton	Langfitt	Topping
Brush	Gunderson	McFarlane	Ulstad
Carden	Hartman	McLeland	Wilson of Polk
Clearman	Johnston	Mills	

Nays, none.

Absent or not voting, 19.

Beatty	Clark	Merritt	Shinn
Brookins	Darting	Ramsey	Skromme
Browne	Frailey	Rigby	Stoddard
Campbell	Gilchrist	Roberts	Wilson of Page
Cavanaugh	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 Dean, House File No. 182, a bill for an act to amend, revise, and codify sections eleven thousand four hundred fifty-nine (11459), eleven thousand four hundred seventy-one (11471), thirteen thousand eight hundred thirty-nine (13839), and thirteen thousand eight hundred forty-one (13841) of the code, 1924, relating to the selection of trial juries and to provide for the selection of substitute jurors for jurors who become incapacitated, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Dean moved that the reading just had been considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 26.

Benson	Clearman	Johnston	Merritt
Booth	Dean	Kimberly	Mills
Breakenridge	Dotts	Klemme	Shane
Browne	Fackler	Lange	Slemmons
Brush	Fulton	McFarlane	Stanley
Carden	Gilchrist	McLeland	Wilson of Page
Clark	Hartman		

Nays, 7.

Cavanaugh	Shinn	Thompson	Wilson of Polk
Rigby	Stoddard	Topping	



Absent or not voting, 17.

Baird	Darting	Haskell	Roberts
Beatty	Ellis	Kern	Shaff
Bergman	Frailey	Langfitt	Skromme
Brookins	Gunderson	Ramsey	Ulstad
Campbell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dean 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 Browne moved that Senate File No. 433 be withdrawn from the sifting committee and placed on the calendar.

Senator Lange invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 15.

Browne	Gunderson	McLeland	Slemmons
Dotts	Hartman	Merritt	Thompson
Ellis	Kern	Shinn	Ulstad
Gilchrist	Lange	Skromme	

Nays, 22.

Booth	Clearman	Langfitt	Stanley
Breakenridge	Dean	McFarlane	Stoddard
Brush	Fulton	Mills	Topping
Carden	Johnston	Rigby	Wilson of Page
Cavanaugh	Kimberly	Shane	Wilson of Polk
Clark	Klemme		

Absent or not voting, 13.

Baird	Brookins	Fackler	Ramsey
Beatty	Campbell	Frailey	Roberts
Benson	Darting	Haskell	Shaff
Bergman			

The motion was lost.

## THIRD READING OF BILLS

On motion of Senator Kimberly, House File No. 396, a bill for an act to amend section twelve thousand three hundred ninety-six (12396) of the code, 1924, relating to and defining nuisances, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Booth	Dotts	Langfitt	Slemmons
Breakenridge	Ellis	McLeland	Stanley
Brookins	Fulton	Merritt	Stoddard
Brush	Hartman	Mills	Thompson
Carden	Johnston	Ramsey	Topping
Cavanaugh	Kern	Rigby	Ulstad
Clark	Kimberly	Shane	Wilson of Page
Clearman	Kimme	Shinn	Wilson of Polk
Dean	Lange	Skromme	

Nays, none.

Absent or not voting, 15.

Baird	Browne	Frailey	McFarlane
Beatty	Campbell	Gilchrist	Roberts
Benson	Darting	Gunderson	Shaff
Bergman	Fackler	Haskell	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley, House File No. 266, a bill for an act to repeal section fifty-two hundred thirty-three (5233) of the code, 1924, and to enact a substitute therefor, relating to the expenses of the county superintendent of schools, reported out by the sifting committee, was taken up and considered.

The following amendment offered by the sifting committee was considered:

Amend by inserting immediately after the word "duties" in line eight (8) the following: "within his county".

The amendment was adopted.

The bill was read for information.

Senator Stanley moved 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.

Baird	Clearman	Kimberly	Shane
Benson	Dean	Lange	Skromme
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Ellis	McFarlane	Stanley
Brush	Fulton	McLeland	Thompson
Campbell	Gunderson	Merritt	Topping
Carden	Hartman	Mills	Ulstad
Cavanaugh	Johnston	Ramsey	Wilson of Page
Clark	Kern	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Beatty	Darting	Haskell	Shaff
Bergman	Fackler	Klemme	Shinn
Brookins	Frailey	Roberts	Stoddard
Browne	Gilchrist		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley 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 Dean House File No. 257, a bill for an act to amend chapter two hundred seventy-three (273) of the code, 1924, relating to the relief commission for soldiers, sailors, and marines, and to provide compensation for their services, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Dean moved 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.**

Baird	Dean	Klemme	Shane
Benson	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Stanley
Brookins	Fulton	Merritt	Stoddard
Brush	Hartman	Mills	Topping
Carden	Johnston	Ramsey	Ulstad
Clearman	Kimberly	Shaff	Wilson of Polk
Darting			

**Nays, 10.**

Breakenridge	Gilchrist	Lange	Rigby
Browne	Kern	McLeland	Thompson
Campbell			Wilson of Page

**Absent or not voting, 11.**

Beatty	Clark	Gunderson	Shinn
Bergman	Fackler	Haskell	Slemmons
Cavanaugh	Frailey	Roberts	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dean moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard House File No. 398, a bill for an act to appropriate sufficient funds to pay the maintenance tax against state lands in Drainage District Number Thirteen (13), located in Muscatine and Louisa counties, 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 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, 37.

Baird	Clearman	Kimberly	Shane
Beatty	Dotts	Klemme	Shinn
Benson	Ellis	Lange	Stanley
Booth	Fackler	Langfitt	Stoddard
Breakenridge	Fulton	McFarlane	Thompson
Browne	Gilchrist	McLeland	Topping
Brush	Hartman	Merritt	Ulstad
Campbell	Johnston	Ramsey	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 13.

Bergman	Dean	Haskell	Shaff
Brookins	Frailey	Mills	Skromme
Carden	Gunderson	Roberts	Slemmons
Darting			

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 House File No. 449, a bill for an act to compensate John Joseph Rouse for injuries received while in the employ of the state sanitarium at Oakdale, and to make appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator 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.

Baird	Clearman	Kimberly	Stemmons
Beatty	Dotts	Langfitt	Stanley
Benson	Ellis	McFarlane	Stoddard
Booth	Fackler	McLeland	Thompson
Breakenridge	Fulton	Merritt	Topping
Brookins	Gilchrist	Ramsey	Ulstad
Brush	Hartman	Rigby	Wilson of Page
Cavanaugh	Johnston	Shane	Wilson of Polk
Clark	Kern	Shinn	

Nays, none.

Absent or not voting, 15.

Bergman	Darting	Haskell	Roberts
Browne	Dean	Klemme	Shaff
Campbell	Frailey	Lange	Skromme
Carden	Gunderson	Mills	

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 House File No. 472, a bill for an act to provide an appropriation of twenty-four hundred dollars (\$2400.00) to indemnify Bertha Sheesley for damages occasioned by reason of injury suffered when she fell from a platform of a building rented at the Iowa state fair grounds, September 3, 1925, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Baird	Cavanaugh	Kern	Roberts
Beatty	Clark	Kimberly	Shane
Benson	Clearman	Klemme	Skromme
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Fackler	McLeland	Thompson
Browne	Gilchrist	Merritt	Topping
Brush	Gunderson	Mills	Ulstad
Campbell	Hartman	Ramsey	Wilson of Page
Carden	Johnston	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Bergman	Frailey	Lange	Shinn
Darting	Fulton	Shaff	Stanley
Dean	Haskell		

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, House File No. 503, a bill for an act appropriating the sum of thirteen hundred ninety dollars and eighty-five cents (\$1,390.85) in payment of certain insurance companies' claims for refund of taxes heretofore paid by them under protest, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Clearman	Langfitt	Skromme
Beatty	Dotts	McFarlane	Slemmons
Benson	Fackler	McLeland	Stanley
Booth	Fulton	Merritt	Stoddard
Breakenridge	Gunderson	Mills	Thompson
Brookins	Hartman	Ramsey	Topping
Browne	Johnston	Rigby	Ulstad
Brush	Kern	Shane	Wilson of Page
Carden	Kimberly	Shinn	Wilson of Polk
Clark	Klemme		

Nays, none.

Absent or not voting, 12.

Bergman	Darting	Frailey	Lange
Campbell	Dean	Gilchrist	Roberts
Cavanaugh	Ellis	Haskell	Shaff

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, House File No. 508, a bill for an act to make an appropriation to Marshall county, Iowa, for publication of delinquent automobile taxpayers for the year 1925, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 40.

Baird	Darting	Kimberly	Shane
Beatty	Dean	Klemme	Shinn
Benson	Dotts	Langfitt	Skromme
Booth	Ellis	McFarlane	Slemmons
Breakenridge	Fulton	McLeland	Stanley
Brookins	Gilchrist	Merritt	Stoddard
Campbell	Gunderson	Mills	Thompson
Carden	Hartman	Ramsey	Topping
Clark	Johnston	Rigby	Ulstad
Clearman	Kern	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Bergman	Cavanaugh	Haskell	Shaff
Browne	Fackler	Lange	Wilson of Page
Brush	Frailey		

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, House File No. 509, a bill for an act to make appropriation for animals slaughtered on account of tuberculosis, with report of committee recommending passage,

was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was :

Ayes, 40.

Baird	Darting	Kimberly	Shane
Benson	Dean	Klemme	Shinn
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fulton	McFarlane	Stoddard
Brookins	Gilchrist	McLeland	Thompson
Campbell	Gunderson	Merritt	Topping
Carden	Hartman	Mills	Ulstad
Clark	Johnston	Rigby	Wilson of Page
Clearman	Kern	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Beatty	Cavanaugh	Haskell	Shaff
Browne	Fackler	Ramsey	Kromme
Brush	Frailey		

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, House File No. 512, a bill for an act to appropriate the sum of eight thousand four hundred dollars (\$8,400.00) to complete the roster of Iowa soldiers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Baird	Clark	Klemme	Shinn
Beatty	Clearman	Lange	Skromme
Benson	Dean	Langfitt	Slemmons
Bergman	Dotts	McFarlane	Stoddard
Booth	Ellis	McLeland	Thompson
Breakenridge	Gilchrist	Merritt	Topping
Brookins	Hartman	Mills	Ulstad
Browne	Johnston	Roberts	Wilson of Page
Campbell	Kern	Shane	Wilson of Polk
Carden	Kimberly		

Nays, none.

Absent or not voting, 12.

Brush	Fackler	Gunderson	Rigby
Cavanaugh	Frailey	Haskell	Shaff
Darting	Fulton	Ramsey	Stanley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard Senate File No. 445, a bill for an act to make appropriation to H. C. Jones to compensate him for hospital and medical care of Patricia Jones, 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, 39.

Baird	Darting	Klemme	Shane
Beatty	Dean	Lange	Skromme
Benson	Dotts	Langfitt	Slemmons
Booth	Ellis	McFarlane	Stoddard
Breakenridge	Fulton	McLeland	Thompson
Brookins	Gilchrist	Merritt	Topping
Campbell	Gunderson	Mills	Ulstad
Carden	Johnston	Ramsey	Wilson of Page
Cavanaugh	Kern	Rigby	Wilson of Polk
Clearman	Kimberly	Roberts	

Nays, none.

Absent or not voting, 11.

Bergman	Clark	Hartman	Shinn
Browne	Fackler	Haskell	Stanley
Brush	Frailey	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 Johnston Senate Joint Resolution No. 6 a joint resolution rescinding the actions of the Thirtieth, Thirty-first, Thirty-second and Thirty-third General Assemblies of the State of Iowa, memorializing Congress to call a constitutional convention for the purpose of amending the constitution of the United States, by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Cavanaugh	Gunderson	Mills
Beatty	Clark	Hartman	Ramsey
Benson	Clearman	Johnston	Rigby
Booth	Darting	Kern	Shane
Breakenridge	Dotts	Klemme	Shinn
Brookins	Ellis	Langfitt	Slemmons
Brush	Fackler	McFarlane	Ulstad
Campbell	Fulton	McLeland	Wilson of Page
Carden	Gilchrist	Merritt	

Nays, 4.

Kimberly	Lange	Thompson	Topping
----------	-------	----------	---------

Absent or not voting, 11.

Bergman	Frailey	Shaff	Stoddard
Browne	Haskell	Skromme	Wilson of Polk
Dean	Roberts	Stanley	

The resolution 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. 128, a bill for an act to amend section fifty-six hundred seventy-one (5671) of the code, 1924, relating to compensation of officers in cities and towns, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stoddard moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 34.

Baird	Clark	Kern	Roberts
Bergman	Clearman	Klemme	Shane
Booth	Darting	Langfitt	Slemmons
Breakenridge	Dean	McFarlane	Stanley
Brookins	Ellis	Merritt	Stoddard
Browne	Fackler	Mills	Thompson
Brush	Fulton	Ramsey	Wilson of Page
Campbell	Gilchrist	Rigby	Wilson of Polk
Carden	Hartman		

Nays, 3.

Gunderson

Lange

Shinn

Absent or not voting, 13.

Beatty  
Benson  
Cavanaugh  
Dotts

Frailey  
Haskell  
Johnston

Kimberly  
McLeland  
Shaff

Skromme  
Topping  
Ulstad

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 Breakenridge House File No. 317, a bill for an act to amend section seventy-one hundred ninety-three (7193) of the code, 1924, as amended by chapter one hundred forty-eight (148), acts of the forty-first (41) general assembly, relating to compromise of taxes by the board of supervisors, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Breakenridge moved 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.

Baird  
Beatty  
Benson  
Bergman  
Booth  
Breakenridge  
Brookins  
Brush

Campbell  
Carden  
Cavanaugh  
Clark  
Clearman  
Darting  
Dean  
Ellis

Fackler  
Fulton  
Gilchrist  
Gunderson  
Johnston  
Kimberly  
Klemme  
Langfitt

McFarlane  
McLeland  
Merritt  
Ramsey  
Roberts  
Shane  
Stanley  
Wilson of Polk

Nays, 5.

Dotts	Shinn	Thompson	Topping
Lange			

Absent or not voting, 13.

Browne	Kern	Shaff	Stoddard
Frailey	Mills	Skromme	Ulstad
Hartman	Rigby	Slemmons	Wilson of Page
Haskell			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Cavanaugh, House File No. 366, a bill for an act to amend section eleven thousand five hundred thirty-seven (11537) of the code relating to time to except, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Cavanaugh moved 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	Clark	Johnston	Shaff
Beatty	Clearman	Kern	Shane
Benson	Darting	Kimberly	Shinn
Bergman	Dean	Klemme	Stanley
Booth	Dotts	Lange	Thompson
Breakenridge	Ellis	McFarlane	Topping
Brookins	Fulton	McLeland	Ulstad
Brush	Gilchrist	Merritt	Wilson of Page
Carden	Gunderson	Mills	Wilson of Polk
Cavanaugh	Hartman	Roberts	

Nays, none.

Absent or not voting, 11.

Browne	Frailey	Ramsey	Slemmons
Campbell	Haskell	Rigby	Stoddard
Fackler	Langfitt	Skromme	

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, House File No. 458, a bill for an act to amend sections fifty-nine hundred seventy-five (5975), fifty-nine hundred seventy-eight (5978), six thousand and two (6002), six thousand three (6003), six thousand twenty-four (6024), and six thousand thirty-two (6032) of the code, 1924, relating to street improvements, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Brookins moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Baird	Dean	Lange	Shinn
Beatty	Dotts	Langfitt	Slemmons
Benson	Ellis	McFarlane	Stanley
Bergman	Fackler	McLeland	Thompson
Booth	Fulton	Merritt	Topping
Breakenridge	Johnston	Mills	Ulstad
Brookins	Kern	Ramsey	Wilson of Page
Brush	Kimberly	Roberts	Wilson of Polk
Clark	Klemme	Shane	

Nays, none.

Absent or not voting, 15.

Browne	Clearman	Gunderson	Shaff
Campbell	Darting	Hartman	Skromme
Carden	Frailey	Haskell	Stoddard
Cavanaugh	Gilchrist	Rigby	



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, House File No. 504, a bill for an act to amend section seventeen hundred twenty-five (1725) of the code, 1924, relating to the license fee for fishing, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Johnston moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Beatty	Darting	Johnston	Shaff
Benson	Dean	Klemme	Shane
Bergman	Dotts	Langfitt	Shinn
Booth	Ellis	McLeland	Slemmons
Brookins	Fackler	Merritt	Thompson
Brush	Fulton	Mills	Topping
Carden	Gilchrist	Ramsey	Ulstad
Clark	Gunderson	Rigby	Wilson of Page
Clearman	Hartman	Roberts	Wilson of Polk

Nays, none.

Absent or not voting, 14.

Baird	Cavanaugh	Kimberly	Skromme
Breakenridge	Frailey	Lange	Stanley
Browne	Haskell	McFarlane	Stoddard
Campbell	Kern		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Roberts, the rules were suspended, and House File No. 517, a bill for an act to amend Senate File Number thirty-four (34) of the acts of the forty-second (42) general as-

sembly, relating to indictments, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Roberts moved 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.

Benson	Darting	Kimberly	Roberts
Bergman	Dean	Klemme	Shaff
Booth	Ellis	Langfitt	Shane
Breakenridge	Fackler	McFarlane	Slemmons
Browne	Fulton	McLeland	Stoddard
Brúsh	Gilchrist	Merritt	Thompson
Carden	Gunderson	Mills	Ulstad
Cavanaugh	Hartman	Ramsey	Wilson of Page
Clark	Johnston	Rigby	Wilson of Polk
Clearman	Kern		

Nays, none.

Absent or not voting, 12.

Baird	Campbell	Haskell	Skromme
Beatty	Dotts	Lange	Stanley
Brookins	Frailey	Shinn	Topping

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Roberts House File No. 520, a bill for an act to authorize the treasurer of state to employ an auditor in the cigarette division of his office, and to make an appropriation to pay the compensation of said auditor, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Roberts moved 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.

Benson	Darting	Langfitt	Shane
Bergman	Dean	McFarlane	Slemmons
Booth	Ellis	Merritt	Stanley
Breakenridge	Fulton	Mills	Stoddard
Browne	Gilchrist	Ramsey	Thompson
Brush	Gunderson	Rigby	Ulstad
Carden	Klemme	Roberts	Wilson of Page
Clark	Lange	Shaff	Wilson of Polk
Clearman			

Nays, none.

Absent or not voting, 17.

Baird	Dotts	Haskell	McLeland
Beatty	Fackler	Johnston	Shinn
Brookins	Frailey	Kern	Skromme
Campbell	Hartman	Kimberly	Topping
Cavanaugh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shaff asked unanimous consent to amend the title of Senate File No. 353, which consent was refused.

Senator Shaff offered the following amendment to the title of Senate File No. 353 and moved its adoption:

Amend the title to Senate File No. 353 by adding thereto the following: "and to levy an additional tax on gasoline and to devote the proceeds of said additional tax to highway purposes".

Senator Gilchrist raised the point of order that the motion to amend the title was out of order because the bill was not before

the Senate. It was duly passed by the Senate, had gone to the House, the House refused to amend the title and the bill was messaged back saying that the House had concurred in the action of the Senate. This is the record and the amendment is out of order, as there is nothing before the Senate on which it can take action.

Also, even if the bill were before the Senate, or the President would rule it before the Senate, it has passed its third reading in the Senate, and it would be impossible to amend it without a two-thirds vote.

Also, inasmuch as this bill was laid upon the table in its present form, that it is impossible now to take up anything with respect to the bill until it is taken from the table, and the motion is not to take it from the table. It can not be considered at this time without unanimous consent, which consent has been refused.

The President held the points of order not well taken.

Senator Browne raised the point of order that the motion was not germane to the subject. A correction to the title and an amendment to the title are two different things.

The President held the point of order not well taken.

Senator Gilchrist invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 26.

Baird	Cavanaugh	Langfitt	Shaff
Beatty	Clark	McFarlane	Shane
Benson	Clearman	Mills	Stanley
Bergman	Darting	Ramsey	Topping
Booth	Ellis	Rigby	Wilson of Page
Brush	Johnston	Roberts	Wilson of Polk
Carden	Lange		

Nays, 21.

Breakenridge	Fackler	Kern	Skromme
Brookins	Fulton	Klemme	Slemmons
Browne	Gilchrist	McLeland	Stoddard
Campbell	Gunderson	Merritt	Thompson
Dean	Hartman	Shinn	Ulstad
Dotts			

Absent or not voting, 3.

Frailey	Haskell	Kimberly
---------	---------	----------

The amendment was adopted.

Senator Gilchrist raised the point of order that the amendment to the title has not been properly carried; that there is no bill before the Senate upon which the amendment to the title may rest; that there has not been a two-thirds vote of the members present to take the bill from the table or to take new action on the bill, nor to reconsider it. Such reconsideration or action of the Senate is out of order, revolutionary, unconstitutional, and illegal. The bill cannot be reconsidered without the two-thirds vote of the whole Senate, no amendment can be adopted at this time without the two-thirds vote, and neither the bill nor the amendment can be considered at this time. The only way the bill can be amended at this time would be to be put on the floor of the Senate anew. The bill carries an appropriation and was introduced after the third legislative day in March, it was not introduced by the committee on appropriations, which was contrary to the rule. It is out of order for these reasons, and because the motion is not to take from the table and the bill is still upon the table, if it is before the Senate at all.

The President held the points of order not well taken.

Senator Shaff moved that the vote by which the amendment to the title of Senate File No. 353 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

By unanimous consent, Senator Fackler was excused on account of the illness of his grandchild.

On motion of Senator Shane the Senate took a recess.

The Senate reconvened.

#### REPORT OF SIFTING COMMITTEE

April 15, 1927.

MR. PRESIDENT: Your Sifting Committee wishes to place the following bills on the calendar:

House Files Nos. 275, by Held; 416, by Elliott of Polk; 440, by Charlton; 347, by Committee on Agriculture.

H. GUY ROBERTS, *Chairman.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson, 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. 70, 286, 415, and 210.

House Files Nos. 506, 507, 308, 150, 162, 177, 249, 362, 438, 64, 358, 339, and 407.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 70, 286, 415, and 210; House Files Nos. 506, 507, 308, 150, 162, 177, 249, 362, 438, 19, 214, and 222.

## BILLS SENT TO THE GOVERNOR

Senator Wilson, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on the 15th day of April, 1927, sent to the governor for his approval:

Senate Files Nos. 283, 215, 127, 74, 251, 284, 65, 431, 258, 256, 408, 270, 402, 132, 236, 115, 109, and 404.

D. L. WILSON, *Chairman.*

The report was adopted.

## BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that on April 15, 1927, he had approved the following bills:

Senate File No. 184, relating to criminal investigation, identification of persons accused of crime and identification of dead bodies.

Senate File No. 347, relating to the collection of gasoline license fees.

Senate File No. 336, relating to motor vehicles.

Senate File No. 366, relating to industries revolving funds at penal institutions.

Senate File No. 222, relating to sales to satisfy warehouseman's lien.

Senate File No. 305, relating to the improvement of township roads.

Senate File No. 420, relating to appropriation to Charles Feenstra for damages.

Senate File No. 278, relating to memorial halls and monuments to soldiers, sailors, and marines.

Senate File No. 99, relating to appropriation to pay claim to Iowa City, Iowa.

Senate File No. 235, relating to deposits made by former treasurers.

Senate File No. 253, relating to the use of appropriations.

Senate File No. 315, relating to reimbursing of Buchanan county, Iowa.

Senate File No. 341, relating to reimbursing of Hardin county, Iowa.

Senate File No. 383, relating to loans and general banking business.

Senate File No. 394, relating to payment of typewriter rental fees and chaplains and other expenses of the General Assembly.

Senate File No. 418, relating to miscellaneous claims against the State.

#### REPORT OF CONFERENCE COMMITTEE

*To the President of the Senate:*

We your Joint Conference Committee appointed to consider the differences between the Senate and the House on House File No. 83, desire to report that we have had the same under consideration and report as follows:

We recommend that the Senate recede from its amendments thereto.

Respectfully submitted,

LLOYD ELLIS.  
ED. H. CAMPBELL.  
F. C. GILCHRIST.  
FRANK SHANE.  
MARION R. MCCAULLEY.  
H. M. GREENE.  
W. S. KENNEDY.  
R. L. RUTLEDGE.



## MESSAGES FROM THE HOUSE

The 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. 348, a bill for an act relating to warehousemen's liens by giving the warehouseman a lien on all property stored by the owner or person in legal possession of said property and giving such lien priority under certain conditions.

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 protection from floods.

Also: That the House insists on its amendments to Senate File No. 423 and requests a conference committee; and that the Speaker has appointed as members of this committee on the part of the House Representatives McCaulley, Krouse, Christophel and Bixler.

Also: That the House insists on its amendments to Senate File No. 421, and requests a conference committee; and that the Speaker has appointed as members of this committee on the part of the House Representatives McCaulley, Krouse, Christophel and Bixler.

Also: That the House insists on its amendments to Senate File No. 352 and requests a conference committee and that the Speaker has appointed as such committee on the part of the House the following Representatives: Stepanek, Ontjes, Maxfield and Cole of Harrison.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 437, a bill for an act to regulate the practice of barbering, and to provide for the examination and licensing of practitioners thereof.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE NO. 437

Amend section four (4) by inserting after the word "Examiners" in line four (4) the following: "Showing the completion of a four months' course in such barber school, and eight months' experience as an apprentice."

## CONFERENCE COMMITTEE

The President appointed the following Senators as a conference committee on the part of the Senate on Senate Files Nos. 421 and 423: Senators Campbell, Johnston, Rigby and Gilchrist.

## CONFERENCE COMMITTEE

The President appointed the following senators as a conference committee on the part of the Senate on Senate File No. 352: Senators Shaff, Bergman, Ellis and Roberts.

## HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 432, amended by the House, and moved that the Senate concur in the following amendment:

Amend section one (1) by inserting at the end of line two (2) the following: "one hundred twenty-nine thousand dollars (\$129,000.00)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Beatty	Clark	Hartman	Shinn
Bergman	Clearman	Johnston	Skromme
Booth	Dean	Klemme	Slemmons
Breakenridge	Dotts	Lange	Stanley
Brookins	Frailey	McLeland	Stoddard
Browne	Fulton	Mills	Ulstad
Campbell	Gilchrist	Ramsey	Wilson of Page
Cavanaugh	Gunderson	Shaff	

Nays, none.

Absent or not voting, 19.

Baird	Ellis	Langfitt	Shane
Benson	Fackler	McFarlane	Thompson
Brush	Haskell	Merritt	Topping
Carden	Kern	Rigby	Wilson of Polk
Darting	Kimberly	Roberts	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Stoddard called up for consideration Senate File No. 437, amended by the House, and moved that the Senate concur in the following amendment:

Amend section four (4) by inserting after the word "Examiners" in line four (4) the following: "showing the completion of a four months' course in such barber school, and eight months' experience as an apprentice."

On the question "Shall the Senate concur?" the vote was:

Ayes, 27.

Beatty	Carden	Johnston	Ramsey
Bergman	Cavanaugh	Kern	Shaff
Booth	Clark	Klemme	Skromme
Breakenridge	Clearman	Lange	Slemmons
Brookins	Dotts	McFarlane	Stanley
Brush	Frailey	McLeland	Stoddard
Campbell	Hartman	Mills	Wilson of Page

Nays, 1.

Gunderson

Absent or not voting, 21.

Baird	Ellis	Langfitt	Shinn
Benson	Fackler	Merritt	Thompson
Browne	Fulton	Rigby	Topping
Darting	Gilchrist	Roberts	Ulstad
Dean	Haskell	Shane	Wilson of Polk
	Kimberly		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

## INTRODUCTION OF BILLS

Senate File No. 446, by committee on appropriations, a bill for an act to make appropriation to reimburse the funds of the embalmer examiners for funds deposited in the United State Bank, Des Moines, Iowa.

Read first and second times and placed on the calendar.

## A BILL FOR

An Act to make appropriation to reimburse the funds of the embalmer examiners for funds deposited in the United State Bank, Des Moines, Iowa.

*Whereas*, Dr. Rodney P. Fagan was commissioner of health for the state of Iowa on October 22, 1924; and

*Whereas*, He had in his custody and control funds of the embalmer examiners of said department of health, and had said funds on deposit in the United State Bank of Des Moines, Iowa, which closed on said date; and

*Whereas*, He has assigned all of his right, title and interest in and to his claim against said bank and the receiver thereof to the treasurer of state for the use and benefit of the funds of said state of Iowa, now, therefore,

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated to the treasurer of state for the use and benefit of the embalmer examiners account, the sum of one thousand five hundred fifty-nine dollars (\$1559.00).

Sec. 2. The auditor of state is hereby authorized to draw a warrant payable to the treasurer of state for the use and benefit of said embalmer examiners account to make such transfer and the treasurer of state is hereby authorized to pay said warrant out of any funds not otherwise appropriated to effect said transfer of funds.

## THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and Senate File No. 446, a bill for an act to make appropriation to reimburse the funds of the embalmer examiners for funds deposited in the United State Bank, Des Moines, Iowa, a committee bill, was taken up and considered.

The bill was read for information.

Senator Browne moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Baird	Clearman	Kern	Shaff
Beatty	Darting	Kimberly	Shane
Benson	Dean	Klemme	Skromme
Booth	Ellis	Lange	Slemmons
Breakenridge	Frailey	Langfitt	Stanley
Brookins	Fulton	McFarlane	Stoddard
Browne	Gilchrist	McLeland	Thompson
Campbell	Gunderson	Mills	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark			

Nays, none.

Absent or not voting, 9.

Bergman	Fackler	Merritt	Shinn
Brush	Haskell	Roberts	Topping
Dotts			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Browne moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

## SENATE RESOLUTION

Senator Slemmons offered the following resolution:

*Be It Resolved by the Senate of the Forty-second General Assembly of the State of Iowa,* That the thanks of this body be extended to the door-keepers and sergeant-at-arms of this body who have so faithfully performed their duties in their various situations.

*Be It Further Resolved,* That as these veterans pass down the stream of time and one by one are called to the camping ground of the Great Hereafter, it is the wish of the Senate that the smiles of Providence may rest upon them.

The resolution was taken up, considered, and adopted.

## RESOLUTION

The Secretary of the Senate filed the following resolution:

*Be It Resolved by the Officers and Employees of the Senate,* That we hereby express to the members of the Senate and to the presiding officer, our sincere appreciation of the many courtesies that have been shown us during the session, and that we wish for each one all the good things that life can give, of health and happiness and prosperity.

## SENATE RESOLUTION

Senator Frailey offered the following resolution:

Senator Willis G. Haskell is now lying critically ill in this city. It is meet and fitting at this time that we pause from our legislative work to pay to him a tribute of love and friendship.

In his long career as a citizen of the State of Iowa and in the many wonderful services he has rendered the people of this state, he has endeared himself not only in the hearts of this Senate, but in the hearts of every man, woman and child in Iowa who know him. Those who know him best love him best.

*Therefore, Be It Resolved,* Not only by this Senate, but by its forty-nine remaining members as friends of Senator Haskell that we earnestly hope at this time that he may soon be restored to health and his old familiar activity and service, and that this message be transmitted to the Senator and his family.

*Be It Further Resolved*, That as a mark of our esteemed friendship and anxiety for him at this critical moment that the Reverend Lloyd Ellis, a member of this body, now offer a prayer in his behalf.

The resolution was unanimously adopted.

#### PRAYER BY SENATOR LLOYD ELLIS

Our Gracious and Loving Father in whom we live and move and have our being and who art so much a part of us; Thou who knoweth all our joys, who has been with us in all our pleasures, and who art with us in all our moments of sadness and disappointments, we turn our thoughts toward Thee this afternoon in remembrance of one of our body, who at this time is stricken and in suffering, we pray our Father that in Thy divine providence his life may be spared and that he may be returned to health and strength to again carry on in his vigorous way the work he loves so well. We thank Thee our Father this afternoon for the friendship of this kindly man who has given so much of his time, and of the talent with which Thou hast blessed him, that he may bring to this place in which we live more of happiness and more of joy and less of sorrow and disappointment. We thank Thee our Father for the leadership that he has exerted in his home and community and in this body, for the interest he has shown for those who are unfortunate in life, those who know not all the joys and pleasures of life. May our hearts be close to Thee as we remember him in this hour. May the shadows that now hover about him be lifted and the light of life and joy again be his to enjoy, Amen.

#### INTRODUCTION OF BILLS

Senate File No. 447, by committee on ways and means, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council.

Read first and second times and placed on the calendar.

#### A BILL FOR

An Act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Biennial state levy. That the amount of revenue for general state purposes is hereby designated and fixed by the general assembly

as the sum of Seven Million Six Hundred Thousand Dollars (\$7,600,000.00), to be provided by the levy for 1927, and the sum of Seven Million Six Hundred Thousand Dollars (\$7,600,000.00) to be provided by the levy for 1928, said levies to be made as provided in sections seven thousand one hundred eighty-two (7182) and seven thousand one hundred eighty-three (7183) of the code, 1924.

### THIRD READING OF BILLS

On motion of Senator Baird, the rules were suspended, and Senate File No. 447, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council, a committee bill, was taken up and considered.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking the words and figures "Seven million six hundred thousand dollars (\$7,600,000.00)" and inserting in lieu thereof the following: "Eight million dollars (\$8,000,000.00)".

The amendment was lost.

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, 46.

Baird	Clark	Klemme	Shane
Beatty	Clearman	Lange	Shinn
Benson	Dean	Langfitt	Skromme
Bergman	Dotts	McFarlane	Slemmons
Booth	Ellis	McLeland	Stanley
Breakenridge	Frailey	Merritt	Stoddard
Brookins	Fulton	Mills	Thompson
Browne	Gunderson	Ramsey	Topping
Brush	Hartman	Rigby	Ulstad
Campbell	Johnston	Roberts	Wilson of Page
Carden	Kern	Shaff	Wilson of Polk
Cavanaugh	Kimberly		



Nays, none.

Absent or not voting, 4.

Darting

Fackler

Gilchrist

Haskell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Baird moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson of Polk, House File No. 516, a bill for an act to amend the law as it appears in section six thousand one hundred seventy-six (6176) of the code of 1924, relating to the ownership, purchase, maintenance and operation of water works by cities having a population over one hundred thousand (100,000) in habitants or over, and authorizing the Board of Water Works Trustees to improve real estate owned for water works purposes, and to enter into contracts therefor, reported out by sifting committee, was taken up and considered.

The following amendment offered by the sifting committee was considered:

Amend by striking line 5 of section 1 and inserting in lieu thereof the following: "The board is authorized to make plans for construction, maintenance and conduct of".

The amendment was lost.

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Clark	Kimberly	Shaff
Benson	Dean	Klemme	Shane
Bergman	Dotts	Langfitt	Slemmons
Booth	Ellis	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Thompson
Brush	Fulton	Merritt	Topping
Campbell	Gunderson	Mills	Wilson of Page
Carden	Johnston	Ramsey	Wilson of Polk
Cavanaugh	Kern	Rigby	

Nays, none.

Absent or not voting, 15.

Beatty	Darting	Haskell	Kromme
Brookins	Fackler	Lange	Stoddard
Browne	Gilchrist	Roberts	Ulstad
Clearman	Hartman	Shinn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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. 275, a bill for an act to amend sections fifty-four hundred twenty-two (5422), fifty-four hundred twenty-three (5423), fifty-four hundred twenty-eight (5428), fifty-four hundred thirty-four (5434), fifty-four hundred thirty-five (5435), fifty-four hundred forty (5440), and fifty-four hundred forty-three (5443) of the code, 1924, and to repeal sections fifty-four hundred thirty-six (5436), fifty-four hundred thirty-seven (5437), fifty-four hundred thirty-eight (5438), and fifty-four hundred thirty-nine (5439) of the code, 1924, relating to the licensing of dogs and the collection of the license fee, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Campbell moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 30.

Baird	Dean	Langfitt	Stanley
Benson	Dotts	McFarlane	Stoddard
Booth	Gunderson	Merritt	Thompson
Breakenridge	Hartman	Mills	Topping
Browne	Johnston	Shane	Ulstad
Campbell	Kern	Skromme	Wilson of Page
Carden	Kimberly	Slemmons	Wilson of Polk
Clark	Klemme		

Nays, none.

Absent or not voting, 20.

Beatty	Clearman	Fulton	Ramsey
Bergman	Darting	Gilchrist	Rigy
Brookins	Ellis	Haskell	Roberts
Brush	Fackler	Lange	Shaff
Cavanaugh	Frailey	McLeland	Shinn

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 Wilson of Polk, House File No. 416, a bill for an act providing for the holding of school elections in independent school districts having a population of one hundred twenty-five thousand (125,000) or more; prescribing the precincts for such election; the notice thereof; the making of nominations for candidates for school office, and the term of school directors, and providing that the word "annual" in certain sections of the code relating thereto shall be construed as "binennial", and to amend

section forty-one hundred twenty-five (4125) of the code, 1924, relating to elections in independent school districts having a population of one hundred twenty-five thousand (125,000) or more, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson of Polk moved 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.

Baird	Clark	Kimberly	Shane
Beatty	Clearman	Lange	Skromme
Benson	Dean	Langfitt	Slemmons
Booth	Frailey	McFarlane	Stanley
Breakenridge	Hartman	McLeland	Stoddard
Brookins	Johnston	Merritt	Topping
Browne	Kern	Mills	Ulstad
		Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 20.

Bergman	Darting	Gilchrist	Roberts
Brush	Dotts	Gunderson	Shaff
Campbell	Ellis	Haskell	Shinn
Carden	Fackler	Klemme	Thompson
Cavanaugh	Fulton	Ramsey	Wilson of Page

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson of Polk, the rules were suspended, and House File No. 440, a bill for an act to amend section sixty-two hundred eleven (6211) of the code, 1924, providing for a special tax levy by cities having a population of one hundred thousand (100,000) or more, for the purchase, construction, mainte-

nance, and operation of art museums and for the purchase of works of art, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson of Polk 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.

Baird	Campbell	Kern	Roberts
Beatty	Clark	Kimberly	Shaff
Benson	Clearman	Lange	Shane
Booth	Dean	Langfitt	Stanley
Breakenridge	Dotts	McFarlane	Topping
Brookins	Frailey	McLeland	Wilson of Page
Browne	Hartman	Rigby	Wilson of Polk

Nays, 2.

Mills	Slemmons
-------	----------

Absent or not voting, 20.

Bergman	Ellis	Haskell	Shinn
Brush	Fackler	Johnston	Skromme
Carden	Fulton	Klemme	Stoddard
Cavanaugh	Gilchrist	Merritt	Thompson
Darting	Gunderson	Ramsey	Ulstad

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wilson of Polk 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 Breakenridge, the rules were suspended, and House File No. 347, a bill for an act to amend sections eighty-four hundred eighty-six (8486), eighty-four hundred eighty-seven (8487) and eighty-five hundred six (8506) of the code, 1924, relating to cooperative associations, and to authorize such associations to do business with nonmembers, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Breakenridge moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Baird	Campbell	Hartman	Shane
Beatty	Cavanaugh	Kern	Shinn
Benson	Clark	Langfitt	Skromme
Bergman	Clearman	McFarlane	Slemmons
Booth	Dotts	McLeland	Thompson
Breakenrige	Frailey	Mills	Ulstad
Brookins	Gilchrist	Rigby	Wilson of Page
Browne	Gunderson	Shaff	

Nays, 4.

Brush	Darting	Roberts	Topping
-------	---------	---------	---------

Absent or not voting, 15.

Carden	Fulton	Klemme	Stanley
Dean	Haskell	Lange	Stoddard
Ellis	Johnston	Merritt	Wilson of Polk
Fackler	Kimberly	Ramsey	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Breakenridge 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 concurs in Senate amendments to House File No. 428, relating to the establishing of a public road or highway in Calhoun county, Iowa.

Also: That the House concurs in Senate amendments to House File No. 25, a bill for an act relating to the issuance of bonds, certificates or other evidence of indebtedness by any municipality of the State, including cities under special charter, commission and manager plan and school corporations, etc.

Also: That the House concurs in Senate amendments to House File No. 266, relating to the expenses of the county superintendent of schools.

Also: That the House concurs in Senate amendments to House File No. 475, a bill for an act relating to benefits on lives of children.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: We, your conference committee, to whom was referred Senate File No. 352, beg leave to report they have given same careful consideration, and fail to agree.

Respectfully submitted,

J. O. SHAFF.  
LLOYD ELLIS.  
A. H. BERGMAN.  
H. GUY ROBERTS.  
W. H. STEPANEK.  
G. E. MAXFIELD.  
O. A. ONTJES.  
E. J. COLE.

The report was adopted.

Senator Shaff moved that another conference committee be appointed, which motion prevailed.

The President appointed as such committee on the part of the Senate, Senators Bergman, Browne, Benson and Ellis.

### THIRD READING OF BILLS

On motion of Senator McLeland, House File No. 467, a bill for an act to extend the provisions of the state sinking fund law for public deposits so as to include fiduciary funds deposited in banks in this state by public officers, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator McLeland moved that the reading just had be considered the third reading, which motion prevailed.

Senator Gilchrist invoked rule 8.

On the question "Shall the bill pass?" the vote was:

#### Ayes, 21.

Beatty	Ellis	Kern	Skromme
Breakenridge	Fulton	Langfitt	Slemmons
Browne	Gilchrist	Merritt	Stanley
Clark	Gunderson	Mills	Ulstad
Dean	Hartman	Shinn	Wilson of Page
Dotts			

#### Nays, 16.

Baird	Carden	Lange	Shane
Benson	Cavanaugh	McFarlane	Thompson
Booth	Clearman	McLeland	Topping
Brush	Frailey	Rigby	Wilson of Polk

#### Absent or not voting, 13.

Bergman	Fackler	Kimberly	Roberts
Brookins	Haskell	Klemme	Shaff
Campbell	Johnston	Ramsey	Stoddard
Darting			



The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Wilson of Polk moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion was lost.

#### CONFERENCE COMMITTEE REPORTS CONSIDERED

Senator Campbell moved the following conference committee report on Senate File No. 421 be adopted:

*To the President of the Senate:*

We, your joint conference committee, appointed to consider the difference between the Senate and House, on Senate File Number four hundred twenty-one (421), beg leave to report that we have had the same under consideration and desire to report as follows:

We recommend that the House recede from its amendment to section one; also that

We recommend that the words and figures "one thousand dollars (\$1,000)" be stricken in lines two (2) and three (3), and insert in lieu thereof the words and figures "seven hundred and fifty dollars (\$750.00)."

ED. H. CAMPBELL.  
C. F. JOHNSTON.  
F. C. GILCHRIST.  
C. L. RIGBY.  
MARION R. MCCAULLEY.  
THEO. KROUSE.  
GEO. W. CHRISTOPHEL.  
JOHN M. BIXLER.

On the question "Shall the report be adopted and concurred in?" the vote was:

**Ayes, 36.**

Baird	Cavanaugh	Gunderson	Mills
Beatty	Clark	Hartman	Rigby
Benson	Clearman	Kern	Shane
Booth	Darting	Kimberly	Stemmons
Breakenridge	Dean	Lange	Thompson
Brookins	Dotts	Langfitt	Topping
Browne	Frailey	McFarlane	Ulstad
Brush	Fulton	McLeland	Wilson of Page
Campbell	Gilchrist	Merritt	Wilson of Polk

**Nays, none.****Absent or not voting, 14.**

Bergman	Haskell	Roberts	Skromme
Carden	Johnston	Shaff	Stanley
Ellis	Klemme	Shinn	Stoddard
Fackler	Ramsey		

The conference report was adopted, and the amendments proposed therein having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Shinn raised the point of order that it took a two-thirds vote to adopt a conference committee report.

The President held the point not well taken.

Senator Campbell moved that the following conference committee report on Senate File No. 423 be adopted:

*To the President of the Senate:*

We, your joint conference committee, appointed to consider the difference between the Senate and House, on Senate File Number four hundred twenty-three (423), beg leave to report that we have had the same under consideration and desire to report as follows:

We recommend that the House recede from its amendment to section one; also that

We recommend that the words and figures "one thousand dollars

(\$1,000)" be stricken in lines two (2) and three (3), and insert in lieu thereof the words and figures "seven hundred and fifty dollars (\$750)".

ED. H. CAMPBELL.  
 C. F. JOHNSTON.  
 F. C. GILCHRIST.  
 C. L. RIGBY.  
 MARION R. MCCAULLEY.  
 THEO. KROUSE.  
 GEO. W. CHRISTOPHEL.  
 JOHN M. BIXLER.

On the question "Shall the report be adopted and concurred in?" the vote was:

Ayes, 31.

Baird	Clark	Kimberly	Skromme
Beatty	Dean	Lange	Slemmons
Benson	Dotts	Langfitt	Stanley
Brookins	Ellis	McFarla...	Thompson
Browne	Fulton	McLeland	Ulstad
Brush	Gilchrist	Merritt	Wilson of Page
Campbell	Gunderson	Mills	Wilson of Polk
Cavanaugh	Kern	Shane	

Nays, none.

Absent or not voting, 19.

Bergman	Darting	Johnston	Shaff
Booth	Fackler	Klemme	Shinn
Breakenridge	Frailey	Ramsey	Stoddard
Carden	Hartman	Rigby	Topping
Clearman	Haskell	Roberts	

The report was adopted and the amendment proposed therein 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 House was asked :

Senate File No. 246, a bill for an act relating to insurance.

Also: That the House has passed the following bill in which the concurrence of the House was asked :

Senate File No. 135, a bill for an act relating to the powers of the board of waterworks trustees.

Also: That the House has passed the following bill in which the concurrence of the House was asked :

Senate File No. 133, a bill for an act relating to free distribution of certain laws.

Also: That the House has passed the following joint resolution in which the concurrence of the House was asked :

Senate Joint Resolution No. 6, rescinding the actions of the General Assembly memorializing Congress to call a constitutional convention for the purpose of amending the constitution of the United States.

Also: That the House has adopted the conference committee report on House File No. 83, a bill for an act to prohibit the possession or control of machine guns, to prohibit any person from assisting another in obtaining possession of such gun, to determine and fix the punishment for a violation of such prohibition; to declare certain exceptions, to authorize the destruction of such guns, and to prescribe in part the substance of the indictment or information in such cases and the evidence by which it may be sustained.

A. C. GUSTAFSON, *Chief Clerk.*

## THIRD READING OF BILLS

On motion of Senator Stanley, House File No. 485, a bill for an act prohibiting agents from entering rural school buildings and rural school grounds, reported out by the sifting committee, was taken up and considered.

The following amendment offered by the sifting committee was considered:

Amend by striking out the word "rural" in line 2 of section 1.

The amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend by inserting in line 3 of section 1 after the word "grounds" the words "during school hours".

The amendment was adopted.

The bill was read for information.

Senator Stanley moved 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.

Baird	Clark	Johnston	Shane
Beatty	Clearman	Kern	Shinn
Benson	Dean	Kimberly	Slemmons
Booth	Dotts	Lange	Stanley
Breakenridge	Ellis	Langfitt	Stoddard
Brookins	Fulton	McFarlane	Thompson
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Ulstad
Cavanaugh	Hartman	Mills	Wilson of Page

Nays, none.

Absent or not voting, 14.

Bergman	Fackler	Ramsey	Shaff
Browne	Frailey	Rigby	Skromme
Carden	Haskell	Roberts	Wilson of Polk
Darting	Klemme		

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Shane offered the following amendment to the title and moved its adoption :

Amend by striking the word "rural" from line 1 of title.

The amendment was adopted and the title as amended was agreed to.

#### PRESENTATION OF GIFT

Senator Stoddard presented President Kimball with a silver pitcher and cup and tray, on the part of the Senate.

President Kimball addressed the Senate in part as follows :

This expression of kindness on the part of the Senate very nearly overwhelms me. I have never received aught but the kindest regards and well wishes of this Senate. I know there have been moments when it seemed that my rulings were unfair when perhaps they were unfair but I have always tried to be fair with everybody, and sometimes when my own prejudice for a bill has perhaps warped my opinion and I have perhaps made rulings that were not for the best interests of the Senate, but in those matters I have always had the kindest feeling toward the members against whom I ruled. I certainly will drink from this cup with kind remembrances of all my friends here and I hope this pitcher will be full of the good will of every member here, and there will always come to me the days of the members of this Senate dwelling together for this short while. I shall never forget you and never forget the kindness received from you, and know that my thoughts will be full of the pleasant remembrances and associations. I thank you from the bottom of my heart. I carry with me the happy memory of days gone by, two years since, and I shall carry with me happy remembrances of the 42nd General Assembly as long as I live. Again, I thank you.

#### MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File No. 467 failed to pass the Senate.

W. E. MCLELAND.

Senator Benson raised the point of order that the motion to reconsider was out of order, as it had been acted on previously.

The President held the point not well taken, as it was the motion to lay on the table which had been acted on.

Senator Benson moved that the motion be laid on the table.

Senator Gilchrist raised the point of order that the motion was out of order, as it had already been acted on.

The President held the point well taken.

Senator McLeland invoked rule 8.

On the question "Shall the motion prevail?" the vote was:

Ayes, 20.

Breakenridge	Clark	Johnston	Shinn
Brookins	Dean	Kern	Skromme
Browne	Dotts	McLeland	Slemmons
Brush	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Page

Nays, 18.

Baird	Darting	McFarlane	Stoddard
Benson	Ellis	Rigby	Thompson
Booth	Fulton	Shaff	Topping
Cavanaugh	Hartman	Shane	Wilson of Polk
Clearman	Lange		

Absent or not voting, 12.

Beatty	Fackler	Kimberly	Ramsey
Bergman	Frailey	Klemme	Roberts
Carden	Haskell	Langfitt	Stanley

The motion prevailed and the vote by which Senate File No. 467 failed to pass the Senate was reconsidered.

Senator Wilson of Polk raised the point of order that the bill had passed to its third reading and was not open for discussion.

The President held the point well taken, but held that questions could be asked of author of the measure.

Senator Benson raised the point of order that Senator McLeland had already closed the debate.

The President held the point not well taken, as his time had not expired.

Senator McLeland invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayea, 21.

Breakenridge	Dean	Kern	Skromme
Brookins	Dotts	Klemme	Slemmons
Browne	Gilchrist	McLeland	Ulstad
Campbell	Gunderson	Merritt	Wilson of Page
Clark	Hartman	Mills	
	Johnston	Shinn	

Nays, 19.

Baird	Clearman	McFarlane	Stoddard
Benson	Darting	Rigby	Thompson
Booth	Ellis	Shaff	Topping
Brush	Fulton	Shane	Wilson of Polk
Cavanaugh	Lange	Stanley	

Absent or not voting, 10.

Beatty	Fackler	Kimberly	Roberts
Bergman	Frailey	Langfitt	
Carden	Haskell	Ramsey	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

#### CONFERENCE REPORT ADOPTED

Senator Ellis moved that the following conference committee report on House File No. 83 be adopted:



*To the Speaker of the House:*

We your joint conference committee appointed to consider the differences between the Senate and the House on House File No. 83, desire to report that we have had the same under consideration and report as follows:

We recommend that the Senate recede from its amendments thereto.

Respectfully submitted,

LLOYD ELLIS.  
ED H. CAMPBELL.  
F. C. GILCHRIST.  
FRANK SHANE.  
MARION MCCAULLEY.  
H. M. GREENE.  
W. S. KENNEDY.  
R. L. RUTLEDGE.

On the question "Shall the report be adopted and concurred in?" the vote was:

Ayes, 31.

Baird	Darting	Lange	Slemmons
Beatty	Ellis	McFarlane	Stanley
Benson	Fulton	Merritt	Stoddard
Booth	Gilchrist	Mills	Thompson
Breakenridge	Gunderson	Rigby	Topping
Brookins	Hartman	Shane	Wilson of Page
Cavanaugh	Johnston	Shinn	Wilson of Polk
Clearman	Klemme	Skromme	

Nays, none.

Absent or not voting, 19.

Bergman	Clark	Haskell	Ramsey
Browne	Dean	Kern	Roberts
Brush	Dotts	Kimberly	Shaff
Campbell	Fackler	Langfitt	Uistad
Carden	Frailley	McLeland	

The report was adopted and concurred in.

On motion of Senator Shane the Senate went into executive session.

## EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. George W. Godfrey, of Algona, Kossuth County, as a member of the State Board of Education to fill the unexpired term of Charles E. Thomas, deceased, which expires June 30, 1927.

The Senate arose from executive session and resumed regular session.

The Senate took a recess.

The Senate reconvened.

Report of joint committee appointed by the President of the Senate and Speaker of the House pursuant to the provisions of Senate Concurrent Resolution No. 14 as amended.

Senate Concurrent Resolution No. 14 as amended reads as follows:

“SENATE CONCURRENT RESOLUTION NO. 14

“*Whereas*, It has been called to the attention of the Forty-second General Assembly that certain bridge contractors are fomenting criticism of the plans and specifications of the State Highway Commission for bridges on secondary roads, and

“*Whereas*, Certain county supervisors have criticised these plans and specifications, and

“*Whereas*, Certain taxpayers have appealed to the budget director to review certain contracts and the rulings of the highway commission in relation thereto, and

“*Whereas*, There appears to be considerable activity on the part of certain persons or interests connected with various paving materials and patented processes with reference to pending legislation, and

“*Whereas*, The budget director has rendered certain decisions, and

“*Whereas*, The state highway commission has requested that a complete investigation of these matters be made, therefore,

“*Be It Resolved by the Senate, the House Concurring*, That a joint committee consisting of five (5) members of the Senate, appointed by the President of the Senate and five (5) members of the House, appointed

by the Speaker of the House, make such investigation and as soon as possible report upon the justice of the criticisms.

"Said joint committee shall have authority to call witnesses, administer oaths and examine witnesses under oath. All sessions of the committee shall be open to the public. Said joint committee is hereby authorized and directed to employ a reporter who shall take all of the testimony and transcribe the same. Said reporter shall prepare three copies of the transcript and furnish one copy to the Governor of Iowa, one copy to the Chief Clerk of the House, and one copy to the Secretary of the Senate, and these copies so furnished shall be open for public inspection by any person concerned."

Pursuant to the provisions of the aforesaid resolution the President of the Senate appointed the following members of the Senate to act upon the committee:

J. O. Shaff, Frank M. Beatty, E. E. Cavanaugh, Arch W. McFarlane, W. E. McLeland.

The Speaker of the House appointed the following members to act concurrently:

Harry M. Greene, George W. Christophel, Fred R. Blythe, Francis Johnson, T. J. O'Donnell.

The committee as thus composed proceeded to organize and Senator J. O. Shaff was selected chairman. The chairman was directed and pursuant to said direction did send a notice by telegraph to the Iowa State Highway Commission, Red Oak Bridge and Iron Works, the boards of supervisors of Harrison and Shelby counties, Iowa. The telegram was sent accordingly and was as follows:

"You are hereby notified that a hearing before a joint committee of the Senate and House, as authorized by Senate Resolution No. 14 relative to investigating certain charges pertaining to county bridge contracts, will be held before the joint committee commencing March 17, 1927, at 8 a. m., in the lieutenant-governor's room, state house, Des Moines, Iowa." (Signed) J. O. Shaff.

Thereafter, on the date and at the time fixed public hearings before the said committee were commenced, which continued until the afternoon of March 29, 1927.

That at said hearings the Iowa State Highway Commission was represented by Ben J. Gibson, its counsel; the Red Oak Bridge and Iron Works of Red Oak, Iowa, the Standard Bridge Company of Omaha, Nebraska, and the Economical Bridge Association of Lincoln, Nebraska, and

the boards of supervisors of Shelby and Harrison counties, and certain taxpayers therein, by C. A. Sorenson, an attorney of Lincoln, Nebraska, and George E. Johnson, an engineer of Lincoln, Nebraska. Maxwell A. O'Brien, first assistant attorney general, acted as legal advisor for the committee.

Opening statements were made by Mr. Fred R. White, chief engineer of the Iowa State Highway Commission, and Mr. Ben J. Gibson, counsel for the commission, in which they outlined to the committee the reasons for their request to the legislature for the investigation, and stating what they expected to show the committee by the evidence.

Mr. C. A. Sorenson, attorney for the various respondents, then made his opening statement to the committee stating their position and outlining the criticism which has been made by his clients of the Iowa State Highway Commission, stating that the respondents were prepared to justify their criticism and support the same by competent proof. In part he stated as follows:

"Now, gentlemen, the criticism that we make of the plans and specifications of the Iowa Highway Commission is simply this and nothing more. Under the date of April 13, 1916, the engineers for the Iowa State Highway Commission issued an order addressed to all county engineers and county boards of the state of Iowa, barring from the state of Iowa, the use of steel piling. We say that was unwarranted and if we have the opportunity we want to introduce evidence to show that in all the surrounding states steel piling is used; that the federal government uses steel piling and that there is no basis from the point of view of engineering or from the point of view of expense for barring from this state the use of bridges on steel piling. We will show that 95 per cent of all the bridges in Nebraska are built on steel foundations. It hardly ever occurs to anyone there to build bridges any other way. We will show that on the drainage ditches in Missouri, bridges are built on steel piling, also on the federal aid roads in Nebraska under Mr. McDonald, who used to be chief engineer of this commission, and also in Kansas, Missouri and Colorado. In all these states Iowa stands alone as a state which does not permit the use of steel piles and we will show that by reason of this prohibition of steel piling that the average cost of your bridges is from 100 to 200 per cent more than in surrounding states where they are built in steel piling, bridges of the same width, same length, same traffic conditions and serving the same purpose."

Thereupon the hearing proceeded and testimony and evidence were introduced, and having heard the testimony your committee respectfully submits its findings and facts.

It appeared that subsequent to 1913, the Iowa State Highway Commission has provided standard plans and specifications for the construc-

tion of highway bridges on secondary roads. Included in these plans and specifications is a permanent type of structure erected on cement abutments built upon a foundation of wood piling with a steel superstructure. There is also a less permanent type of bridge constructed, the substructure being of untreated or creosote wood piling driven to a refusal and a superstructure of steel.

These plans and specifications as adopted and approved by the Iowa Highway Commission were objected to and criticised by the respondents, and their alleged ground for this criticism was the charge that the plans and specifications of the Iowa Highway Commission were more expensive than was necessary for the construction of bridges suitable for secondary roads in Iowa. That better structures could be erected for less money if placed upon steel piling and a type of superstructure known as the transverse joist bridge were used and that this type of structure was more advantageous and better than those designed and planned by the Iowa State Highway Commission. The type of steel piling used by respondents consisted of two steel slabs eight inches in width, and 7/16 inches in thickness and joined by a cross-section steel slab 8 inches in width and 3/8 inches in thickness, giving the cross section the appearance of the letter H.

Your committee heard extensive testimony as to the merits of the plans and specifications approved and recommended by the Iowa State Highway Commission, as to relative cost, durability, and bearing power of creosoted wood piling as approved by the commission and H-beam steel piling as advocated by the respondents. Also, the extent to which these respective types of piling were used in highway bridge construction and in railway bridge construction.

The testimony uniformly showed that the plans and specifications as approved and adopted by the Iowa State Highway Commission were in conformity to good engineering practice and practically the same as those approved by the federal government for use on federal aid roads in all of the states with the exception of three, wherein the use of steel piling was also permitted under certain restrictions; that the piling be driven to a point of refusal and that it be encased in cement for a certain distance above and below the surface of the ground. The Iowa plans and specifications are in harmony with the standard plans and specifications of the American Association of State Highway Officials, the American Society of Civil Engineers, and other recognized authorities.

The witnesses appearing before the committee on these subjects were bridge engineers from the various surrounding states, engineers representing the United States Bureau of Roads, and bridge engineers of the several principal railroads whose lines are within the state of Iowa, and adjoining states.

The testimony without exception was to the effect that the bearing power of wood piling was greatly superior to that of H-beam steel piling;

that the durability of creosote wood piling was superior to that of H-beam steel piling; and the cost of creosote wood piling compared with the cost of H-beam steel piling of equal length and surface area was about fifty per cent less.

The evidence of the bridge engineers from the railroad companies show that steel piling was not used by any of these railroads; that they considered bridges upon steel piling as temporary structures, and those constructed on cement abutments upon wood piling as permanent structures; that for railroad bridges less permanent than those constructed on cement abutments, the type of piling used was the creosote wood piling; that the use of said creosote wood piling had proven highly satisfactory and less expensive as compared with steel piling. The observation of these railroad bridge engineers was that bridges constructed on creosote wood piling were at least equally as durable as bridges constructed on steel piling. One particular instance as to the longevity of the creosote wood piling testified to by one of the railroad engineers was to the effect that creosote wood piling which had been in use twenty-three years showed practically no deterioration.

The testimony showed that creosote wood piling was damaged but slightly, if at all, by ice, and that this could be entirely avoided by the use of guards constructed at a comparatively small cost in the manner recommended.

From the testimony the committee is of the opinion that it is practically impossible to determine with any degree of exactness the relative cost of bridges fully erected, for the reason that the elements of location, time of construction, cost of transportation, distance from the site of the bridge to shipping point, labor conditions, and other elements, all entered into the total cost of the structure. It was possible, however, from the testimony to determine without doubt, the comparative cost of the various items and material entering into the construction of a bridge, that is, the cost of piling and superstructure. From this testimony, it appeared without doubt that the cost of bridges in Iowa designed and contracted for with the approval of the Iowa State Highway Commission was among the lowest in price paid by any of the surrounding states.

That the cost of creosote wood piling as approved by the Iowa State Highway Commission was materially less than H-beam steel piling and that the superstructure designed and approved by the Iowa State Highway Commission cost less than the transverse joist bridge advocated by respondents.

The undisputed evidence shows that from 1913 to date, the Iowa State Highway Commission has designed and built seven thousand individual bridge structures; that not one of these structures has been lost or destroyed by floods or other agencies. All of them are standing today and

giving good service. The record further discloses that in the same period of time the Iowa State Highway Commission designed over nine thousand other bridge structures which were built by the several counties and of these only eleven have been lost from any cause and with but one exception, these losses were due to the neglect or failure on the part of the counties constructing the bridge, to comply with the plans and specifications furnished them.

Your committee finds that from the years 1913 to 1926, inclusive, contracts have been let and approved for bridges erected in this State to 461 different contracting firms. During the year December 1, 1925, to December 1, 1926, contracts were let and approved by the Iowa State Highway Commission to 116 separate and distinct contractors and of these contracts, the Standard Bridge Company, one of the respondents herein, obtained \$133,763.00 of the business. In no instance has a bridge contract with the Standard Bridge Company, the Red Oak Bridge & Iron Works, the Economical Bridge Company, or other bridge companies, respondents herein, made in accordance with the standard specifications of the Iowa State Highway Commission, been rejected.

The undisputed testimony shows that the use of standard plans and specifications and the approval of the contracts for bridges on secondary roads in this state has resulted in the erection of better bridges at lower prices.

That uniformity of contracts, bonds, and other documents which is to be desired is thus obtained and better material and workmanship is the result. The Iowa State Highway Commission in checking plans and specifications and contracts for structures to be erected by the several counties has also effected large savings to the counties and rendered a valuable service to the citizens of this State.

Your committee finds that the State Highway Commission by reason of its having supervision of the letting of a great many contracts, has been able to keep a record of standard and prevailing prices for the various items that enter into the construction of bridges and by reason of this knowledge have been able to render service to the various counties in the letting of bridge contracts, and to assist them in determining whether the various bids upon the various items have been fair and reasonable.

The evidence disclosed without dispute that the Red Oak Bridge and Iron Works, the Standard Bridge Company, and the Economical Bridge Association are affiliated organizations. It also disclosed that the Standard Bridge Company and its allied interests sought in 1913 to defeat the law providing for standard plans and specifications for bridges and culverts on secondary roads in this state. That during the session of the present (42nd G. A.) legislature they have endeavored to secure county control of bridge construction and that the hearings held before the

Budget Director in Shelby and Harrison counties were inspired by the affiliated concerns, and that the fees for C. A. Sorenson, attorney for the objectors, was paid by the respondent bridge companies.

The undisputed evidence shows that without exception the numerous bridge failures referred to in relation to Shelby and Harrison counties, were bridges designed and built by the county, not one being designed or built by the Iowa State Highway Commission; that of the plans and specifications for bridges involved in the Harrison and Shelby county Budget hearings five were designed by the Iowa State Highway Commission and were exactly in accordance with the request made upon them by the county officials. For the sixth structure the county requested plans and specifications for a permanent bridge with concrete abutments and floor. The Iowa State Highway Commission, however, objected to this design and called attention to the fact that it was too expensive and designed a cheaper structure on wood piling, contracts for which were never asked by the county. Therefore, any criticism of the Iowa State Highway Commission as a result of these hearings is clearly unjustified.

Your committee further finds that where damage was caused to the wooden piling of bridges which were constructed over drainage ditches that none of these bridges were constructed according to the design nor under the supervision of the State Highway Commission. That these bridges were constructed shortly after the construction of the drainage ditches and the piling was driven too close to the edges of the drainage ditch as it then was. That as the drainage ditch naturally widened in the course of time these pilings were exposed and unprotected and were thereby subjected to damage by the ice, which would not have resulted had they been driven further back from the edge of the stream or properly protected.

The committee having heard all of the testimony offered by the Iowa State Highway Commission and the respondents, called upon the members of the various boards of supervisors who had been notified, to testify as to any facts within their knowledge which should be disclosed at the hearings particularly in reference to bridge contracts in their county. None of them gave any testimony contradicting that previously given on behalf of the Iowa State Highway Commission. These representatives were also asked for any criticism of the hearing and they stated without exception that they had no criticism, and that the hearings were fair in every particular. C. A. Sorenson, attorney for the respondents, and George Johnson, engineer, were present during the entire proceedings. Respondents' attorney was given an opportunity to cross-examine the various witnesses, which he exercised. The respondents were also given an opportunity and asked to produce evidence substantiating the criticisms which they had made, and this they failed to do.

From the undisputed testimony, the committee concludes that creosoted wood piling substructures and steel piling substructures are comparable



types of construction and that because of the increased cost of steel piling over creosoted wood piling, the Iowa State Highway Commission has been justified in its reluctance to approve the use of steel piling as standard construction.

The committee finds that the charges made by Mr. Sorenson in his opening statement, and the criticism and complaints fostered by the respondents of the Iowa State Highway Commission, were not substantiated in any respect by the testimony; that every opportunity was given to produce testimony substantiating the charges and criticisms made but that none was offered; that the criticisms made appeared to be a continuation of those started by some of the respondents in 1913, and after a thorough investigation your committee is of the opinion and respectfully reports that the criticisms made were without foundation, and that the Iowa State Highway Commission acted in every instance in conformity with the law and for the best interests of the citizens of Iowa.

J. O. SHAFF.

E. E. CAVANAUGH.

F. M. BEATTY.

W. E. MCLELAND.

ARCH W. MCFARLANE.

*On the part of the Senate.*

H. M. GREENE.

FRED R. BLYTHE.

FRANCIS JOHNSON.

T. J. O'DONNELL.

GEO. W. CHRISTOPHEL.

*On the part of the House.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 520, 517, 508, 509, 504, 503, 458, 399, 472, 25, 366, 317, 266, 444, 387, 196, 470, 217, 512, 449, 396, 398, 471, 182, 257, 505, and 128.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 64, 358, 339 and 407.

## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1927, sent to the governor for his approval:

Senate Files Nos. 70, 286, 415, and 210.

D. L. WILSON, *Chairman.*

Passed on file.

On motion of Senator Kern, the President appointed Senator Stanley as a committee of one to escort Mr. Louis Cook to the desk.

Mr. Cook addressed the Senate briefly.

Senator Wilson of Polk moved that Governor Hammill be invited to the desk.

The motion prevailed and the President appointed Senator Wilson as a committee of one to escort the Governor to the desk.

## SENATE RESOLUTION

Senator Shaff offered the following resolution and moved its adoption :

*Whereas*, Since-1913 to the present time the state of Iowa has had the gratuitous service of one of America's greatest civil engineers, and

*Whereas*, During this time much work of an exceptional character has been consummated, with the funds available, in permanent bridge and road work, and

*Whereas*, The plans so used have received general recognition by many of our sister states and the leading engineering societies, and in fact may be considered as model plans, and

*Whereas*, The guiding genius, inspiration and ideals of this humble engineer and professor can be truthfully said to have been evident at all times, and

*Whereas*, Recently the State Board of Education, unselfishly on Iowa's part, have granted a leave of absence to this engineer in order that he may be one of a small, select committee to advise on one of a sister state's most difficult engineering problems, and

*Whereas*, It is altogether fitting and proper that official recognition be taken of some of the achievements of this man's remarkable career during his life, now therefore,

*Be It Resolved by the Iowa Senate*, That a vote of thanks be extended to Dean Anson Marston as an expression of appreciation of his services to Iowa, and that in so doing we recognize his preeminent position in the engineering world; that as a man and an engineer he again leads us to assert that "Of all that is good Iowa affords the best."

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 concurred in Senate amendments to House File No. 339, a bill for an act relating to conveyance or incumbrance of homesteads.

Also: That the House has adopted concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 29, resolving that members be permitted to purchase chairs from the secretary of the executive council, at the price of thirty dollars (\$30.00), occupied by them during this session and that the President of the Senate and the Speaker of the House, the Sergeant-at-Arms of the Senate and the Sergeant-at-Arms of the House, the Chief Doorkeeper of the Senate and the Chief Doorkeeper of the House be presented with the chairs occupied by them during the session.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 444, a bill for an act to legalize a bond issue in the sum of five thousand dollars voted by the town of Dike, Iowa, for the purpose of building, erecting and equipping a memorial building in Dike, Iowa, in conjunction with the county.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 370, a bill for an act relating to levy of tax to provide for aid to widow in care of child.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 249, a bill for an act relating to the production and sale of eggs.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 521, a bill for an act making an appropriation for the payment of the salary of the judge of the supreme court and his clerk authorized by House File No. 407, and the payment of certain expenses of the 42nd General Assembly.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 340, a bill for an act relating to investment companies and regulations in regard to the sale of certain securities.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE NO. 340

Amend Senate File 340 by inserting after Section Four (4) thereof the following:

Sec. 4a. The provisions of Chapter 393, Code of Iowa, 1924, shall not apply to brokers or dealers dealing exclusively in such securities as are made exempt under Subdivision one (1), Section Eighty-five hundred twenty-six (8526) of said chapter.

## IN MEMORIAM

MR. PRESIDENT AND SENATORS: "Nothing is so contagious as enthusiasm; it moves stones. It charms brutes. Euthusiasm is the genius of sincerity, and truth accomplishes no victors without it."—Lytton.

Look back down the pathway of your legislative record over which you have passed, and you will smile at the "barnacles" that looked like mountains just ahead, and after you have passed them they go to the commonplace.

When we know it all, we are just at that time capable of beginning to learn, to comprehend, to understand. The place to take the measure of a man is not in the legislative halls, not in field or forest nor stream, not in the "amen corner," but in his own home or domicile. We are headed that way. Today at 12 the edict has been cited. In our homes the mask is of no avail, we are judged as to whether we are imp or angel, emperor or cur, hero or humbug. We care not what the world thinks of us, whether it crowns us with chestnut or carmine, or pelt us with bad eggs, standardized or otherwise; we care not what a legislator's reputation or religion may be; if his children dread his homecoming and his "better half" has to swallow her heart every time she asks him for a bonnet for Betty or a "buck". He's a fraud and a by-product, even though his prayers morning and evening reek the silence of the sierras and savannahs. Upon his return, if his loved ones rush to greet him and his wife's countenance radiates throughout the atmosphere you may rest assured his work has been well done. We all can forgive our fellowmen who would rather make men curse than women cry; who would rather have all men's hatred than the scorn of his wife; who would rather place the bayonet to the heart of a czar than incite fear in the mind of a child.

Enthusiasm has been the bulwark of civilization; it remains its defender, it will perpetuate its benignity. As legislators we have been enthusiastic, industrious and sincere. We have differed, sometimes widely, and so it has been written in all the ages. Enthusiasm is the power; friendship the binding tie. We should be grateful.

JOHN M. RAMSEY.

## FACKLER MEMORIAL RESOLUTION

Senator Gunderson offered the following resolution and moved its adoption:

*Whereas*, Word has just come by telephone of the untimely death of the little grandchild of our brother, Senator Fackler,

*Be It Resolved by the Senate*, That we extend to Senator Fackler and all members of his family our sincere sympathy in this time of sorrow and bereavement.

*Be It Further Resolved*, That a copy of this resolution be sent to Senator Fackler by telegraph.

The resolution was unanimously adopted.

Mrs. John Hammill addressed the Senate briefly.

Governor Hammill addressed the Senate.

Mrs. Clem Kimball addressed the Senate.

#### CONFERENCE REPORT

Senator Bergman moved that the following conference committee report on Senate File No. 352 be adopted:

##### TO THE PRESIDENT OF THE SENATE:

We, your conference committee, appointed to adjust the differences between the Senate and the House on Senate File No. 352, desire to report that we have had the same under consideration and recommend that the Senate concur in the House amendment to Section one (1), lines six (6) and seven (7).

A. H. BERGMAN.  
CHAS. S. BROWNE.  
C. A. BENSON.  
LLOYD ELLIS.  
GEO. E. MILLER.  
C. G. COLE.  
JOHN EDEN.  
L. T. QUIRK.

Senator Ellis invoked rule 8.

On the question "Shall the conference committee report be adopted and concurred in?" the vote was:

## Ayes, 29.

Baird	Cavanaugh	Johnston	Rigby
Beatty	Clearman	Kimberly	Shaff
Benson	Dean	Klemme	Shane
Bergman	Ellis	Lange	Slemmons
Booth	Frailey	Langfitt	Stanley
Browne	Gilchrist	Merritt	Thompson
Carden	Gunderson	Mills	Topping
			Ulstad

## Nays, 16.

Breakenridge	Clark	McFarlane	Skromme
Brookins	Dotts	McLeland	Stoddard
Brush	Hartman	Roberts	Wilson of Page
Campbell	Kern	Shinn	Wilson of Polk

## Absent or not voting, 5.

Darting	Fulton	Haskell	Ramsey
Fackler			

The conference committee report was adopted and concurred in.

Senator Bergman moved that the vote by which the report of the conference committee passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

## HOUSE AMENDMENTS CONSIDERED

Senator Cavanaugh called up for consideration Senate File No. 340, amended by the House, and moved that the Senate concur in the following amendment:

Amend by inserting after section four (4) thereof the following:

Sec. 4a. The provisions of Chapter 393 Code of Iowa, 1924, shall not apply to brokers or dealers dealing exclusively in such securities as are made exempt under subdivision one (1) section eighty-five hundred twenty-six (8526) of said chapter.

Senator Wilson of Polk moved that the bill including the amendment be laid on the table, which motion prevailed.

Senator McFarlane raised the point of order that the bill had originated in the Senate, passed the House, and was amended by the House and messaged back to the Senate; then a motion was made to lay the bill and the amendment on the table in the Senate. Under Rule 1 of the joint rules of the Senate and House the motion to lay on the table or to postpone indefinitely shall never be employed in respect to the motions to recede from or insist upon, nor to amendments to bills which have passed both Houses.

Senator Gilchrist raised the point of order that the point of order was raised too late, as this matter was passed and finished.

The President held the point of order raised by Senator Gilchrist to be not well taken, and the point of order raised by Senator McFarlane to be well taken.

Senator Wilson of Polk moved that action on this matter be deferred until Monday, April 17th, at 10:00 a. m.

Senator McFarlane raised the point of order that the motion was out of order.

The President held the point of order well taken.

Senator Shaff moved that 5,000 extra copies of the committee report provided for in Senate Concurrent Resolution No. 14 be printed in pamphlet form, which motion prevailed.

Senator Wilson of Polk moved that the chair which had been occupied by Senator Haskell be sent to him with the compliments of the Senate, which motion prevailed.

#### HOUSE MESSAGES CONSIDERED

House File No. 521, a bill for an act making an appropriation for the payment of the salary of the Judge of the Supreme Court and his Clerk authorized by House File No. 407, and the payment of certain expenses of the 42nd General Assembly.



Read first and second times.

House File No. 518, a bill for an act to make appropriation to Frebly and Binford, Garwin, Iowa, to indemnify them for slaughter of cattle on account of tuberculosis infection.

Read first and second times.

House File No. 519, a bill for an act to make appropriation to George Christophel for slaughter of cattle on account of tuberculosis infection.

Read first and second times.

#### A BILL FOR

An Act making an appropriation for the payment of the salary of the Judge of the Supreme Court and his Clerk authorized by House File No. 407, and the payment of certain expenses of the 42nd General Assembly.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. There is hereby appropriated out of funds in the state treasury not otherwise appropriated, the following sums, or so much thereof as may be necessary to pay the claims and expenses indicated herein:

(a) For the payment of the salary of the additional Judge of the Supreme Court as provided in House File No. 407 of the acts of the 42nd General Assembly, together with the salary of his secretary, the sum of.....\$19,825.00

(b) For the payment of expenses in connection with the funeral services of the Hon. R. B. Crone, the following amounts:

Alpha Floral Company, flowers..... 20.00

Mrs. L. S. Kloster, music..... 12.00

To the members of the committee accompanying the funeral party, the sum of..... 125.00

(c) To the members of the special committee appointed to investigate the purchase of land for the state hospital for the insane at Clarinda, for railroad fare, the sum of..... 30.00

(d) To the Pittsburgh Plate Glass Company of Des Moines.....	2.30
(e) To the Savery Hotel for rent of committee rooms for the session .....	200.00
(f) To A. Olson, making plat of the House.....	11.25
(g) To the executive council to cover cost of shipment of supplies to the members of the General Assembly, laundry and other incidental expenses, the sum of.....	1,000.00
(h) To the Western Union Telegraph Company, telegrams.....	32.04
(i) To Walter Beam, secretary of the Senate, postage and incidental expenses .....	10.00
(j) To A. C. Gustafson, chief clerk of the House, postage and incidentals .....	30.00
(k) To pay extra expense of typewriter rentals.....	200.00
(l) To L. C. Smith Typewriter Company for the purchase of a machine .....	94.00
(m) To Lillian Leffert, compensation, as assistant to the chief clerk of the House.....	500.00
To Ethel Katz, compensation for special committee hearings.....	60.00
To Lulu B. Whirry, Katherine M. Southworth, Mabel M. Hoeye and H. S. Dugan, compensation for extra services during the session, each \$100.00.....	400.00
(n) To A. C. Gustafson, chief clerk of the House, \$300.00, and Walter Beam \$100.00 as compensation for services prior to the convening of the 42nd General Assembly.....	400.00

(o) To be available on order of the state printing board for the printing of five hundred (500) copies of special report of highway commission on allotments of primary road development fund, as directed by order of the Senate (Senate Journal, page 964), three hundred thirty-two dollars forty-seven cents (\$332.47), payable from the support fund of the highway commission.

(p) To Myrtle L. Henderson, in lieu of unused like sum appropriated to the state printing board, at line twenty-six (26), section thirty-eight (38), chapter two hundred eighteen (218), acts of the Forty-first General Assembly, for indexing permanent journals of the Forty-second General Assembly, four hundred fifty dollars (\$450.00).

(q) For necessary printing under House File No. forty-two (42) of the Forty-second General Assembly the necessary sum not to exceed one thousand dollars (\$1,000.00), to be available on order of the state printing board.

Sec. 2. There is also appropriated a sum sufficient to pay the per diem compensation made necessary by Senate Concurrent Resolution No. 28.

Sec. 3. There is also appropriated a sum sufficient to pay the increased salaries of guards and turnkeys at certain institutions under the state board of control, as provided in Senate File No. 210, acts of the Forty-second General Assembly.

Sec. 4. The amounts appropriated in paragraphs (b), (c) and (k) to be paid upon the certificate of the secretary of the Senate and chief clerk of the House.

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 Daily Record, a newspaper published in the City of Des Moines, Iowa, and the Ottumwa Courier, a newspaper published in Ottumwa, Iowa.

On motion of Senator Wilson of Page, Senator Klemme was excused for the rest of the session.

On motion of Senator Shane the Senate went into executive session.

#### EXECUTIVE SESSION

On motion and roll call the Senate confirmed the appointment of Hon. Clifford L. Niles, of Anamosa, Jones county, as a member of the State Highway Commission, for the term beginning July 4, 1927 and ending July 1, 1931.

On motion and roll call the Senate confirmed the appointment of Hon. H. A. Darting, Mills county, as a member of the State Highway Commission, for the term beginning July 4, 1927, and ending July 1, 1931.

On motion and roll call the Senate refused to confirm the appointment of Hon. T. J. O'Donnell, of Dubuque county, as a member of the State Highway Commission.

The Senate arose from executive session and resumed regular session.

The Senate took a recess.

The Senate reconvened.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 352.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 19, 214 and 222.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 352.

## BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report :

**MR. PRESIDENT:** Your committee on enrolled bills respectfully report they have on this 15th day of April, 1927, sent to the governor for his approval, Senate File No. 352.

D. L. WILSON, *Chairman.*

Passed on file.

## MESSAGES FROM THE HOUSE

The following messages were received from the House :

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 519, a bill for an act to make appropriation to George Christophel for slaughter of cattle on account of tuberculosis infection.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 518, a bill for an act to make appropriation to Frebly and Binford, Garwin, Iowa, to indemnify them for slaughter of cattle on account of tuberculosis infection.

Also: That the House has adopted the conference committee report on Senate File No. 352.

Also: That the House has adopted the conference committee report and amendment on Senate File No. 421 recommended therein.

Also: That the House has indefinitely postponed the following joint resolution in which the concurrence of the House was asked :

Senate Joint Resolution No. 5 for the appointment of a committee to be appointed by the Governor for the purpose of making a thorough and complete investigation of the question of employment of convict labor in the state penitentiary and state reformatory.

Also: That the House has passed the following bill in which the concurrence of the House was asked :

Senate File No. 438, a bill for an act to make appropriation to pay for hospital and medical attention to B. F. Skyles, superintendent of the state farm at Clive, Iowa, on account of injuries received while in the performance of his duties.

Also: That the House has passed the following bill in which the concurrence of the House was asked :

Senate File No. 446, a bill for an act to make appropriation to reimburse the funds of the embalmer examiners for funds deposited in the United State Bank, Des Moines, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 441, a bill for an act to make appropriation to Bertha M. H. Shambaugh for expenses incurred in the installation of the Iowa corn folk exhibit at the sesquicentennial exposition.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 445, a bill for an act to make appropriation to H. C. Jones to compensate him for hospital and medical care of Patricia Jones.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 382, a bill for an act to authorize the transfer of \$25,000.00 (twenty-five thousand dollars) from the electric fund to the general fund of the city of Algona, Kossuth county, Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 447, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the executive council.

Also: That the House has concurred in Senate amendments to House File No. 485, a bill for an act prohibiting agents from entering rural school buildings and rural school grounds.

Also: That the House has adopted the conference committee report and amendment to Senate File No. 423, recommended therein.

A. C. GUSTAFSON, *Chief Clerk.*

### THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended, and House File No. 521, a bill for an act making an appropriation for the payment of the salary of the Judge of the Supreme Court and his Clerk authorized by House File No. 407, and the payment of certain expenses of the 42nd General Assembly, was taken up and considered.

Senator Shinn offered the following amendment and moved its adoption:

Amend by striking out of paragraph (n) the figures "\$300.00" and inserting in lieu thereof "\$100.00".

Senator Ellis offered the following amendment to the amendment and moved its adoption:

Amend by adding to the amendment the following: "Also amend paragraph (n) by striking the figures '\$100.00' and inserting in lieu thereof '\$50.00'."

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Wilson of Page offered the following amendment and moved its adoption:

Amend by inserting as paragraph (r) of section 1 the following: "To Hazel Miller, clerk of chairman of the committee on enrolled bills in the Senate, \$50.00".

Senator Wilson of Page withdrew the amendment.

Senator Ellis moved that the vote by which the amendment to paragraph (n) was adopted be reconsidered, which motion prevailed.

The amendments were withdrawn.

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, 30.**

Beatty	Dean	McFarlane	Slemmons
Benson	Dotts	Merritt	Stanley
Bergman	Ellis	Mills	Stoddard
Booth	Frailey	Rigby	Thompson
Brookins	Gilchrist	Roberts	Ulstad
Browne	Johnston	Shane	Wilson of Page
Cavanaugh	Kern	Skromme	Wilson of Polk
Clark	Lange		

**Nays, 1.**

Shinn

**Absent or not voting, 19.**

Baird	Clearman	Hartman	McLeland
Breakenridge	Darting	Haskell	Ramsey
Brush	Fackler	Kimberly	Shaff
Campbell	Fulton	Klemme	Topping
Carden	Gunderson	Langfitt	

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 Shane the Senate went into executive session.

**EXECUTIVE SESSION**

On motion and roll call the Senate confirmed the appointment of Hon. T. J. O'Donnell of Dubuque as member of the State Highway Commission for the term beginning July 4, 1927, and ending July 4, 1929.

The Senate arose from executive session and resumed regular session.



## 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. 520, 517, 508, 509, 504, 503, 458, 399, 472, 25, 366, 317, 266, 444, 387, 196, 470, 217, 512, 449, 387, 398, 471, 182, 396, 257, 505, and 128.

On motion of Senator Stoddard, the rules were suspended, and House File No. 519, a bill for an act to make appropriation to George Christophel for slaughter of cattle on account of tuberculosis infection, 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, 35.

Beatty	Clearman	Kimberly	Shinn
Benson	Darting	Lange	Skromme
Bergman	Dean	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Brookins	Ellis	Merritt	Stoddard
Browne	Frailey	Mills	Ulstad
Campbell	Gilchrist	Roberts	Wilson of Page
Cavanaugh	Johnston	Shaff	Wilson of Polk
Clark	Kern	Shane	

Nays, none.

Absent or not voting, 15.

Baird	Fackler	Haskell	Rigby
Breakenridge	Fulton	Klemme	Thompson
Brush	Gunderson	McLeland	Topping
Carden	Hartman	Ramsey	

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. 518, a bill for an act to make appropriation to Frebly and Binford, Garwin, Iowa, to indemnify them for slaughter of cattle on account of tuberculosis infection, 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.

Beatty	Clearman	Langfitt	Skromme
Benson	Darting	McFarlane	Slemmons
Bergman	Dean	Merritt	Stanley
Booth	Dotts	Mills	Stoddard
Brookins	Ellis	Roberts	Thompson
Browne	Gilchrist	Shaff	Ulstad
Campbell	Johnston	Shane	Wilson of Page
Cavanaugh	Kern	Shinn	Wilson of Polk
Clark	Lange		

Nays, none.

Absent or not voting, 16.

Baird	Fackler	Hartman	McLeland
Breakenridge	Frailey	Haskell	Ramsey
Brush	Fulton	Kimberly	Rigby
Carden	Gunderson	Klemme	Topping

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.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 475, 428, 440, 485, 275, 347, 516, 416, and 83.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*Chairman House Committee.*

Report adopted.

## REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee on mileage begs to submit the following report:

	Miles	Amt.
Senator Thompson.....	176	\$17.60

C. H. TOPPING, *Chairman.*  
A. G. DOTTS.

The report was adopted.

## EXCHANGE OF SEATS

By unanimous consent Senator Frailey exchanged seat No. 40 for seat No. 38; Senator Beatty exchanged seat No. 1 for seat No. 35; Senator Lange exchanged seat No. 19 for seat No. 37; Senator Carden exchanged seat No. 42 for seat No. 32; Senator Merritt exchanged seat No. 44 for seat No. 46; Senator Brush exchanged seat No. 11 for seat No. 41.

The Senate took a recess.

The Senate reconvened.

## PROTEST AND OBJECTION

At this time on the legislative day of April 15, 1927, I protest the enrollment of Senate File No. 353: and the adoption of the report of the committee on Enrolled Bills with respect to it; and I call attention to the facts which are patent to all and are shown by the record without dispute.

The facts are these: The bill was introduced on March 15th in the Senate. It was amended and passed and the title agreed to on March 28th and was sent to the House on March 29th.

It was amended in the House and was received from the House with amendments on April 13th; and the Senate amended the House amendments and concurred in them (after amendments) on April 13th; The bill then went to the House and the House concurred in the amendments to the House amendments on April 15th; and the Senate received the bill again from the House on April 15th; and the Senate then purported to amend the title to the bill on April 15th.

But the purported action of the Senate in amending the title on April 15th was illegal, invalid, unparliamentary and void.

Furthermore after such amendment to the title the bill was not returned to the House; and the House has never concurred in the Senate amendment to the title, and the bill as now sought to be enrolled was never in the House, and has never been agreed to by the House and has never been passed by the two houses, and the enrollment as now proposed of the bill is not warranted, and will be contrary to the facts and constitute a legal fraud upon the record, and will not be in good faith, but for the purpose of circumventing the facts, the record, the constitution of Iowa and the law; and this protest is now filed in good faith for the purpose of making the facts plain and to prevent any pretense that the bill was enrolled through inadvertance or mistake or through want of knowledge of the facts. If it be so enrolled it will constitute a legal fraud.

F. C. GILCHRIST,

Senator 50th Senatorial District of Iowa.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Wilson 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. 207, 348, 135, 133, 246, 373, 90, 308, 200, 436, 209, 297, 421, 438, 441, 446, 382, 423, 447, 445, 10, 432, 364, 342, 444, 249, 370, 437, 353, and Senate Joint Resolution No. 6, and House Files Nos. 518, 519, and 521.

D. L. WILSON,  
*Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 10, 432, 364, 342, 444, 249, 370, 437, 353, 436, 209, 297, 207, 348, 135, 133, 246, 373, 90, 308, 200, and Senate Joint Resolution No. 6, and 421, 438, 441, 446, 382, 423, 447, and 445.

#### BILLS SENT TO THE GOVERNOR

Senator Wilson from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1927, sent to the governor for his approval:

Senate Files Nos. 421, 438, 441, 446, 382, 423, 447, 445, 436, 209, 297, 207, 348, 135, 133, 246, 373, 90, 308, 200, 10, 432, 364, 342, 444, 249, 370, 437, and Senate Joint Resolution No. 6.

D. L. WILSON, *Chairman.*

Passed on file.

#### COMMITTEE TO NOTIFY HOUSE

Senator Stoddard moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn *sine die*.

The motion prevailed and the President appointed as such committee Senators Stoddard, Johnston and Cavanaugh.

## COMMITTEE TO NOTIFY GOVERNOR

Senator Wilson of Polk moved that a committee of three be appointed to notify the Governor that the Senate was ready to adjourn sine die and to ascertain whether or not he had any further communications to lay before the Senate.

## REPORTS OF SPECIAL COMMITTEES

Senator Stoddard, from the special committee appointed to notify the House that the Senate was ready to adjourn, returned and announced that it had performed that duty.

Senator Wilson of Polk, from the special committee appointed to wait upon the Governor, reported that the committee had performed its duty and that the Governor had authorized them to say to the Senate that he had no further communications to lay before the Senate.

President Pro Tem Shane took the chair.

Senator Lange was called to the chair.

President Pro Tem Shane resumed the chair.

President Kimball resumed the chair.

On motion of Senator Shane the Senate took a recess to the sound of the gavel.

The Senate reconvened.

April 18, 1927; April 15, officially.

The President announced that Senator W. G. Haskell of Linn county had died on Sunday, April 17th, at 1:30 p. m.

## IN MEMORIAM

Short memorial services were held in the Senate Chamber for Senator Haskell.

Senator Gilchrist moved that the addresses made by Senators Frailey, Brookins and Stanley be printed in the journal, and engrossed copies be sent to the bereaved family, which motion prevailed.

Senator Frailey spoke as follows:

When those whom we hold dear have reached the end of life and laid their burdens down, it is but natural for us, their friends, to pay our tribute of respect and love; to tell their virtues and express above their sculptured clay some word of hope.

We are meeting now in this spirit. Nothing we can say or nothing that we can do can add to the irrevocable immutability of death.

This is a time of memory and of love that by the strength of its undying faith brushes away the burdens of the years and lives again amid the sweet and saddened scenes of yesterday.

If his friends and colleagues could have chosen the way out on the great adventure, I think he would have taken it as it came to him. He is not dead. He has only changed ships on the voyage that none of us know anything about.

This I know. Life never ends. I went down into the Valley of the Shadow to discover this. But I repeat that life never ends. Over there in his seat I see him now, not in a superstitious sense, but there he is without our knowing it.

Life never ends.

He who doubts it is either a fool or a casuist. At this moment and in this room the air is full of voices, voices from China, India, Europe and the far flung isles of the South Seas. How do we know that there are not voices from the spheres and planets out beyond the ken of our earthly experience?

This can be proven by the cold and icicle-minded revelations of science. Fifteen years ago if anyone had told you that by a simple mechanical contrivance you could bring into every homestead the voices, thoughts and music of the world, that man would have been called a fakir or an idiot. And yet we have today radio.

If this is true, and we know it is true, why should anybody doubt the truth of immortality.

I am not going to try to talk about our colleague. He was not a colleague. He was a dear old friend of everyone who knew him.

Over there on his desk where I think he is sitting now, and maybe I can see him, are the flowers—the emblems of the resurrection.

The flowers of the field, bud, bloom, then in the sere and yellow leaf they wither and are gone, and yet in dying, abide they not alone but sow themselves with each returning spring as angel emblems of the resurrection and the life beyond the grave.

The visions of the prophet and the seer, the poets song that for all time has left the atmosphere of earth to pulsate with its melody, and all of the great heroic deeds of man that thunder down the corridors of time to us, these are our heritage from those who have passed from mortal life to the invisible choir of the immortal dead.

So fade all sunsets, so dies the light on land and sea, so fade the fairy pictures on the mind. And yet we know the sun will rise again, the light on land and sea grow white and on the filmy folds of minds unformed the Hand that paints the blossoms of the field and tints the rose will flash once more the pictures of the past.

The rise and set of sun; the birth and death of day; the dawns of silver and the dusks of gold—these are the signs, the symbols, the warp and woof of immortality.

And at the loom of life sits God, who weaves this wondrous tapestry that those who know and love and understand shall perish not but in the perfect plan of birth and life and death and life again, come to the fullness of the everlasting life at last. For we know the grave does not end all; we know that the promise of another life cannot be false; we know that that hope of immortality is true—that hope that like a tide has ebbed and flowed within the human heart, beating with its countless waves against the sands and rocks of time and fate was never born of any creed, or any faith, or any religion. It was born out of love and affection and broken hearts and it will continue to ebb and flow beneath the clouds and mists of doubt and darkness as long as love kisses the lips of death.

Senator Brookins spoke as follows:

Many times in the Senate chamber, Senator Haskell and I have talked about his birthplace. We have recalled that he was born within a few blocks of the Little Brown Church in the Vale at Bradford, Chickasaw county. His early education was obtained right close to that religious institution within Chickasaw county and in Charles City, Floyd county, and I have many friends at home who are friends of Senator Haskell. I feel at this time mention should be made of these facts.



We have had many interesting talks about the Little Brown Church in the Vale, which has been preserved as near as possible to its original state by the good people of the community. I know the very house in which Senator Haskell was born. The times, of course, have changed in the vicinity of the Little Brown Church and Senator Haskell has visited there several times in the latter years of his life to see the former town of Bradford moved back to fields. This was caused by the Illinois Central Railroad coming in the community on the west side of the Cedar River and the town was practically picked up and moved across the river to what is now Nashua, Iowa. In its early days, Bradford was quite a city, with its city park, academy, stores and the Little Brown Church in the Vale, which Dr. Pitts so very ably memorialized in the song of the Little Brown Church in the Vale, known the world over. The town was platted and laid out but today its buildings, excepting the Little Brown Church in the Vale, are practically all gone and fields of grain are raised upon the very spot where once the city stood.

Many times have Senator Haskell and myself talked that the conservation of this spot should be made permanent and if necessary to do so that the State of Iowa lend every possible assistance.

I am mentioning these facts because Senator Haskell spent his early life in the community of Bradford, Iowa.

Senator Stanley spoke as follows:

I don't know that I should say anything, because I feel that at a time like this silence is the best expression of one's feelings. Senator Haskell has always been a very, very kind friend to me, and several times in the Senate chamber he has helped me.

The remarks of the Senator from Lee are certainly appropriate of the Senator from Linn, and as he has said, the Senator from Linn lives today. I believe also that Senator Haskell knew that in this life those things in which he was interested shaped his life in the future. He was interested principally in two things: park development of the state, the acquisition and preservation of the beautiful spots of nature, and in little children and sick ones, as his work here trying to help that sort of legislation shows.

We must know that his future life conforms to that little bit of poetry:

We shape ourselves the joy or fear  
Of which the coming life is made,  
And fill our future atmosphere  
With sunshine or with shade.

The tissues of The Life to be  
We weave in colors all our own,  
And in the field of destiny  
We reap as we have sown.

On suggestion of Senator Johnston the Senate arose and repeated The Lord's Prayer.

Senator McFarlane moved that a committee of five be appointed to attend the last rites of Senator Haskell, and to arrange for flowers.

The motion prevailed and the President appointed as such committee Senators Rigby, Benson, Brush, McFarlane, and Shaff.

#### CALL OF THE SENATE

We, the undersigned senators, hereby demand a call of the Senate on Senate File Number Three hundred fifty-three (353) to take effect at once on call of the President of the Senate:

H. A. DARTING.  
J. R. FRAILEY.  
GEO. CLEARMAN.  
OTTO F. LANGE.  
FRANK SHANE.  
C. F. JOHNSTON.  
CHAS. D. BOOTH.  
W. A. CLARK.  
A. H. BERGMAN.  
C. A. BENSON.  
GEO. A. WILSON.  
D. W. KIMBERLY.  
ARCH W. MCFARLANE.  
F. M. BEATTY.  
E. E. CAVANAUGH.

Senator McFarlane asked that the roll be called to ascertain if there were a quorum present.

The roll call revealed the presence of a quorum.

Senator Shaff moved that the vote by which the amendment to the title of Senate File No. 353 was adopted be reconsidered.

Senator Gilchrist raised the point of order that the vote could not be reconsidered because the Senate had already considered a

motion to reconsider that vote, and it is out of order to consider a motion to reconsider the same thing twice. Also the point of order that the motion to reconsider the vote by which the amendment to the title was adopted is upon the table, has been laid upon the table by the undisputed record in this Senate, and being upon the table the motion to reconsider is out of order. The only motion in order, if any at all, would be a motion to lift from the table. Also the time for final adjournment of this session of the legislature is long past. It is now almost noon of the 18th day of April, 1927, and under the joint and concurrent resolution of this Senate and House the time set for adjournment was at noon the 15th day of April, 1927, which is long since past. Any legislation at this time attempted is contrary to the joint resolution and the concurrent resolution of the two houses, which now controls the Senate and any legislation in the Senate and the House. Also the point of order that this motion to reconsider is out of order because it relates to a matter not germane. The record shows that this bill is a Senate bill, passed in the Senate and was sent to the House and the House put certain amendments upon it. It came back to the Senate and the Senate concurred in the House amendments, but put an amendment upon the bill which was not germane to the House amendments, and the title of the bill is sufficient insofar as it is germane to the subject matter which was before the Senate when the bill came back from the House. The House amendments having been concurred in there is nothing before the Senate at this time which the motion to reconsider could apply to.

The President held the points not well taken.

Senator Gilchrist raised the further point of order that, as there was a call of the Senate on in reference to this bill and the call was not complete at this time, it was out of order to take this bill up.

Senator McFarlane moved that those absent be excused from the call.

Senator Gilchrist raised the point of order that there was a motion already before the Senate and Senator McFarlane's motion was out of order.

The President held the point not well taken.

Senator McFarlane's motion prevailed.

Senator Frailey raised the point of order that the remarks of Senator Gilchrist were out of order, as there was nothing before the Senate.

The President held the point well taken.

Senator Shaff's motion prevailed and the vote by which the amendment was adopted was reconsidered.

Senator Gilchrist asked that the record show that the President refused to recognize him.

Senator Wilson of Polk raised the point of order that there was no place in the record for same.

The President held the point well taken.

Senator Frailey raised the point of order that Senator Gilchrist's time had expired.

The President held the point well taken.

Senator McFarlane moved that the bill be returned to the Senate from the committee on enrolled bills.

On the question "Shall the motion prevail?" the vote was:

Ayes, 18.

Beatty	Clark	Kimberly	Shane
Benson	Clearman	Lange	Stanley
Bergman	Darting	McFarlane	Topping
Booth	Frailey	Shaff	Wilson of Polk
Cavanaugh	Johnston		

Nays, none.

Absent or not voting, 31.

Baird	Dotts.	Kern	Roberts
Breakenridge	Ellis	Klemme	Shinn
Brookins	Fackler	Langfitt	Skromme
Browne	Fulton	McLeland	Slemmons
Brush	Gilchrist	Merritt	Stoddard
Campbell	Gunderson	Mills	Thompson
Carden	Hartman	Ramsey	Ulstad
Dean		Rigby	Wilson of Page

The motion prevailed.

Senator Shaff moved that the amendment to the title of Senate File No. 353 be withdrawn from further consideration.

Senator Shaff withdrew his motion.

Senator Frailey moved that the Senate recess for fifteen minutes.

Senator Gilchrist raised the point of order that Senator Frailey's remarks were out of order.

The President held the point not well taken.

The motion to recess prevailed.

The Senate reconvened.

The President announced that the point of order raised by Senator Gilchrist to the effect that the amendment to the title was not passed by a two-thirds vote, was well taken, and the title was improperly adopted for the further reason that the enrolling committee of the House of Representatives of the Forty-second General Assembly is refusing to enroll the bill on account of the Senate amendment to the title. It is therefore ruled that the adoption of the amendment was out of order, and the ruling of the chair heretofore made is hereby reversed.

Senator Shaff offered the following motion:

MR. PRESIDENT: I move that the committee on enrolled bills be instructed to enroll Senate File No. 353 without the amendment to the title, and that the title remain as it was when the bill was originally passed by the Senate and the House.

The motion prevailed.

Senator McFarlane moved that the President appoint a new enrolling committee.

Senator Gilchrist raised the point of order that his motion changes the rule of the Senate to the effect that the enrolled bills committee shall enroll the bill. Secondly it refers the matter to a different committee than the enrolled bills committee and is out of order under the rules.

The President held the point not well taken.

Senator McFarlane withdrew the motion.

Senator McFarlane moved that the President appoint two extra members to the committee on enrolled bills.

Senator Gilchrist raised the same point of order that this motion changes the rule of the Senate to the effect that the enrolled bills committee shall enroll the bill. Secondly, that it refers the matter to a different committee than the enrolled bills committee and is out of order under the rules.

The President held the point not well taken.

Senator Frailey invoked rule 8.

Senator Wilson of Polk raised the point of order that the debate was out of order.

The President held the point well taken.

On the question "Shall the motion prevail and the President appoint two extra members to the committee on enrolled bills?" the vote was:

Ayes, 21.

Beatty  
Benson  
Bergman  
Booth  
Brush  
Carden

Cavanaugh  
Clark  
Clearman  
Darting  
Frailey

Johnston  
Kimberly  
Lange  
McFarlane  
Roberts

Shaff  
Shane  
Stanley  
Topping  
Wilson of Polk

Nays, 11.

Brookins  
Browne  
Dean

Gilchrist  
Kern  
McLeland

Merritt  
Shinn  
Skromme

Thompson  
Ulstad

Absent or not voting, 17.

Baird  
Breakenridge  
Campbell  
Dotts  
Ellis

Fackler  
Fulton  
Gunderson  
Hartman

Klemme  
Langfitt  
Mills  
Ramsey

Rigby  
Slemmons  
Stoddard  
Wilson of Page

The President appointed Senators McFarlane and Stanley as the two extra members of the committee on enrolled bills.

Senator Browne raised the point of order that the motion had not carried as it took a two-thirds vote to change the rules, and this motion changes the rules.

The President held the point not well taken.

On motion of Senator Frailey the Senate recessed for twenty minutes.

The Senate reconvened.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator McFarlane 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. 353, and that bill described as Senate File No. 353 and which appears in the Senate Journal to have been included in a report of the joint committee on enrolled bills covering Nos. 10, 432, 364, 342,

444, 249, 370, and 437 and Senate Joint Resolution No. 6, was not in fact included in said previous report.

ARCH W. MCFARLANE,  
*Acting Chairman Senate Committee.*

FRED R. BLYTHE,  
*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. 475, 428, 440, 485, 275, 347, 516, 416, 83, 518, 519, and 521.

#### 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. 353.

#### BILLS SENT TO THE GOVERNOR

Senator McFarlane from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 15th day of April, 1927, sent to the governor for his approval:

Senate File No. 353.

ARCH W. MCFARLANE, *Acting Chairman.*

Passed on file.

#### COMMITTEE TO NOTIFY HOUSE

Senator Merritt moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn sine die.

The motion prevailed, and the President appointed as such committee Senators Merritt, Kern and Cavanaugh.



## COMMITTEE TO NOTIFY GOVERNOR

Senator Shane moved that a committee of three be appointed to notify the Governor that the Senate was ready to adjourn sine die.

The motion prevailed and the President appointed as such committee Senators Shane, Shinn, and Gunderson.

## REPORTS OF SPECIAL COMMITTEES

Senator Cavanaugh from the special committee appointed to notify the House that the Senate was ready to adjourn, returned and announced that it had performed its duty.

Senator Shane from the special committee appointed to wait upon the governor, reported that the committee had performed its duty and that the Governor had informed them that he had no further communication to lay before the Senate.

## COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.

## FINAL ADJOURNMENT

The hour of 12 o'clock noon having arrived, President Kimball declared the Senate of the Forty-second General Assembly adjourned sine die.



---

# IN MEMORIAM

---

## *Iowa State Senate*

---

SAMUEL F. WILSON.....	September 2, 1868-February 21, 1927
JOHN R. PRICE.....	June 23, 1875-January 9, 1927
JAMES L. BROOKHART.....	September 9, 1871-November 11, 1926
RODNEY W. TIRRILL.....	December 22, 1835-October 2, 1926
W. R. LEWIS.....	October 12, 1835-January 23, 1927
ROBERT POLLOK QUIGLEY.....	December 31, 1844-September 10, 1926
WM. S. ALLEN.....	August 26, 1857-December 6, 1926
JOHN F. REAM.....	September 16, 1854-February 26, 1927
WM. BELL TALMAN.....	January 10, 1848-October 27, 1926
JOHN B. CLASSEN.....	April 30, 1846-March 21, 1927
ELMER E. MITCHELL.....	January 27, 1863-March 17, 1924
JOHN ALEXANDER MCKLVEEN.....	November 28, 1835-July 16, 1916
JOHN B. SULLIVAN.....	December 9, 1869-September 21, 1925
DENNIS A. LYONS.....	September 8, 1851-March 24, 1925
JOSEPH MATTES.....	October 1, 1855-April 17, 1925
JAMES H. TREWIN.....	November 29, 1858-March 21, 1927
CHARLES H. THOMAS.....	September 29, 1860-April 10, 1927

---

# JOURNAL OF THE SENATE

---

## MEMORIALS

---

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 11, 1927.

The Senate met in memorial session, President Kimball presiding.

---

### SAMUEL F. WILSON

*Whereas*, Honorable Samuel F. Wilson, the duly elected and qualified Senator of the Twentieth Senatorial District of the State of Iowa, departed this life on the 21st day of February, 1927.

*Therefore*, This body duly assembled hereby pass the following resolution:

Samuel F. Wilson was born in Louisa county, Iowa, near Morning Sun, on September 2, 1868. He grew to manhood in that vicinity and occupied many positions of trust among his neighbors and citizens of his county. He served the township of Morning Sun for many years as trustee, and for two terms served the county of Louisa as a member of the Board of Supervisors, having been a member when the drainage districts of that county were established. He served the Morning Sun Consolidated school district as member and president of its board of directors. He was one of the organizers of the Louisa County Farm Bureau and for many terms served the county as its president. In the fall of the year 1926 he was elected Senator of the Twentieth Senatorial District, composed of Muscatine and Louisa counties. And it is with deep regret that he was unable to fill the term of office to which the people had elected him. And it is with deep regret that this body now registers this resolution of his passing.

*Therefore, Be It Resolved*, That a copy of these resolutions be printed in the records of this body and a copy of the same, signed by the President and President Pro Tem, be forwarded to his family.

WILLIAM CARDEN,  
GEO. CLEARMAN,  
CLYDE H. TOPPING,

*Committee.*

Senator Carden spoke as follows:

MR. PRESIDENT AND MEMBERS OF THE SENATE: It is with profound regret that we are called upon at this time to offer our sympathy to the family of our former Senator and member of this body. Mr. Wilson

was one of the pioneer citizens of Louisa county, having been one of the earlier settlers to locate in this county and to build for himself and family a home and an influence which was very much felt, not only by the immediate neighbors and friends but throughout the county and this part of the state. The Senate was very sorry to be deprived of his counsel and help during the session.

It was my privilege, as a member of the committee appointed by the Senate, to attend his funeral and it was indeed a splendid tribute that was paid to the memory of this good man by his neighbors and friends in the large attendance on this occasion.

Mr. Wilson was a man of high ideals, good Christian character and one of the leaders in his church and community, who will be sadly missed, not only by his family but by his many friends and associates.

The resolution was unanimously adopted by a rising vote.

---

#### JOHN R. PRICE

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and service of the late John R. Price beg leave to submit the following report, and move its adoption.

Senator Price was born in Glamorganshire, South Wales, Great Britain, on June 23, 1875. Came to the United States in May, 1881. He was employed as a coal miner in his boyhood days and received his education in the public schools, and later in Central University at Pella, Iowa. He was admitted to the practice of law in 1900, locating in Albia, Iowa, where he was a practitioner until the time of his death, which occurred January 9, 1927. He was married in 1899 to Mary E. Welch, who survives him.

He was elected twice to the office of State Senator from the Fifteenth district composed of Marion and Monroe counties, and was a member of the Thirty-seventh, Thirty-eighth, Thirty-ninth, Fortieth and Fortieth extra General Assemblies, which office he filled with honor to himself and the state of Iowa. The life and character of the deceased, and his exemplary services call for such as to place his memory among those highly respected and esteemed in the state.

"Star crowned and beautiful, his memory stands,  
A Sacred Statue, sculptured not with hands,  
Above the crash of words, the wreck of years,  
Too bright for sorrow and too sweet for tears."

*Therefore, Be It Resolved,* That in the passing of the Honorable John R. Price the state has lost a valuable and honored citizen, a man of strong character and sterling worth, and the Senate of Iowa would tender by this resolution its sympathy to the widow, who survives.

*Be It Further Resolved,* That a copy of these resolutions be spread

upon the journal of the Senate as an expression of the life and worth of the deceased, and an engrossed copy hereof be transmitted to the widow.

W. A. CLARK,  
CHAS. D. BOOTH,  
LLOYD ELLIS,  
*Committee.*

The resolution was unanimously adopted by a rising vote.

---

### JAMES L. BROOKHART

James L. Brookhart, member of the Senate of Washington and Henry counties during the Thirty-eighth, Thirty-ninth, Fortieth, Fortieth extra and Forty-first sessions, who died at his home in Washington, Iowa on November 11, 1926, was born on a farm in Scotland county, Missouri, September 9, 1871; and his childhood was that customary to one of a family of ten children on a middle western farm in those days. There was much of hardship in it.

At the age of seventeen years he left his father's farm, then in Van Buren county, Iowa, and began teaching school. During the summer he worked on the farm. He was truly a self-made man, endowed with a desire for knowledge and an ambition to serve the public. He came to Washington in 1894 and put himself through the Washington Academy, graduating therefrom in 1896, after which he became principal of the Wallace school. While thus engaged he read law in the office of his brother, Smith W. Brookhart, and he fitted himself for the practice of his profession. In 1898 he was admitted to the bar of this county and the same year was appointed county attorney to fill out the unexpired term of his brother during the latter's service in the Spanish-American War. In 1918 he was elected State Senator, which office he held until his death, and in the Legislature he was very active in every movement which he believed to be in the interest of the general public.

James L. Brookhart has left behind him an enviable memory with those of us whose privilege it has been to work with him. Always courteous, friendly and dignified in the court room or Senate chamber, he was honorable, straightforward and absolutely dependable in his business relations with his brother lawyers and lawmakers. Any professional or lawmaking undertaking of his was scrupulously adhered to without any equivocation or evasion whatsoever, and diligent and resourceful in the defense of his district's interest. His loss will be deeply felt by the community and state as well as by his family to whose interests he was so devoted.

*Therefore, Be It Resolved,* That in the death of James L. Brookhart, the state of Iowa has lost a faithful, able and esteemed citizen whose passing was untimely and whose death we mourn. To his bereaved wife

and daughter we tender our deepest sympathy and share with them in their loss of a kind and indulgent husband, a tender, loving and thoughtful father, and in our loss of our friend and fellow lawmaker.

WILLIAM CARDEN,  
A. J. SHINN,  
GEO. CLEARMAN,

*Committee.*

Senator Carden spoke as follows:

MR. PRESIDENT AND MEMBERS OF THE SENATE: It is with a sense of sadness that we are called upon at this time to express our sorrow at the apparent untimely going of our friend and former member of this body, James L. Brookhart. Little less than two years ago this distinguished and active lawmaker was manifesting that influence in this body, doubtless little thinking that in such a short time his mortal remains would have passed away. We desire to express most deeply our sympathy to the wife and daughter of our former member in the Senate.

You Senators who were members of this body two years ago and longer, remember well the good qualities of Mr. Brookhart, how actively and earnestly he worked in the fulfillment of the obligations of his charge to the people and how fervently he maintained his position in matters in making of the laws in which he was interested. His name is written in many of them and we are sure that his friends and associates, during the many years of his activity and usefulness in his home county, as well as in the state, will appreciate his labors in their behalf.

Many of you have testified to his work in former sessions and it is indeed a most happy tribute for you to thus speak relative to your former associate. He has lived an active life, he has been a busy man, his life has been cut off in the zenith of his activity and power and we can only say in the words of the prophet of old, "He has finished his course," and we must accept the decision which sooner or later will come to one and all of us.

Senator Shinn spoke as follows:

MR. PRESIDENT: \*It certainly affords me great pleasure to make a few remarks in this memorial for Senator J. L. Brookhart. It was my privilege to be associated with Senator Brookhart in the last three sessions of the Iowa State Senate. Those who knew him best loved him most. He was noted for his honesty and integrity. It can be truthfully said that he was a very valuable man in the Legislature for the people in the state of Iowa, that he was always ready and willing to take a stand for that which he considered was right and just between man and man. He had the moral courage to stand by his convictions.

It was my privilege to visit his home town and attend his funeral. I talked with many people in his home town, especially the young men, who said that their lives were better by their associations and acquaintance with the Senator. It can be truthfully said that the world is better by him having lived in it.

The resolution was unanimously adopted by a rising vote.

## RODNEY W. TIRRILL

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life, character and public service of Rodney W. Tirrill, late of Manchester, Iowa, begs leave to submit the following report:

Rodney W. Tirrill was born December 22, 1835, in Stewartstown, New Hampshire, the son of Timothy and Mary Drew Tirrill. In 1850 the family removed to Lodi, Wisconsin, and in November, 1856, the son came to Delaware county and located at Manchester, which at that time had a population of about five hundred. He has been a resident here ever since and is believed to have lived here longer than any other person now living.

He received his education in the public schools of Colesbrook, New Hampshire, and attended the State University of Wisconsin and was preparing to enter Albany Law School when the Civil war interrupted his plans.

He enlisted in October, 1861, in Company F, Twelfth Iowa Infantry, and saw service with this famous regiment. At the battle of Shiloh, April 6, 1862, he was shot in the thigh and lay on the field helpless from Sunday evening until Thursday morning before his wound was attended to. He limped slightly throughout the remainder of his life, as a result of this wound. He was discharged from the service in January, 1863, broken in health but not in spirit, and on his return to Delaware county was elected county superintendent of schools, in which office he served four years.

He then established himself in the real estate, loan and insurance business, in which he remained active almost to the time of his death. In later years, however, he turned the business over to younger men, personally looking after his own personal interests.

In 1879 he was nominated by acclamation and without solicitation on his part, as candidate for State Senator, a unique testimonial of the high regard in which he was ever held by his townspeople. He was elected by a large majority and served four years. During this time he drafted the first oleomargarine bill passed by the Iowa Legislature and the first ever passed in the United States. At that time Manchester was known as the "Dairy City" because of the creamery at Spring Branch, which made the butter which was awarded first prize at the Centennial Exposition in Philadelphia in 1876, and the other creameries in this vicinity which were producing butter which commanded a premium over the highest market prices and were advertised in the finest New York restaurants by the exclusive use of their product.

Mr. Tirrill was always an active member of the Grand Army of the Republic and beside holding many lesser honors, was department commander of Iowa in 1908. His interest in his comrades never failed and he proved himself a friend also of the boys of the World War, whose guest he was on numerous occasions.

On December 30, 1860, he was married to Miss Eliza Jane Weeks, who was born in Massachusetts, October 6, 1836, of Revolutionary ancestry. For more than sixty-five years they were true partners in joy and sorrow,



in wealth, and at last in sickness, as Mrs. Tirrill has been in very feeble health for weeks. Their two children died in infancy. In 1893, when he was 58 and his wife 57, they both entered the State University of Iowa, where he completed his interrupted law course and she studied English literature, French and German. He was admitted to the bar in 1894 and belonged to the Delaware County Bar Association, but he was never active in the practice. In 1900 and again in 1904, Mr. and Mrs. Tirrill traveled extensively through Europe, Palestine, Africa and the Orient, and through all the years both have kept their minds fresh and active and interested.

When he was eighty years old he built a home, the finest in his home town, containing every modern device for comfort and many beautiful things brought back from their world travels. This fine residence is on the corner of Franklin and Union streets. From there to the Maquoketa river a park was laid out by an experienced landscape artist and part of his plans have been followed out in a beautiful garden around a fountain from which a wooded lawn stretches to the river. This park has been given to the city of Manchester, and it is understood that when they are through with it, the beautiful home will also be devoted to public use.

Although Senator Tirrill's health had never been rugged, by careful and temperate living he kept himself surprisingly fit for one of his years and until September 4th had driven his own car around town on business or pleasure and walked with little difficulty. Aggravation of a malady of long standing compelled him to go to bed September 5th and it was decided best to perform an operation for his relief. On September 20th he was taken to the hospital at Anamosa.

Mr. Tirrill was a thirty-second degree Mason and believed in the Universalist faith, but attended the Congregational church since there was no Universalist service here. A native of the "Granite State," granite was truly indicative of his character. Firmly fixed in what he believed right, difficulties only polished his character, which endured through his long life, steadfast and unyielding. He was companionable and friendly and anxious to promote the community welfare, but had no patience for shiftlessness, vice or idleness. Although he leaves no children, he will be sincerely mourned by the people of this community, in which his life has been such an important part.

*Now, Therefore, Be It Resolved by the Senate of the Forty-second General Assembly of Iowa, That in the death of Rodney W. Tirrill the state and community in which he lived have suffered the loss of an influential and honorable citizen; and*

*Be It Further Resolved, That a copy of these resolutions be spread upon the minutes of the journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.*

GEO. F. SLEMMONS,

LARS J. SKROMME,

OSCAR ULSTAD,

*Committee.*

Senator Slemmons spoke as follows:

It was my privilege to know Mr. Tirrill but a short time, but in that time I learned to know him as a man of wonderful intelligence and kindly

spirit. I knew him only in his old age and was always inspired by his keen interest in public affairs and his plain, fatherly advice. During his long life in Delaware county he has seen many changes and always was willing to take a hand in the development of his community. He was one of whom it may be said—to know him was to love him, and his many friends will miss his kindly greeting, his cheerful smile and hearty cooperation for all that was good.

The resolution was unanimously adopted by a rising vote.

---

#### W. R. LEWIS

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character and services of the late W. R. Lewis, beg leave to submit the following report and move its adoption:

W. R. Lewis was born October 12, 1835, in Muskingum county, Ohio, and died at his home in Montezuma, Iowa, January 23, 1927. His parents were John M. and Louisa A. (Ramey) Lewis. He was the oldest of ten children. He worked in a general merchandise store for his father until in 1856 when he came west as far as Peoria county, Illinois; the following year he moved to Montezuma, Iowa, where he resided for seventy years. In 1865 he was married to Mary E. Cutts and their married life continued happily until her death in 1893. He was admitted to practice law in this state in the year 1866, and followed his chosen profession (except when holding public office) until his death.

Early in his life at Montezuma, he united with the Presbyterian church and was a regular attendant at church services all his life, until the last few weeks when the frailties of age denied him that privilege. During his membership of that church, he held every office of the church open to laymen.

His public life began soon after his arrival in Montezuma, when he became the editor of the only paper in the town at that time, the Montezuma Republican, which he edited during the year 1857. Later he was elected superintendent of the schools at Montezuma and continued in such office until 1861 when he was elected county superintendent of schools of Poweshiek county, which office he resigned in 1862 to become clerk of the district court of Poweshiek county and that office he held for one term. During his early life at one time or another he was either appointed or elected to every office in Poweshiek county except that of sheriff. From 1866 to 1880 he was actively engaged in the practice of law. He erected the first electric light plant in Montezuma, and was interested in light plants at Centerville, Iowa, and other cities about the same time. He surveyed the railroad from Grinnell to Montezuma when it was established. In 1880 he was elected judge of the circuit court of his circuit and continued to serve as circuit and district judge when the circuit court was abolished, until 1890 when he resumed the practice of law. In 1897 he was elected Senator for the Twelfth Senatorial District consisting of Keokuk and Poweshiek counties and served his constituents faithfully during his term of office.

Judge Lewis was one of the pioneers of the county, one who was present

at the beginnings, and it fell to him in a large measure to plan the means and devise the ways for the government of the county in the various public offices which he held. The plans and methods in office which he devised were found to be good and were followed with the necessary modifications as to changing conditions by his successors. Throughout his whole life he was at all times a perfect gentleman, genial, pleasant, even-tempered, generous, kindhearted, devoted to his family, his friends and his neighbors. In his conduct in all public business and in the pursuit of his profession, his ideal was to serve.

*Whereas*, His record as a man, public servant and citizen has been of the highest order.

*Therefore, Be It Resolved*, That the Senate express its highest regard for the sterling character of W. R. Lewis, and appreciation for the service he has rendered and do adopt this memorial in the name of the people of the state of Iowa as a tribute to his name and memory.

*Be It Further Resolved*, That this resolution be spread upon the records of the Senate.

F. M. BEATTY,  
C. F. JOHNSTON,  
W. G. HASKELL,

*Committee.*

Senator Beatty spoke as follows:

MR. PRESIDENT, SENATORS: It was my good fortune to become acquainted with Judge Lewis early in my practice as a lawyer. He was the Nestor of our district bar. Coming to Montezuma when a young man, Judge Lewis resided there for seventy years—always public spirited he served Poweshiek in every county office except that of sheriff. He served with distinction and ability as judge of the circuit court and district court. During the Twenty-seventh and Twenty-eighth General Assemblies he represented the people of his district and of the state in this Senate. Not only was Judge Lewis a servant to his fellow citizens while in public office, his everyday life was a continuous service to the many whom he daily met. Always kind and considerate, always thoughtful and generous, I realize how poor a vehicle and how inadequate are words to convey tribute to the life work of him whose memory we honor. His life of ninety-one useful years truly exemplifies the lines of a verse I now recall:

"I live for those who love me,  
Whose hearts are kind and true;  
For the heaven that smiles above me,  
And awaits my coming, too."

The resolution was unanimously adopted by a rising vote.

## ROBERT POLLOK QUIGLEY

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life, character and public service of Robert Pollok Quigley of McGregor, Clayton county, Iowa, begs leave to submit the following report:

Robert Pollok Quigley was born at the home of his grandparents, John and Mary Griffith, in Millville, Clayton county, Iowa, December 31, 1844. His parents, Joseph Beatty Quigley and Nancy Griffith, were married there in 1838 by James Nilson, first chief justice of Iowa Territory. His early childhood was spent on Buck creek in Jefferson township. His first schooling was in the home under tutelage of Miss Esther Quigley, who came from Ohio to instruct her brother's children. Later they attended school at Ceres, on the highlands, three miles distant. The children frequently glimpsed wolves, deer or wildcats on the way.

When Robert was eleven years old his parents moved to a prairie farm in Highland township, where opportunities for schooling were better. In 1861 he enrolled in Upper Iowa University at Fayette where his brother and sister had already attended two years. In 1864 he left college with a group of fellow students to join the "hundred-day men" for Civil War service in the 46th Iowa. Mr. Quigley re-enlisted in the 15th Iowa and served to the end of the war.

In 1866 he entered the law office of Elizah Odell at McGregor. His legal training was received with him and with Judge John T. Stoneman. In 1869, before he was admitted to the bar, he was nominated for city attorney. He served the city in this capacity nearly forty years and was four years county attorney. He was a member of the State Senate from 1909 to 1917. In 1919 he closed his office after fifty years of active practice.

He was married November 24, 1875, to Blanche Jacobs. Four children were born to them—Iola, Georgia, Joseph Hale and Adaline (Mrs. I. D. Fox). Mrs. Blanche Quigley died May 17, 1911. One brother, George Washington Quigley, still lives in California.

Because of failing health Mr. Quigley went to the home of his daughters in Des Moines, October, 1925. He was in a local hospital for seven months before his death, September 10, 1926. Services were held at the Methodist church in McGregor, Rev. Richard Prescott officiating. The Odd Fellows, of which order Mr. Quigley was a member for fifty-four years, had charge of the ceremony at the grave.

Robert Quigley lived his life in the county in which he was born. His memories span the period of statehood. He had the sterling qualities of the pioneer; loyalty to his friends, kindness to his neighbors, were to him a gospel. He is sincerely mourned by the community which he served in many ways during his long career. Another of the old oaks has fallen. Strange it is that out of that peculiar and unique northeastern corner of Iowa have come so many men and characters that have guided the destiny of this state. From there came Henderson, Allison and Shiras, and in their lesser way in service to the state came those other stalwarts who have helped in their own way to mold the history

of our commonwealth. Not least among these all was Robert Pollok Quigley. His friends and those who knew him loved him, and liked to call him "Bob." This was the accolade of his knighthood in the chivalry of friendship and affection. Men and women came to him with all their tribulations, and little children with their broken dolls and all their tearful tragedies of childhood, and all found surcease.

He was a forceful character for years in his own community, a lawyer of the old school, forceful, able and scholarly. More than that, what every real lawyer should be, an advocate without charge or fee as a bulwark to protect the poor, the humble and the oppressed. His record cannot be written here. It is written upon the hearts of three generations who knew him and loved him. And so he died rich. Not rich perhaps as the modern world counts worldly wealth, but rich in good deeds, unselfish sacrifice; rich in little children's love and old men's prayers.

"And so, sustained and soothed by an unfaltering trust,

Approached his grave like one who wraps the mantle of his couch  
about him and lies down to pleasant dreams."

*Now, Therefore, Be It Resolved,* That a copy of these resolutions be spread upon the journal of the Senate, and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

C. A. BENSON,

J. R. FRAILEY,

E. E. CAVANAUGH,

*Committee.*

Senator Benson spoke as follows:

**MR. PRESIDENT:** The memorial that has just been read, and the record of which it will be a part, speak of Robert Pollok Quigley, the public official, the statesman. I would pay a simple tribute to "Bob" Quigley, as he was best known by those among whom he moved in more close and intimate relationship, those whom he served so faithfully and so well—"Bob", the kindly neighbor, the devoted friend.

"Bob" Quigley rated and esteemed a man for what he did and what he was, not for what he professed or represented. To him there was no caste, no color; to him no class, no creed was superior to another; to him plain deeds and unostentatious acts appealed far more than beautiful words and eloquent phrases. His creed was found in that great fundamental doctrine "Do unto others as you would have them do unto you." This creed he professed and, what is more, practiced. Truly it can be said of him that he would always "stand by his friend to the uttermost end, and fight a fair fight with his foe."

Born and bred under the rigorous demands of pioneer days of the middle west, there was developed in him that rugged personality which characterized his private as well as his public life. He was imbued with, and actuated by, a spirit of sympathetic helpfulness, and no demand upon him was too great, no sacrifice too severe if he thereby could lighten the burden of a fellow man. His happiness was a reflection of the happiness of others.

**MR. PRESIDENT AND FRIENDS:** Tributes and memorials to the memory

of a departed loved one are touched with the shadow of sadness. They remind us that we shall meet him—see him no more in this life. But they also bring the memory of a useful life nobly lived; of a duty faithfully performed; of a service unselfishly rendered. So it is with Robert Quigley. His was an honest, sincere, useful life, dedicated to the service of his fellow men. In that he won success.

I can pay no higher tribute.

The resolution was unanimously adopted by a rising vote.

---

#### WILLIAM S. ALLEN

MR. PRESIDENT: Your committee named to draft suitable resolutions commemorating the life, character and public service of the late William S. Allen present the following report:

William S. Allen was the son of Dr. Joseph Boyd Allen and Dorothy Hammond Allen. He was born August 26, 1857, in Hillsboro, Henry county, Iowa. He died December 6, 1926, in Fairfield, Jefferson county, Iowa. His life exhibits the political success which may be attained by earnest effort and steadfast purpose in a country without caste and aristocratic privilege.

In the public school of Hillsboro he began his primary and basic education. In Denmark Academy, one of the first institutions in Iowa to offer a cultural training, he pursued advanced studies. He next entered the University of Iowa from the law department of which he was graduated in 1877 at the age of twenty.

Prepared for his profession and admitted to the bar, he located in Birmingham and engaged in the practice of law. Here in time he was chosen to serve the public as a member of the school board of which he was made president, and as mayor. He was next called to represent Van Buren county as a member of the House in the Twenty-fifth and Twenty-sixth General Assemblies. In his legislative work he won so enviable a reputation that in the extra session of the Twenty-sixth General Assembly, which produced the Code of 1897, he was made chairman of the Second Division of the Code Revision Committee.

After an intermission lasting a decade, he was sent in 1908 to the State Senate from the Second Senatorial District composed of Jefferson and Van Buren counties, serving in the Thirty-third and Thirty-fourth General Assemblies.

With an eye to professional and political advancement he removed in 1909 to Fairfield. On the expiration of his Senatorial term he decided the time opportune to seek a higher position in State affairs and became a candidate for the office of Secretary of State. The correctness of his judgment was confirmed in 1912 by popular approval. In 1914, 1916 and 1918 he was successively re-elected. He resigned from this important office July 1, 1919, and returned to Fairfield where the remaining years of his life were spent in the active practice of his profession.

As a public servant William S. Allen was affable, as easy of approach by the humblest person as by the most important, and always watchful of

the general welfare. As a lawyer he devoted to his client's cause all his ability and learning, but was ever courteous to court and counsel. As a citizen, he was of the fine type that recognizes and takes duty seriously. He was justly proud of an ancestry that had contributed to the foundations of this great state and he sought to build on that foundation a structure that would endure.

*Now, Therefore, Be It Resolved by the Senate of the Forty-second General Assembly of Iowa, That in the death of William S. Allen the state and the community where he lived have suffered the loss of an excellent and high-minded citizen, and be it further resolved that a copy of this resolution be spread upon the journal of the Senate, and that the secretary of the Senate be directed to send an engrossed copy thereof to his family.*

C. J. FULTON,  
J. R. FRAILEY,  
WILLIAM CARDEN,  
*Committee.*

The resolution was unanimously adopted by a rising vote.

---

JOHN F. REAM

MR. PRESIDENT: Your committee which was appointed to prepare resolutions commemorating the life, character, and services of the late John F. Ream of Mahaska county Iowa, beg leave to submit the following:

John F. Ream was born near New Castle, Pennsylvania, September 16, 1854, and died at the Mercy Hospital, Oskaloosa, Iowa, Saturday, February 26, 1927. His father and mother were both born in Pennsylvania, his father being of German descent and his mother of English descent. His parents moved to Mahaska county in May, 1855, where he made his home until the time of his death. He entered the coal mines in Beacon, Iowa, when he was sixteen years of age and spent many years in the coal mining business. He served as mayor of the town of Beacon, was nine years a member of the school board and was elected for a number of terms as justice of the peace. He was President of the Iowa District of United Mine Workers of America for two years, ending his services in that position in March, 1900. He was chosen as Iowa's representative on the National Executive Board of United Mine Workers and held the office for three years. He possessed a common school education.

Mr. Ream was elected Senator in 1908 and again in 1912. He was the first democrat to be elected to the State Senate from Mahaska county after the Civil War. Senator Ream was always interested in public affairs and by hard labor and judicious management attained success in private and public life.

*Now, Therefore, Be It Resolved by the Senate of the Forty-second General Assembly of Iowa, That in the death of John F. Ream the state and the community where he lived have suffered the loss of an influential and honorable citizen; and*

*Be It Further Resolved*, That a copy of these resolutions be spread upon the Journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

F. C. STANLEY,  
A. J. SHINN,  
E. E. CAVANAUGH,  
*Committee.*

Senator Stanley spoke as follows:

I am to speak of the life and work of John F. Ream who served as Senator from Mahaska county during the Thirty-third, Thirty-fourth, Thirty-fifth and Thirty-sixth General Assemblies.

I did not know Senator Ream intimately but the information which I have gained from those who knew of his life and from the biography which appears in the Iowa Official Register, shows that Senator Ream was one of those men who rose through his own efforts. His parents were among those early pioneers from Pennsylvania who came out to Iowa before it was admitted as a state and settled in the little mining town of Beacon, near Oskaloosa. At an early age he entered the coal mines and continued throughout most of his life as a mine operator or dealer in coal. His education was limited to the common schools of his community. Regardless of his limited educational facilities, his life shows that he was a man who was interested in all of the good things which upbuild a community. He entered into the civic life of the city, was interested in building up the schools of his district and finally was elected as Senator from his county, though he was a democrat and his district was always strongly republican. Through all of the activities of his life he has shown those characteristics of the rank and file of the early pioneers, upon which our present civilization is built. He was conscientious in his belief, unswerving in his position, always doing the thing which he thought to be right.

In the loss of Senator Ream the community and state have lost a valuable citizen.

The resolution was unanimously adopted by a rising vote.

---

#### WILLIAM BELL TALMAN

MR. PRESIDENT: Your committee which was appointed to report resolutions commemorating the life, character, and services of the late William Bell Talman, beg leave to submit the following:

William Bell Talman, son of Thomas B. Talman and Frances Gillespie Talman, was born at Point Pleasant, now in West Virginia, January 10, 1848. He died at Osceola, Iowa, October 27, 1926.

He came to Iowa with his parents in 1851. The family with all its worldly possessions floated down the Ohio river to Cairo, Illinois, on a raft of logs and from Cairo the raft was towed up the Mississippi to Keokuk. In 1869 he moved with his parents by covered wagon to Clarke



county, where the father made a small payment on a farm and then began to cultivate the land to pay off the mortgage.

William helped his father with the farm work. He worked at the carpenter trade when not needed on the farm, saved his earnings, and attended the Baptist college at Burlington, which was later moved to Des Moines and afterwards merged into Des Moines University. His finances were so meager and his zeal for learning so great that he did his own cooking at college, transported provisions from home to Burlington in a big cart which he made for that purpose, and on one or more occasions walked all the way between his home in Clarke county and Burlington.

He was united in marriage to Emma L. Bestor of Abingdon, Illinois, January 28, 1875, and to this union was born one son.

After teaching school in various parts of Clarke county, he studied law in the office of M. L. Temple, and was admitted to the bar about 1880. He practiced law at Osceola from then to the time of his death.

About 1898 he formed a partnership with L. E. Crist for the practice of law and this partnership continued until 1908.

In 1899 he was elected state senator and represented Clarke and Warren counties in the Iowa state Senate during the Twenty-eighth and Twenty-ninth General Assemblies.

He affiliated with the democratic party and took an active part in politics, being a delegate to numerous democratic conventions, and was one of the presidential electors who elected President Woodrow Wilson.

He was a member of the Masonic lodge at Osceola for many years and held various offices in the local order there. About a year or two before his death he was invited by the Grand Lodge of Iowa to make application to become a thirty-third degree Mason, but his health was then poor and he declined to accept the invitation.

*Now, Therefore, Be It Resolved*, By the Senate of the Forty-second General Assembly of Iowa, that in the death of William Bell Talman the state and community where he lived have suffered the loss of an influential and loyal citizen; and,

*Be It Further Resolved*, That a copy of these resolutions be spread upon the Journal of the Senate and that the Secretary be directed to send an engrossed copy thereof to his only son, William B. Talman.

C. B. KERN,

A. G. DOTTS,

H. GUY ROBERTS,

*Committee.*

The resolution was unanimously adopted by a rising vote.

---

### JOHN B. CLASSEN

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life, character and services of John B. Classen, late of Marshalltown, Marshall county, Iowa, beg leave to submit the following:

John B. Classen was born in Germany, April 30th, 1846, the son of

John and Margaret (Enkin) Classen. The mother died in 1848 and the father, with his young son and a daughter, Eliza, emigrated to America soon after, settling on a farm in Lee county, Illinois, in 1851. The elder Classen died on this farm in January, 1859.

John B. Classen was reared on a farm, receiving his early education in the graded schools of Prairieville, Illinois. Early in life he decided to engage in farming as his life occupation and followed this vocation until 1864. At this time, mindful of his duty as a citizen and loyal to his adopted country, he enlisted in the Union army as a member of Company D., Thirty-fourth Illinois Infantry, in which he served until the close of the war. He was discharged in July, 1865. During his service in the army he participated in the Atlanta campaign.

After being mustered out of service, Mr. Classen returned to farming and in 1867 came to Marshall county, Iowa. In 1870 he bought one hundred and sixty acres in Vienna township, where he made his home until 1883, when he sold his farm, purchasing another in the same township. On this farm he lived for thirty years, engaging in farming until he moved to Marshalltown in 1914, making his home there until his death.

Mr. Classen was married on December 29th, 1869, to Miss Elmira Messenger, daughter of Mr. and Mrs. E. N. Messenger, pioneers of Marshall county. Mrs. Classen died on August 7th, 1921. Miss Belle Classen, an adopted daughter, survives.

Mr. Classen was prominent in G. A. R. circles for many years and during his last illness his old comrades from Frank M. Thomas post paid almost daily visits to the hospital to inquire as to his condition.

Mr. Classen was a life-long republican and had taken an active part in political affairs. He was elected to various township offices and in 1895 was elected to the Lower House of the Iowa Legislature from the Fifty-first district, serving in the Twenty-sixth, Twenty-seventh and Twenty-seventh extra General Assemblies. In 1900 he was elected to the Senate without opposition, serving in the Twenty-eighth and Twenty-ninth sessions from the Twenty-eighth Senatorial district. Mr. Classen was always active in public affairs, was president of the Marshall County Fair Association for many years, stockholder and director in the Marshalltown State Bank, interested in the Producers Savings Bank at Green Mountain and a member of the Farmers Elevator Association. He was a man of high moral character and strong convictions; he stood for the things he believed to be right and led an honorable, upright Christian life. He affiliated with the Congregational church and his community has lost a valuable citizen in his passing.

*Now, Therefore, Be It Resolved*, By the Senate of the Forty-second General Assembly of Iowa, that in the death of John B. Classen, the state and community where he lived have suffered the loss of an influential and honorable citizen; and,

*Be It Further Resolved*, That a copy of these resolutions be spread upon the Journal of the Senate and that the Secretary be directed to send an engrossed copy thereof to the bereaved daughter.

W. E. McLELAND,  
J. N. LANGFITT,  
F. M. BEATTY,

*Committee.*

Senator McLeland spoke as follows:

**MR. PRESIDENT, AND SENATORS:** It is not without a feeling of sadness tonight that I exercise my privilege of speaking a few words in commendation of the life of the late John B. Classen, former Senator from my home county. I knew him well. He was my friend. Mr. Classen was one of those rare souls whom to know is to love, admire and respect. Genial, bighearted and broadminded, he was ever ready to help a friend in need or cheer his fellow man along the way. Truly he was a man whose life typified the well known lines:

"But let me live by the side of the road  
And be a friend to man."

Until the last few years of his life, Mr. Classen enjoyed robust health, was fond of fun, appreciated a good joke and enjoyed amusements. An evidence of the esteem of his neighbors and the citizens of his township is shown in the fact that when first a candidate for the legislature, he received every vote cast in his precinct.

Mr. Classen was successful in business, conscientious in all his dealings and was always ready to contribute to any worthy cause. He was a valuable asset to his community. A man of good judgment and firm in his views, he was always liberal in considering the opinions of others, weighing carefully their ideas, then remaining loyal to his conclusions.

As a member of the House he served in the special session of 1896, when the Code of Iowa was revised, and was chairman of the committee on county and township organization, which proved a very important committee in that session. While in the Senate he was chairman of the committee on highways and was a member of the ways and means, military and other important committees. Mr. Classen had been in failing health for eight years, but his condition had not been regarded serious until the last few weeks. His passing was an end of an eventful and useful life.

The resolution was unanimously adopted by a rising vote.

---

ELMER E. MITCHELL

**MR. PRESIDENT:** Your committee which was appointed to prepare resolutions commemorating the life, character, and services of the late Elmer E. Mitchell of Mahaska county, Iowa, beg leave to submit the following:

Elmer E. Mitchell was born January 27, 1863, in Mahaska county, Iowa, near New Sharon. He was educated in the public schools of his county, after which he took a two years' general college course. For six years he taught in the public schools, spending his vacations on his father's farm. In 1890 he was appointed to a position in the United States census office in Washington, D. C. Two years later he was called to a position in the United States government printing office. During his incumbency of these positions, he attended the University of Washington,

from which he graduated with a Master's Degree of Law. He later took a post-graduate course in Columbia University Law School and was admitted to the practice of law in the United States courts. After the death of his father, he engaged in farming and stock raising in Mahaska county, on his farm which was known as Mitchell Meadows. He was a member of the Iowa state Senate during the thirty-seventh and thirty-eighth sessions. His death occurred March 17th, 1924, on his farm near New Sharon, Mahaska county, Iowa.

*Now, Therefore, Be It Resolved,* By the Senate of the Forty-second General Assembly of Iowa, that in the death of Elmer E. Mitchell the state and the community where he lived have suffered the loss of an influential and honorable citizen; and,

*Be It Further Resolved,* That a copy of these resolutions be spread upon the Journal of the Senate and that the Secretary be directed to send an engrossed copy thereof to the family of the deceased.

F. C. STANLEY,  
OSCAR ULSTAD,  
F. M. BEATTY,

*Committee.*

Senator Stanley spoke as follows:

I was not personally acquainted with Senator Mitchell but have learned of his life and work from those who knew him.

He was born on a large farm in Mahaska county near New Sharon, Iowa. His early life was spent on the farm. He was schooled at the district school and the public schools of his community. Later he secured the equivalent of one or two years of college work. At that time this amount of education was above that secured by the average young person. He taught school in the country schools of his county. Later he secured an appointment in the government printing office at Washington, D. C. While in that position he made use of his spare time in attending the law school from which he later graduated and was admitted to the practice of law, not only in the lower courts but also in the higher courts of the United States.

His interest in public affairs is shown by the fact that he later became a candidate for the position of state Senator from Mahaska county. In this campaign he was successful and served two sessions in the General Assembly of Iowa. In many respects Senator Mitchell was an eccentric character but a view of his activities through life shows that he was a man interested in the constructive things. He gained as much education as was available to him. He always took an interest in the civic affairs of his community, of the state and of the United States and at the time of his death was contemplating becoming a candidate again for the position of Senator from Mahaska county.

The resolution was unanimously adopted by a rising vote.

## JOHN ALEXANDER McKLVEEN

MR. PRESIDENT: Your committee which was appointed to prepare resolutions commemorating the life, character, and services of the late J. A. McKlveen of Chariton, Iowa, beg leave to submit the following:

John Alexander McKlveen, son of Henry and Catherine Lohr McKlveen, was born in Westmorland county, Pennsylvania, November 28, 1835, and died at his home in Chariton, Iowa, July 16, 1916, at the age of 80 years, 7 months and 18 days.

He was educated in the public schools of his native county and at Sewickly Academy. In early manhood he engaged in teaching and afterward studied medicine. He took his first course of Lectures in 1860 in Cincinnati, Ohio, and engaged in the practice of his profession for two years in Pleasant Unity, Pennsylvania. He continued his Lectures in Bennett Medical college of Chicago, Illinois, receiving his degree from that institution in 1872.

He was entirely self-supporting from the age of fifteen, paying his own way through college. He came to Iowa in 1865, where he spent some time in search of a satisfactory location, finally choosing Chariton, where he practiced continuously for fifty years, or until a few months prior to his death, being the oldest physician of this city, in years of continuous service. He loved his chosen profession, was kind and genial and ever considerate of those depending upon him for advice. He was railway surgeon for the Chicago Burlington & Quincy Railway Company for 24 years and was holding that position at the time of his death. He was president of the board of examining surgeons for pensions during the Harrison administration, and also served as president of the Iowa State Eclectic Medical Society for three terms. He was appointed as a member of the Iowa state board of health by Governor Shaw and served for a period of seven years. In 1901, he was sent as a delegate from the state board of health, to London, England, to attend the British Congress on Tuberculosis. He was also prominent in local affairs, being vice president of the State Savings Bank of Chariton, and a director in the Lucas County National Bank since its organization. In connection with his other business interests, he was senior member of the lumber firm of McKlveen & Eikenberry with yards at Chariton, Russell and Cambria. He always took an active part in the affairs which in any manner affected the public to promote the welfare of the community. He served as Senator from the Fourth district in the Thirty-second and Thirty-second extra General Assemblies. He was diligent and careful in the performance of every duty, vigilant in looking after the interests of his constituents. His fidelity to duty and his promptness and loyalty in discharge of every obligation that came to him, won for him confidence and gained for him the respect of all with whom he was brought in contact.

Largely attended funeral services were held at the First Baptist church, conducted by Rev. Herbert J. Bryce, assisted by Rev. T. H. Aszman of the First Presbyterian church. An eulogy was read by Senator R. A. Hasselquist of Chariton, who paid a merited tribute to the life and character of the deceased.

*Now, Therefore, Be It Resolved*, By the Senate of the Forty-second General Assembly of Iowa, that in the death of John Alexander McKlveen the state and community where he lived have suffered the loss of an influential and honorable citizen; and

*Be It Further Resolved*, That a copy of these resolutions be spread upon the Journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

A. G. DOTTS,

W. E. MCLELAND,

E. E. CAVANAUGH,

*Committee.*

Senator Dotts spoke as follows:

MR. PRESIDENT: It was never my privilege to have met or had any acquaintance with Senator J. A. McKlveen, but having the acquaintance of a number of friends of his, I have learned that he was one of the most respected citizens of Lucas county and the community in which he lived. Having located in Chariton in 1865, he was one of the pioneer physicians in that city, engaged in a very successful practice of his chosen profession, and holding the confidence of all with whom he came in contact.

His large financial interests gave him a large acquaintance wherever those interests were located and all seemed to hold for him the highest regard.

He was active in all civic affairs of the county in which he lived and in his death the community loses an active citizen and the state a valuable servant.

The resolution was unanimously adopted by a rising vote.

---

#### JOHN B. SULLIVAN

John B. Sullivan was born at Afton, Iowa, December 9th, 1869, one of the younger children of Mr. and Mrs. E. F. Sullivan. At nine years of age he entered St. Benedict's College at Atchison, Kansas, where he remained until his studies were sufficiently advanced to permit him to enter the Afton High School. After completing the prescribed course at the Afton High School, he matriculated at the University of Notre Dame, South Bend, Indiana, where he enrolled in the College of Arts and Letters. During his four years at Notre Dame, Mr. Sullivan took an active interest in debating and public speaking, representing the University in contests with the other universities and colleges in that section of the country. He was also connected, in the capacity of editor, with the University publication, "Scholastic," writing editorials and some fiction and dramatic criticism.

Graduating from the University with a B. Litt. degree in 1891, he entered the State University of Iowa in the fall of the same year and pursued his studies in the Law Course. Having graduated and passed the state bar requirements he returned to Creston, to which place his

parents had moved while he was in the University. Shortly after his return he was elected City Solicitor, a position which he filled with credit and promise, and was rewarded for his application and zeal in that office by election to the position of county attorney of Union county. In May of 1896 he was united in marriage to Cecelia Norton, the daughter of Bridget Norton, of Creston, to which union there was born one child, a son, Norton Sullivan.

At the close of his term as county attorney, Mr. Sullivan moved to Des Moines and commenced the practice of law in that city. He was later joined by Jerry B. Sullivan, and the firm of Sullivan and Sullivan, which had heretofore existed in Creston, composed of E. F. Sullivan, John B. Sullivan and Jerry B. Sullivan, became recognized as a Des Moines firm, and so continued until the death of John B. Sullivan, at his home September 21, 1925.

John B. Sullivan was generous of his time and talent in the service of the public. He was zealous in attention and application to the problems of civic interest, conscious of his duty as a citizen to the state and the nation, and ardent in his political affiliations because his allegiance was to principles rather than men.

Mr. Sullivan's death, which followed a general decline in health extending over a period of more than two years, was in a great measure due to the fact that the strain and responsibility of holding public office and at the same time actively practicing his chosen profession, exhausted his reserve strength to a degree that he was unable to overcome the effects of a nervous breakdown. Mr. Sullivan served both in the House and the Senate at a time when legislation of the greatest import to the state was being considered and upon the board of education when the foundation was commenced for the present comprehensive program of building.

Mr. Sullivan was deeply conscious to the three great duties of a citizen, devotion to country, church and home, and he was unflinching in heeding the call to duty. He recognized the sacredness of loyalty to his friends and in return enjoyed the blessings of the good wishes and comradeship of his fellow men. He was temperate in his estimate of those who differed from him in any opinion, he was conservative in forming and expressing his judgments and steadfast in maintaining those which he had formed and believed to be right and for the common good. In the highest sense and meaning of the words he was a Christian gentleman, kindly, courteous, modest and gentle.

"He was a profoundly spiritual man, beautifully tolerant of the inner life of other men, his own radiant mind lit up with the light of faith, his own generous heart warmed by the fire of hope, his own noble spirit mellowed by the rich liquor of charity."

"A man whose life glided on like the rivers that  
water the woodlands,  
Darkened by the shadows of earth but reflecting an  
image of heaven."

Whereas, His standing as a man, citizen and legislator has been of the highest character, therefore

*Be It Resolved*, That the Senate take this occasion to express its highest

appreciation of the splendid character, honest public service and adopt this memorial in the name of the people of the state of Iowa.

*Also, Be It Further Resolved*, That this resolution be spread upon the record of the Senate and that the same be engrossed and that an engrossed copy thereof be sent to the family of the deceased.

GEO. A. WILSON,

J. R. FRAILEY,

C. F. JOHNSTON,

*Committee.*

The resolution was unanimously adopted by a rising vote.

---

#### DENNIS A. LYONS

**MR. PRESIDENT:** Your committee which was appointed to prepare a resolution commemorating the life, character and services of the late Dennis A. Lyons, of Cresco, Iowa, begs leave to submit the following:

Dennis A. Lyons was born at Blue Island, now a part of Chicago, Illinois, September 8, 1851, and died at Cresco, Iowa, March 24, 1925. When he was sixteen years of age, his parents removed their family to a farm in Winneshiek county, Iowa. In addition to common school, Dennis attended the Breakenridge Institute at Decorah, Iowa. In 1877 he formed a partnership with R. J. MacHugh as MacHugh & Lyons, dealers in farm implements at Cresco and continued in that business until he retired in 1909. He was twice mayor of Cresco and in 1897 was elected Senator and was reelected in 1901, serving from the Twenty-seventh to the Thirty-first General Assemblies, inclusive. He was also a member of the democratic state central committee for four years, beginning with 1900. He was a devoted member of the Roman Catholic church and a man of great influence in his part of the state.

*Now, Therefore, Be It Resolved*, By the Senate of the Forty-second General Assembly of Iowa, that in the death of Dennis A. Lyons the state and the community where he lived have suffered the loss of an influential and honorable citizen, and

*Be It Further Resolved*, That a copy of these resolutions be spread upon the Journal of the Senate and that the secretary be directed to send an engrossed copy thereof to the family of the deceased.

WM. H. KLEMME,

J. M. RAMSEY,

C. F. JOHNSTON,

*Committee.*

The resolution was unanimously adopted by a rising vote.



## JOSEPH MATTES

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life and public service of the Hon. Joseph Mattes, a former member of the General Assembly, who died at his home in Odebolt, Iowa, on April 17, 1925, begs leave to submit the following:

Joseph Mattes was born at Camanche, Clinton county, Iowa, October 1, 1855. His parents later moved to Lyons, where in his early youth he attended the public schools, and afterwards the high school at Clinton.

In 1879 he went to Sac county, where he started a small hardware store at Odebolt, which, under his careful management, developed into a flourishing and successful business, and which he continued to manage until 1915, when, in order to devote his time to banking, he turned the hardware business over to his son, George. He was connected with the First National Bank at Odebolt for many years and later the Kiron State Bank, and was president of both of these banks when he died.

He was married in May, 1879, at Lyons, to Miss Catherine E. Shelley. Four children were born to this union, three of whom are living. Mrs. Mattes passed away in March, 1912.

He was a staunch republican and served Sac county in the House of Representatives during the Twenty-ninth, Thirtieth and Thirty-first General Assemblies, followed by election to the Senate to represent the Forty-eighth Senatorial district, consisting of Carroll, Greene and Sac counties, in the Thirty-second, regular and extra, the Thirty-third, Thirty-fourth and Thirty-fifth sessions, a continuous legislative service of fourteen years. He was twice chairman of the appropriation committee in the House and was accorded the same honor during the last two sessions in the Senate. He was greatly in favor of the Capitol extension plan which came up in 1913, and did all he could to further it.

He took an active interest in the affairs of the community where he lived and centered his efforts on better schools, the public library and the volunteer fire department. He was affiliated with the Masons, the O. E. S., Knights of Pythias, and the Modern Woodmen of the World, and for many years was a trustee of the Presbyterian church at Odebolt.

His keen business ability and integrity were recognized by Governor N. E. Kendall in 1924, when he appointed him as a member of the budget appeal board, which position he held at the time of his death.

In September, 1914, he married Elizabeth Platt of Des Moines, who survives him. He also leaves a daughter, Mrs. Grace Young of Bellevue, Iowa, and two sons, Howard Mattes of Reardon, Washington, and George Mattes of Odebolt, Iowa.

*Therefore, Be It Resolved,* That in the death of Joseph Mattes the state has lost a valuable and honored citizen, whose faithful and unselfish devotion to duty in public and private life is worthy of commemoration and recognition, and the Senate of the Forty-second General Assembly of Iowa takes this occasion to express its appreciation of his high character and public services to the state of Iowa, and to extend to his family sincere sympathy in their bereavement.

*Be It Further Resolved*, That a copy of these resolutions be spread upon the Journal of this Senate and that copies thereof be transmitted to the members of his family.

J. G. MERRITT,  
ED. H. CAMPBELL,  
B. M. STODDARD,  
*Committee.*

The resolution was unanimously adopted by a rising vote.

---

### JAMES H. TREWIN

MR. PRESIDENT: Your committee appointed to prepare resolutions commemorating the life, character and public service of James H. Trewin, late of Cedar Rapids, Iowa, beg leave to submit the following:

We feel that we can do no better than to repeat here what appeared in one of his home papers:

"As he realized that death approached, Senator Trewin penned an unique letter to a lifetime friend, asking him to write his obituary, which Mr. Trewin desired to be 'truthful, not fulsome.' That request was complied with as follows:

"Trewin, James Henry, lawyer, born Bloomingdale, Du Page county, Illinois, November 29, 1858, son of Henry and Mary Ann Trewin; educated at Bradford Acadēmy, Cedar Valley Seminary and Lennox College, Iowa; married Martha E. Rector of Earlville, Delaware county, Iowa, April 14, 1883 (she died in 1911); one son, Harold Rector; was married to Nellie S. Hatton of Cedar Rapids, April 17, 1915. Taught school 1874-80; admitted to Iowa bar 1883; practiced at Earlville, 1883-89, Lansing 1889-1900, since at Cedar Rapids; member of firm of Trewin, Simmons and Trewin since 1916. Owns farms in Iowa and takes a great interest in agriculture. Member of the Iowa House of Representatives 1894-96, Senate 1896-1904; member of Iowa Commission St. Louis Exposition 1904; member Iowa state board of education 1909-15; president 1909-14; chairman of the committee to codify laws 1919-24; state director of education in Principles of American Government. Member of the United States commission on uniform legislation. Republican. Presbyterian. Member Iowa and American Bar Associations. Mason (32nd, K. T.). Member of Country Club."

Such is the brief outline of the high points in the life of Hon. James Henry Trewin as set forth in the 1927 edition of "Who's Who in America." Even this outline indicates a life "full, rich and abundant."

Now that he has passed into the great silence, it is more than fitting—it is just—that something more than an epitome of his life should be set out before his fellowmen. We, who attempt to do this at his request, made in a touching letter written as he felt the end drawing near, would fain do it as he said he thought he would. "You will," he wrote, "be truthful, not fulsome."

Let us consider his long and useful life, under several heads:

## PREPARATION.

He worked on a farm, and as a teamster as a young man, and taught school for six years—in the country and in town. He attended a pioneer academy and a small college. Splendid discipline for body, mind and spirit.

We are wont to pity the school children of forty to fifty years ago, because of the bare schoolrooms of those days—their lack of library and laboratory facilities and of professionally trained teachers; and, thus thinking and pitying, we forget a priceless thing the school children of those days did have—the inspiration of many men like young J. H. Trewin, who taught school as a stepping-stone, and who put into their teaching all the force and nobility of their aspiring natures, and who left an impress that molded character and pointed the way to larger fields and higher realms, as no other type of man could.

The former schools were not better than those of today, but those of today are poorer in the sense that they do not now have the inspiration of the ambitious young men of the country as teachers as they did half a century ago and for some time thereafter. Nearly all the men who later became leaders in the various walks of life in the early history of the middle west taught school, and they taught well, and left a lasting impression on every worthwhile boy and girl who was so fortunate as to be their pupil.

## AS A LAWYER.

Mr. Trewin's law school was the office of a good lawyer in Dubuque. From this type of law school came many of the great lawyers and jurists of former generations and of that which those trained recently call "the passing generation." Doubtless these young men missed much which is now obtainable in the modern law school. But the law of compensation was at work. Those who graduated in law from law offices and remained in the practice and became distinguished had to develop an initiative and a resourcefulness which only self-reliance and hard knocks can give.

That James H. Trewin became a great lawyer—one of the leaders of the Iowa bar—goes without saying. This fact has been acknowledged in Iowa for at least thirty years. He won many a hard fought and difficult legal battle. In his latter years he was primarily a business man's lawyer, devoting the major portion of his time and talents to business organizations—pointing the way to safety for business men rather than getting them out of difficulties which might have been avoided.

## AS A LEGISLATOR.

Mr. Trewin served directly as a legislator ten years—two in the House of Representatives and eight in the state Senate of Iowa. His work in both houses was distinguished and constructive. He gave the major portion of his attention to two subjects—education and codification of the laws. He was a pioneer in the legislation which later led up to the establishment of the consolidated school system of this state. He was chairman of the legislative committee which formulated the Code of 1897. His indirect service as a legislator covered a period of five years. We

refer to his membership and chairmanship of the Code Commission which brought out the Code of 1924. This was a stupendous and a very successful piece of work. Senator Trewin originated the plan whereby the changes in the law were so placed before the legislature when it met to consider the Code Commission's work, that it could easily be referred to committees and handled intelligently and easily.

#### IN POLITICS.

"Every man in this country ought to be a partisan," declared the late Senator Ingalls. Senator Trewin was a partisan. He believed in party regularity, and party solidity. He took an active part in every political campaign for more than forty years. He gave freely of both time and money, whether he himself was a candidate or not. He did not win always, but nobody ever failed to know exactly where he stood on every issue.

#### AS A PUBLIC SERVANT.

Everything one does of a public nature is a public service, and the doer of it is a public servant. We have already dwelt on his legislative service—direct and indirect. But he performed another type of service equally useful—if not more so. He was a member of the Iowa commission of the St. Louis Exposition, and took a great interest in it. He was a member of the United States commission on uniform legislation, and was state director of a campaign for education in the principles of American government. In each of these things he took a deep and abiding interest. All were useful fields of endeavor.

His greatest service was as a member of the Iowa state board of education. He was one of the original members of that board, on which he served six years, and he was its first president. He had much to do in directing its policies in its formative period, and to this great work he gave without stint. How much he lost in dollars and cents in giving as he did of his time and energy for six years—practically without compensation, no one will ever know. But we do know that he counted it all gain; and we are inclined to believe that he considered membership on this board and the presidency of it the highest honor and the greatest opportunity for service that ever came to him; and we know also that all who worked with him during those years honored him and will forever be mindful of the constructive work he accomplished, and they are proud to have been associated with him.

#### AS A BUSINESS MAN.

Senator Trewin was born to the soil; he loved it to the end. His farms were not "playthings;" they were business enterprises, and he operated them successfully. As his law practice developed along constructive business lines, he took a constantly increasing interest in business projects per se. During the last few years he was a leader in the promotion of some large enterprises along purely business lines.

To this tribute your committee desires to add the tribute which appeared recently in the Journal of this Senate:

JAMES H. TREWIN.

"Know ye not, there is a great prince and a great man fallen this day in Israel!"

It is the age-old cry—the age-old lamentation. So it has been since first the sun of human history silvered the dawn of the world, and so it will ever be until the end of time.

Nothing that we can say or hear in this chamber, where he was in his day a forceful character, can add to the immutability and finality of death. His work is done. It is recorded today in the history, the politics, the statutes and the affections of the state in which he lived and died, and which he loved so well. His record is not ours to relate to the people of Iowa, for he has left his own record to that end. He was one of the last of the old oaks; sturdy, steadfast and true to all in which he believed and held convictions. One of the last of the two sturdy generations that made Iowa—consistent in all that he believed; courageous to fight for his belief and never faltering in the faith of his convictions. The landmarks of the formative days of our commonwealth are being lost, and growing dim and formless in the march of time. He was one of them, and the call has come to him. His work is ended. Those that he battled with respected him, those that fought on his side loved him. He has fought the good fight. He has finished his course and he has kept the faith as he conceived that faith. No honest man could do more for his fellow citizens that he loved—and nothing is greater than an honest man. If, in another world to which his soul has passed, fidelity to conscientious convictions is honored, and faith and friendship is a virtue, then all is well with him. He has left our state his debtor. In his passing into the inscrutable mysteries of the life hereafter—Hail and Farewell!

*Now, Therefore, Be It Resolved,* That a copy of these resolutions be spread upon the Journal of the Senate, and that the secretary be directed to send an engrossed copy thereof to the family of the deceas'd.

W. G. HASKELL,  
J. R. FRAILEY,  
F. C. GILCHRIST.

*Committee.*

The resolution was unanimously adopted by a rising vote.

---

CHARLES H. THOMAS

MR. PRESIDENT: Your committee which was appointed to prepare resolutions commemorating the life, character, and public services of Senator Charles H. Thomas, late of Union county, Iowa, begs leave to submit the following report:

Charles H. Thomas was born near Roseville, Warren county, Illinois, on the 29th day of September, 1860. His parents, Matthew and Emaline Thomas, were of Welsh and Scotch descent and with them he removed to Union county, Iowa, when he was fifteen years of age.

In 1876 the family moved to Cromwell, Iowa, where he completed his

education in the public school, after which he engaged in the lumber and hardware business, first as a clerk and later as a member of the firm.

In 1891 Mr. Thomas opened a hardware store in Creston, and four years later removed to Kent to engage in the lumber and hardware business. He was vice president of the Kent Savings Bank and president of the "Blue Grass Road," crossing Iowa from Burlington to Council Bluffs, having both originated and named this highway.

Mr. Thomas was active in republican politics of his district for many years. He was elected to the state Senate in 1913 and was a member of the Thirty-fifth and Thirty-sixth General Assemblies. He was appointed by Governor Kendall as a member of the state board of education, ably serving in the capacity of vice president of this organization. Three years ago he was appointed postmaster of Creston, Iowa.

Charles Thomas was a great student. He had an indomitable determination to do well, that which he undertook. He was fair, straightforward and always upon the right side in every moral and economic question. He was a tireless worker, a faithful friend, an upright and respected citizen in the community in which he lived. No one can fill his place. He speaks in lives made better—in works done that will stand out as time goes on. It may be truly said of him as Watt put it

What I saved I had.  
What I had I lost.  
What I gave I have.

*Now, Therefore, Be It Resolved, By the Senate of the Forty-second General Assembly of Iowa, that the Senate takes this occasion to express its high appreciation of his lofty character and faithful public service and adopt this memorial in the name of the public of Iowa, as a tribute to his name and memory.*

*Be It Further Resolved, That a copy of these resolutions appear in the Journal of the Senate, and that the secretary be directed to send an engrossed copy thereof to his family.*

H. GUY ROBERTS,  
S. E. FACKLER,  
W. S. BAIRD,

*Committee.*

The resolution was unanimously adopted by a rising vote.

President Clem F. Kimball spoke as follows in closing:

In closing this memorial service I have a few words to say in connection with the Senators that I have known who have been members of this Senate.

There are some nine members whom I have known intimately among the list of those deceased. They were fine men, full of courage and convictions and each worked for the interests of his constituents. I thought many times as I have sat here before the Senate this winter how time flits by, and we must agree with Lincoln when he said time was a vaporist, and that as the years go by a new Senate constantly comes and goes.

I have never known a better body of men than the present Senate of Iowa or one that worked more faithfully for the welfare of all persons concerned. Those that have gone before are but like those that stay. Lincoln with his greatness was great because he was so much like the men of his own type. He was a typical man of his time. So it is with the Senators of this body. They were typical men of their time. They were given greatly to the doctrine of service, and I am reminded tonight that, "A destiny makes us all brothers. None may go his way alone and what we bring to the lives of others must come back again to our own."

On motion of Senator McLeland, the memorial session adjourned.





# HISTORY OF SENATE BILLS IN SENATE

## SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

1, 3, 4, 5, 6, 7, 10, 11, 16, 17, 18, 21, 26, 27, 29, 30, 31, 33, 34, 35, 36, 37, 38, 40, 41, 42, 46, 48, 49, 50, 53, 54, 55, 57, 58, 59, 62, 65, 70, 72, 74, 76, 77, 80, 83, 87, 90, 93, 94, 96, 97, 98, 99, 104, 105, 107, 109, 110, 113, 116, 117, 118, 120, 123, 124, 127, 128, 132, 133, 135, 136, 140, 142, 144, 145, 146, 147, 148, 151, 152, 157, 158, 159, 161, 164, 166, 168, 171, 177, 178, 179, 183, 184, 188, 191, 196, 198, 200, 207, 208, 209, 210, 214, 215, 217, 219, 222, 223, 225, 230, 231, 232, 235, 236, 240, 246, 248, 249, 251, 253, 256, 257, 258, 260, 263, 270, 278, 279, 283, 284, 285, 286, 290, 295, 296, 297, 300, 305, 308, 310, 313, 315, 316, 336, 341, 342, 345, 347, 348, 352, 353, 357, 360, 364, 366, 369, 370, 373, 382, 383, 385, 394, 402, 403, 404, 408, 415, 417, 418, 419, 420, 421, 422, 423, 428, 430, 431, 432, 436, 437, 438, 441, 444, 445, 446, 447, S. J. R. 1, 2, 3, 6.

## RECORD OF EACH BILL

S. F.	Page	S. F.	Page
1 By Johnston. Expense of Inaugural ceremonies.		Amendments adopted.....	179
Introduced, passed; ayes 41, nays 0	32-33	Amended, passed; ayes 44, nays 0	180
Received back.....	59	Title amended.....	180
Reported enrolled.....	123	Received back.....	288
Signed by President.....	123	Reported enrolled.....	313
Sent to Governor.....	123	Signed by President.....	313
Approved by Governor.....	126	Sent to Governor.....	314
		Approved by Governor.....	354
2 By Ellis. Muskrats.		6 By Benson. Champlon dairy judging team.	
Introduced, referred.....	61-62	Introduced, referred.....	105
Recommended amendment and passage.....	255	Withdrawn from committee and referred to appropriations...	367
Amendment filed.....	320	Recommended passage.....	390
Amendment adopted.....	355	Passed; ayes 43, nays 1.....	452
Failed to pass; ayes 25, nays 14	356	Received back.....	961
Motion to reconsider.....	364	Received request of House to re- turn.....	1084
Reconsideration prevailed.....	440	Request.....	1088
Amendment reconsidered.....	440	Received back.....	1126
Passed; ayes 35, nays 7.....	440	Reported enrolled.....	1224
3 By Lange. Public dock commissioners.		Signed by President.....	1224
Introduced, referred.....	105	Sent to Governor.....	1224
Recommended passage.....	179	Approved by Governor.....	1309
Passed; ayes 36, nays 0.....	203		
Received back.....	287	7 By Shaff. Dewitt Telephone Co.	
Reported enrolled.....	391	Introduced, referred.....	105
Signed by President.....	391	Recommended passage.....	219
Sent to Governor.....	391	Amended, passed; ayes 37, nays 0	222
Approved by Governor.....	416	Received back.....	268
4 By Lange. Public docks.		Reported enrolled.....	292
Introduced, referred.....	105	Signed by the President.....	292
Recommended passage.....	217	Sent to Governor.....	303
Amended, passed; ayes 42, nays 0	236	Approved by Governor.....	354
Received back.....	259		
Reported enrolled.....	271	8 By Booth. Civil liability of operators of automobiles.	
Signed by President.....	271	Introduced, referred.....	105-106
Sent to Governor.....	271	Withdrawn by author.....	472
Approved by Governor.....	284		
5 By Lange. Civil service (police and firemen) in cities and towns.		9 By Fulton. Highway com- mission.	
Introduced, referred.....	105	Introduced, referred.....	106
Recommended amendment and passage.....	144	Recommended passage.....	168
		Withdrawn by author.....	273

S. F.	Page
10 By Stoddard. State appropriation bill as prepared by the Director of the Budget.	
Introduced, referred.....	106
Recommended amendment and passage.....	711
Made special order.....	716
Amendment filed.....	734
Amendments filed.....	748-749
Amendments filed.....	772
Twelve amendments adopted.....	785-786
Thirty-four amendments adopted.....	792-799
Amendments filed.....	800
Twenty-two amendments adopted.....	804-807
Fifteen amendments adopted.....	810-813
Amendments filed.....	815-816
Twenty-three amendments adopted.....	823-829
Fifteen amendments adopted.....	837-840
Amendment filed.....	859
Six amendments adopted.....	881-882
Amendment filed.....	883
Called up.....	890-892
Twenty amendments adopted.....	896-904, 905-906
Reconsidered certain amendment.....	917-920
Amended.....	922-930
Passed; ayes 31, nays 15.....	921-922
Refused to concur.....	1347
Received back in Senate.....	1357
Conference committee.....	1363
Conference report.....	1377
Received back.....	1409-1413
Reported enrolled.....	1470
Signed by President.....	1585
Sent to Governor.....	1585
Approved by Governor April 19.	
11 By Haskell. Taxes.	
Introduced, referred.....	106
Recommended amendment and passage.....	145
Amendment adopted.....	181
Passed; ayes 41, nays 1.....	181
Received back.....	288
Reported enrolled.....	313
Signed by President.....	313
Sent to Governor.....	314
Approved by Governor.....	354
12 By Dean. Banking.	
Introduced, referred.....	107
Amended by unanimous consent	129
13 By Dean. Banking board.	
Introduced referred.....	107-108
14 By Dean. Banking.	
Introduced, referred.....	108
15 By Stoddard. Forcible entry or detention.	
Introduced, referred.....	108
Recommended amendment and passage.....	186
Amendments adopted.....	213
Passed; ayes 32, nays 5.....	213
Motion to reconsider.....	223
16 By Topping. Cemetery associations.	
Introduced, referred.....	109
Recommended amendment and passage.....	292
Amendment adopted.....	357
Passed; ayes 36, nays 0.....	357
Received back.....	581
Reported enrolled.....	590

S. F.	Page
Signed by President.....	593
Sent to Governor.....	593
Approved by Governor.....	717
17 By Cavanaugh. Budget department.	
Introduced, referred.....	110
Recommended passage.....	177
Passed; ayes 45, nays 0.....	190
Received back.....	288
Reported enrolled.....	313
Signed by President.....	313
Sent to Governor.....	314
Approved by Governor.....	354
18 By Cavanaugh. Objections on appeal to jurisdiction of court.	
Introduced, referred.....	110
Recommended passage.....	244
Passed; ayes 27, nays 0.....	273
Reported enrolled.....	519
Signed by President.....	519
Sent to Governor.....	519
Approved by Governor.....	554
19 By Cavanaugh. Definition of felony.	
Introduced, referred.....	110
Recommended indefinite postponement.....	421
Indefinitely postponed.....	431
20 By Cavanaugh. Indictments.	
Introduced, referred.....	110
Recommended indefinite postponement.....	244
Indefinitely postponed.....	431
21 By Cavanaugh. Commitments for felony.	
Introduced, referred.....	110
Recommended passage.....	244
Passed; ayes 28, nays 0.....	273
Received back.....	479
Reported enrolled.....	519
Signed by President.....	519
Sent to Governor.....	519
Approved by Governor.....	554
22 By Cavanaugh. Discharge of juries in criminal cases.	
Introduced, referred.....	110
Recommended indefinite postponement.....	753
23 By Cavanaugh. Demurrers.	
Introduced, referred.....	111
Recommended indefinite postponement.....	697
24 By Cavanaugh. Sheriff's fees.	
Introduced, referred.....	111
Recommended indefinite postponement.....	419
Indefinitely postponed.....	431
25 By Cavanaugh. Introduction in General Assembly of the state appropriation bill.	
Introduced, referred.....	111
Recommended passage.....	226
Passed; ayes 42, nays 0.....	251
26 By Cavanaugh. Report of curator of Historical Society.	
Introduced, referred.....	111
Recommended passage.....	245
Passed; ayes 27, nays 0.....	274
Received back.....	479
Reported enrolled.....	519

S. F.	Page
Signed by President.....	519
Sent to Governor.....	519
Approved by Governor.....	554
27 By Cavanaugh. The code.	
Introduced, referred.....	111
Recommended passage.....	177
Passed; ayes 44, nays 0.....	191
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
28 By Cavanaugh. Annual report of state fair board.	
Introduced, referred.....	111
Recommended indefinite postponement.....	420
Indefinitely postponed.....	431
29 By Cavanaugh. Forcible entry and detention.	
Introduced, referred.....	112
Recommended passage.....	177
Passed; ayes 41, nays 0.....	192
Received back.....	288
Reported enrolled.....	313
Signed by President.....	313
Sent to Governor.....	314
Approved by Governor.....	354
30 By Cavanaugh. Police officers.	
Introduced, referred.....	112
Recommended passage.....	177
Passed; ayes 48, nays 0.....	192
Received back.....	458
Reported enrolled.....	493
Signed by President.....	493
Sent to Governor.....	493
Approved by Governor.....	520
31 By Cavanaugh. Dieting, lodging and care of prisoners.	
Introduced, referred.....	112
Recommended passage.....	178
Passed; ayes 45, nays 0.....	193
Received back.....	287
Concurred.....	298
Reported enrolled.....	312
Signed by President.....	342
Sent to Governor.....	342
Approved by Governor.....	426
32 By Cavanaugh. Mulet tax.	
Introduced, referred.....	112
Recommended indefinite postponement.....	420
Indefinitely postponed.....	431
33 By Cavanaugh. County attorneys.	
Introduced, referred.....	112
Recommended passage.....	245
Passed; ayes 26, nays 0.....	275
Motion filed to reconsider.....	281
Reconsideration prevailed.....	367
Amended, passed; ayes 29, nays 0.....	367
Received back.....	1031
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
34 By Cavanaugh. Indictment, peremptory challenges.	
Introduced, referred.....	112-113
Recommended passage.....	245
Amended, passed; ayes 30, nays 17.....	423

S. F.	Page
Received back.....	1059
Refused to concur.....	1111
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1308
35 By Cavanaugh. Fines and sales of personal property.	
Introduced, referred.....	113
Recommended amendment and passage.....	245
Amendment adopted.....	276
Passed; ayes 28, nays 1.....	276
Received back.....	1346
Reported enrolled.....	1388
Signed by President.....	1388
Sent to Governor.....	1389
Approved by Governor.....	1500
36 By Cavanaugh. Repealing section 478 of the Code.	
Introduced, referred.....	113
Recommended passage.....	245
Passed; ayes 29, nays 0.....	276
Received back.....	479
Reported enrolled.....	519
Signed by President.....	519
Sent to Governor.....	519
Approved by Governor.....	554
37 By Cavanaugh. Search warrant.	
Introduced, referred.....	113
Recommended amendment and passage.....	419
Amendment adopted.....	459
Passed; ayes 38, nays 0.....	459
Received back.....	1032
Reported enrolled.....	1085
Signed by President.....	1085
Sent to Governor.....	1085
Approved by Governor.....	1145
38 By Cavanaugh. Reduction of sentences.	
Introduced, referred.....	113
Recommended passage.....	225
Passed; ayes 41, nays 0.....	250
Received back.....	379
Reported enrolled.....	430
Signed by President.....	430
Sent to Governor.....	430
Approved by Governor.....	476
39 By Cavanaugh. Depositions.	
Introduced, referred.....	113
Recommended indefinite postponement.....	420
Indefinitely postponed.....	431
40 By Cavanaugh. Garnishments.	
Introduced, referred.....	113-114
Recommended passage.....	178
Passed; ayes 47, nays 0.....	194-195
Received back.....	288
Reported enrolled.....	313
Signed by President.....	313
Sent to Governor.....	314
Approved by Governor.....	354
41 By Cavanaugh. Municipal officers reports.	
Introduced, referred.....	114
Recommended passage.....	178
Passed; ayes 29, nays 0.....	200
Received back.....	379
Reported enrolled.....	430
Signed by President.....	430
Sent to Governor.....	430
Approved by Governor.....	476

S. F.	Page
42 By Cavanaugh. Payment of taxes by corporations.	
Introduced, referred.....	114
Recommended passage.....	246
Passed; ayes 28, nays 0.....	277
Received back.....	479
Reported enrolled.....	519
Signed by President.....	519
Sent to Governor.....	519
Approved by Governor.....	554
43 By Cavanaugh. Limitations of liabilities of common carriers.	
Introduced, referred.....	114
Recommended indefinite postponement.....	389
Indefinitely postponed.....	431
44 By Cavanaugh. Selection, swearing and examination of jurors.	
Introduced, referred.....	114
Recommended indefinite postponement.....	419
Indefinitely postponed.....	431
45 By Cavanaugh. Jury lists.	
Introduced, referred.....	114
Recommended indefinite postponement.....	246
Indefinitely postponed.....	431
46 By Cavanaugh. Code Editor.	
Introduced, referred.....	115
Recommended passage.....	246
Passed; ayes 29, nays 0.....	278
Received back.....	479
Reported enrolled.....	519
Signed by President.....	519
Sent to Governor.....	519
Approved by Governor.....	555
47 By Cavanaugh. Instructions to persons summoned as jurors.	
Introduced, referred.....	115
Recommended indefinite postponement.....	419
48 By Cavanaugh. Mandamus.	
Introduced, referred.....	115
Recommended amendment and passage.....	226
Amendment adopted.....	252
Passed; ayes 36, nays 3.....	252
Received back.....	379
Reported enrolled.....	430
Signed by President.....	430
Sent to Governor.....	430
Approved by Governor.....	476
49 By Cavanaugh. Bridges.	
Introduced, referred.....	115
Recommended passage.....	178
Passed; ayes 31, nays 0.....	201
Received back.....	379
Reported enrolled.....	430
Signed by President.....	430
Sent to Governor.....	430
Approved by Governor.....	476
50 By Cavanaugh. Amendments to indictments.	
Introduced, referred.....	115
Recommended passage.....	246
Passed; ayes 34, nays 4.....	442
Received back.....	1033
Concurred.....	1076
Concurrence received in House.....	1258
H. J.....	1258
Reported correctly enrolled.....	1098

S. F.	Page
Signed by President.....	1111
Sent to Governor.....	1141
Approved by Governor.....	1185
51 By Cavanaugh. Junior liens.	
Introduced, referred.....	115
Recommended amendment and passage.....	698
Amendments adopted.....	980
Passed; ayes 40, nays 0.....	981
52 By Cavanaugh. Proof in intoxicating liquor cases.	
Introduced, referred.....	116
Recommended indefinite postponement.....	419
Indefinitely postponed.....	431
53 By Cavanaugh. Struck jury.	
Introduced, referred.....	116
Recommended passage.....	178
Re-referred.....	202
Recommended passage.....	320
Passed; ayes 34, nays 0.....	445
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
54 By Cavanaugh. Abstracts of record.	
Introduced, referred.....	116
Recommended passage.....	246
Passed; ayes 30, nays 0.....	278
Received back.....	1032
Reported enrolled.....	1098
Signed by President.....	1111
Sent to Governor.....	1141
Approved by Governor.....	1184
55 By Cavanaugh. Condemnation of land for highway purposes.	
Introduced, referred.....	116
Recommended passage.....	179
Passed; ayes 36, nays 0.....	202
Received back.....	259
Reported enrolled.....	271
Signed by President.....	271
Sent to Governor.....	271
Approved by Governor.....	284
56 By Stoddard and McFarlane. Model barber act.	
Introduced referred.....	116
Recommended amendment and passage.....	242
Amendment filed.....	256
Amendments adopted.....	262
Amended, passed; ayes 34, nays 7.....	262
Received back.....	942
Amendment filed.....	958
Amended and concurred.....	961
Refusal to concur received.....	1017
Receded.....	1045
Reported enrolled.....	1098
Signed by President.....	1111
Sent to Governor.....	1141
Vetted by Governor.....	1239
57 By Wilson of Polk. Storage batteries.	
Introduced, referred.....	118
Recommended passage.....	320
Amended, passed; ayes 36, nays 0.....	444
Received back.....	1033
Concurred.....	1072

S. F.	Page
Reported enrolled.....	1098
Signed by President.....	1111
Sent to Governor.....	1141
Approved by Governor.....	1185
58 By Wilson of Polk. Partial year motor vehicle license.	
Introduced, referred.....	118
Recommended passage.....	421
Passed; ayes 47, nays 0.....	197
Received back.....	1188
Concurred.....	1212
Reported enrolled.....	1255
Signed by President.....	1255
Sent to Governor.....	1256
Approved by Governor.....	1336
59 By Wilson of Polk. Used car dealers.	
Introduced, referred.....	119
Recommended amendment and passage.....	517
Amendments adopted.....	683
Passed; ayes 41, nays 1.....	684
Received back.....	1188
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1336
60 By Wilson of Page. Expense allowance of district judges.	
Introduced, referred.....	119
Recommended passage.....	225
Passed; ayes 33, nays 7.....	247
61 By Wilson of Page. Repealing law relative to failure of defendant to testify.	
Introduced, referred.....	119
Placed on calendar.....	662
Failed to pass; ayes 19, nays 27.....	947
62 By Clearman. Agricultural lime.	
Introduced, referred.....	119
Recommended amendment and passage.....	243
Substitute amendments for committee amendments filed.....	264
Substitute amendments for committee amendments adopted.....	392
Passed; ayes 46, nays 0.....	393
Received back.....	863
Concurred.....	911
Reported enrolled.....	938
Signed by President.....	938
Sent to Governor.....	938
Approved by Governor.....	1043
63 By Kimberly. County hospitals.	
Introduced, referred.....	119
64 By Dean. Changing maximum rate of interest from 8 per cent to 7 per cent.	
Introduced, referred.....	122
Returned without recommendation.....	372
Re-referred to banks and banking.....	456
65 By Cavanaugh. Notice in proceedings to sell or mortgage real estate of a decedent.	
Introduced, referred.....	129
Recommended passage.....	695
Passed; ayes 39, nays 0.....	979
Received back.....	1417

S. F.	Page
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor April 18.....	
66 By Benson. Service of notice in proceedings for administrator of estates of absentees.	
Introduced, referred.....	125
Recommended passage.....	320
Action deferred.....	363
Amendments filed.....	387
Amended, passed; ayes 39, nays 0.....	443
67 By Benson. Oleomargarine.	
Introduced, referred.....	133
Recommended passage.....	457
68 By Lange. Board of Control appointments.	
Introduced, referred.....	133
Recommended passage.....	754
Amendment filed.....	800
Amended, failed to pass; ayes 20, nays 20.....	813
69 By Brookins. County treasurers.	
Introduced, referred.....	133
Placed on calendar.....	818
Amendment filed.....	1055
Amended, failed to pass; ayes 6, nays 29.....	1118
70 By Breckenridge. Registration of animals.	
Introduced, referred.....	133
Recommended passage.....	331
Passed; ayes 31, nays 0.....	363
Received back.....	1460
Reported enrolled.....	1530
Signed by President.....	1530
Sent to Governor.....	1566
Approved by Governor April 18.....	
71 By Gunderson. Trust companies.	
Introduced, referred.....	133
72 By Haskell. Life insurance companies.	
Introduced, referred.....	133
Recommended passage.....	390
Passed; ayes 43, nays 0.....	453
Received back.....	1188
Concurred.....	1211
Reported enrolled.....	1255
Signed by President.....	1255
Sent to Governor.....	1256
Approved by Governor.....	1309
73 By Wilson of Polk. Trial notice.	
Introduced, referred.....	134
Recommended indefinite postponement.....	428
Indefinitely postponed.....	527
74 By Wilson of Polk. Arson.	
Introduced, referred.....	134
Recommended amendment and passage.....	428
Amendment filed.....	501
Amendments adopted.....	507
Amended, passed; ayes 33, nays 0.....	508
Received back.....	1419
Concurred.....	1427
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor April 18.....	

S. F.	Page
75 By Kern. County officers.	
Introduced, referred.....	137
Withdrawn by author.....	297
76 By Shane. Disposal of dead animals.	
Introduced, referred.....	138
Recommended amendment and passage.....	225
Amendment adopted.....	248
Passed; ayes 40, nays 0.....	248
Received back.....	458
Reported enrolled.....	493
Signed by President.....	493
Sent to Governor.....	493
Approved by Governor.....	520
77 By Shane. Commission plan cities.	
Introduced, referred.....	138
Recommended passage.....	216
Passed; ayes 42, nays 0.....	236
Received back.....	259
Concurred.....	259
Reported enrolled.....	271
Signed by President.....	271
Sent to Governor.....	271
Approved by Governor.....	284
78 By Benson. Highway commission.	
Introduced, referred.....	138
Recommended passage.....	260
Amendments filed.....	293
Amended, passed; ayes 46, nays 0.....	299
Received back.....	323
79 By Benson. Taxation.	
Introduced, referred.....	138
80 By Stoddard. Refunding excess money paid for Annotations to the Code.	
Introduced, referred.....	138
Recommended passage.....	195
Passed; ayes 38, nays 0.....	214
Received back.....	288
Reported enrolled.....	313
Signed by President.....	313
Sent to Governor.....	314
Approved by Governor.....	354
81 By Slemmons. Poll tax.	
Introduced, referred.....	139
Recommended passage.....	293
Amended, passed; ayes 33, nays 3.....	359
82 By Fackler. Chattel mortgages.	
Introduced, referred.....	139
Ordered redrafted.....	850
Amendments filed.....	860
Withdrawn by author.....	1132
83 By Fulton. County bonds.	
Introduced, referred.....	142-143
Committee recommended passage.....	307
Amended, passed; ayes 44, nays 0.....	409
Received back.....	961
Reported enrolled.....	1019
Signed by President.....	1019
Sent to Governor.....	1029
Approved by Governor.....	1083
84 By Fackler. High school societies and fraternities.	
Introduced, referred.....	143
Recommended indefinite postponement.....	261
Indefinitely postponed.....	431

S. F.	Page
85 By Clark. Quail.	
Introduced, referred.....	143
Withdrawn by author.....	619
86 By McFarlane. Township trustees and clerks.	
Introduced, referred.....	143
87 By Slemmons. Automobile licenses.	
Introduced, referred.....	170
Recommended passage.....	422
Passed; ayes 38, nays 0.....	469
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
88 By Gilchrist. Darting and Shane. Normal training schools.	
Introduced, referred.....	170-171
89 By McFarland. Forfeiture of bail.	
Introduced, referred.....	171
Recommended amendment and passage.....	777
Amendments adopted.....	1012
Passed; ayes 30, nays 0.....	1012
90 By McLeland. Rape.	
Introduced, referred.....	171
Recommended passage.....	517
Amended, action deferred.....	568
Amendments filed.....	578
Amended, passed; ayes 41, nays 0.....	597
Received back.....	1503
Reported enrolled.....	1585
Signed by President.....	1585
Sent to Governor.....	1585
Approved by Governor April 19.	
91 By McLeland. Assessment books.	
Introduced, referred.....	171
Recommended passage.....	457
Passed; ayes 29, nays 4.....	559
92 By Wilson of Page. Court reporters.	
Introduced, referred.....	171
Recommended passage.....	219
Passed; ayes 30, nays 13.....	237
93 By Wilson of Polk. Construction of sidewalks outside of cities within school districts.	
Introduced, referred.....	171-172
Recommended passage.....	225
Passed; ayes 41, nays 0.....	249
Received back.....	379
Concurred.....	535
Reported enrolled.....	570
Signed by President.....	570
Sent to Governor.....	570
Approved by Governor.....	590
94 By Shinn. Expenses of committee to investigate banking conditions.	
Introduced.....	172
Passed; ayes 42, nays 0.....	174
Received back.....	309
Concurred.....	381
Reported enrolled.....	430
Signed by President.....	430
Sent to Governor.....	430
Approved by Governor.....	476

S. F.	Page
95 By Gilchrist. Tax Department.	
Introduced, referred.....	172
Recommended amendment and passage.....	939
Amendments adopted.....	1169
Passed; ayes 28, nays 0.....	1170
Received back.....	1503
96 By Fulton. Senate confirmation of nominations by Governor.	
Introduced, referred.....	184
Recommended passage.....	243
Amended, passed; ayes 28, nays 0.....	272
Received back.....	479
Reported enrolled.....	519
Signed by President.....	519
Sent to Governor.....	519
Approved by Governor.....	555
97 By Merritt. Drainage districts.	
Introduced, referred.....	185
Recommended amendment and passage.....	534
Amendments adopted.....	605
Passed; ayes 40, nays 0.....	606
Received back.....	961
Reported enrolled.....	1019
Signed by President.....	1019
Sent to Governor.....	1029
Approved by Governor.....	1083
98 By McFarlane. Public dance halls, etc.	
Introduced, referred.....	185
Recommended passage.....	255
Passed; ayes 26, nays 1.....	279
Received back.....	1060
Concurred.....	1073
Reported enrolled.....	1098
Signed by President.....	1111
Sent to Governor.....	1141
Approved by Governor.....	1185
99 By Clearman. Iowa City.	
Introduced, referred.....	185
Recommended passage.....	556
Referred to appropriations.....	556
Recommended passage.....	644
Passed; ayes 44, nays 0.....	769
Received back.....	1392
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1469
Approved by Governor.....	1532
100 By Gunderson. Banking.	
Introduced, referred.....	185
101 By Gunderson. Banking.	
Introduced, referred.....	185
102 By Klemme. Requiring motor drivers to stop at all railroad crossings.	
Introduced, referred.....	186
Recommended amendment and passage.....	780
Amendments adopted.....	1084
Amended, passed; ayes 36, nays 10.....	1084
Title amended.....	1086
103 By Wilson of Page. county recorders.	
Introduced, referred.....	186
Recommended passage.....	293
Failed to pass; ayes 4, nays 38.....	394

S. F.	Page
104 By Shaff. Primary roads.	
Introduced, referred.....	196
Recommended amendment and passage.....	261
Made special order.....	261
Amendment filed.....	263
Amendment filed.....	281
Partial action on committee amendments.....	310-311, 316-320
Amendments filed.....	321
Further action on committee amendments.....	326-329, 332-335
Passed; ayes 29, nays 19.....	335-336
Received back.....	539
Made special order.....	618
Amendments to House amendments filed.....	621, 622
House amendments amended.....	646-649
Made special order.....	651
Motion filed to reconsider amendments to House amendments.....	657
Amendment to House amendments filed.....	657
Reconsideration prevailed.....	667-668
Concurred.....	669
Reported enrolled.....	772
Signed by President.....	750
Sent to Governor.....	751
Approved by Governor.....	849
105 By McFarlane. Junior liens.	
Introduced, referred.....	196
Recommended amendment and passage.....	438
Amendment adopted.....	597
Passed; ayes 43, nays 0.....	597
Received back.....	775
Concurred.....	818
Reported enrolled.....	841
Signed by President.....	841
Sent to Governor.....	862
Approved by Governor.....	921
106 By Clark. Hunting and fishing license fees.	
Introduced, referred.....	196
Recommended amendment and passage.....	835
Amendments.....	1122-1123
Amended, failed to pass; ayes 24, nays 19.....	1123-1124
Motion to reconsider.....	1146
107 By McFarlane. Assistant county attorneys.	
Introduced, referred.....	205
Recommended passage.....	337
Passed; ayes 31, nays 0.....	362
Received back.....	378
Reported enrolled.....	430
Signed by President.....	430
Sent to Governor.....	430
Approved by Governor.....	476
108 By Booth. Recording of instruments.	
Introduced, referred.....	205
Withdrawn by author.....	1125
109 By Kimberly. Transferring women from reformatory to hospital for the insane.	
Introduced, referred.....	205
Recommended passage.....	710
Passed; ayes 46, nays 0.....	768-769
Received back.....	1454
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor April 18.	

S. F.	Page	S. F.	Page
110 By Gilchrist. Recording of mortgages, etc.		118 By Gilchrist. Iowa Crop Pest Act. Corn borer.	
Introduced, referred.....	205-206	Introduced, referred.....	212
Recommended passage.....	225	Recommended amendment and passage.....	438
Passed; ayes 41, nays 0.....	249	Amendment filed.....	528
Received back.....	1033	Made special order.....	536-538
Concurred.....	1190-1191	Amendment filed.....	528
Reported enrolled.....	1224	Made special order.....	599
Signed by President.....	1224	Amendment filed.....	657
Sent to Governor.....	1224	Amendment adopted.....	699
Approved by Governor April 6.		Amended, passed; ayes 33, nays 1.....	699
111 By Skromme. Regulating combinations, pools and trusts.		Received back.....	820
Introduced, referred.....	206	Reported enrolled.....	888
Recommended indefinite postponement.....	696	Signed by President.....	889
112 By Frailey. Workmen's compensation.		Sent to Governor.....	889
Introduced, referred.....	211	Approved by Governor.....	921
Recommended indefinite postponement.....	390	119 By Klemme. Term of certain county officers.	
Withdrawn by author.....	527	Introduced, referred.....	212
113 By Frailey. Limiting compensation of sheriffs.		Withdrawn by author.....	297
Introduced, referred.....	211	120 By Klemme. Free distribution of Iowa war roster.	
Recommended amendment and passage.....	337	Introduced, referred.....	218
Amendment adopted.....	361	Recommended passage.....	436
Passed; ayes 35, nays 0.....	362	Passed; ayes 38, nays 0.....	512
Received back.....	1347	Received back.....	1154
Reported enrolled.....	1388	Reported enrolled.....	1224
Signed by President.....	1388	Signed by President.....	1224
Sent to Governor.....	1388	Sent to Governor.....	1224
Approved by Governor.....	1500	Approved by Governor.....	1309
114 By Clearman. Drainage.		121 By Lange. Requiring deposit of approved securities with state banking department, equal to par value of bank stock.	
Introduced, referred.....	211	Introduced, referred.....	218
Recommended indefinite postponement.....	427	122 By Lange. To exempt from taxation bank surplus up to 100 per cent of paid up capital.	
115 By Gunderson. Children's boarding homes.		Introduced.....	219
Introduced, referred.....	211	123 By Clark. Indexing of chattel mortgages.	
Recommended amendment and passage.....	372	Introduced, referred.....	219
Amendment adopted.....	451	Recommended passage.....	293
Amended, passed; ayes 39, nays 0.....	451	Passed; ayes 35, nays 0.....	358
Received back.....	1454	Received back.....	752
Reported enrolled.....	1501	Concurred.....	818
Signed by President.....	1501	Reported enrolled.....	841
Sent to Governor.....	1531	Signed by President.....	841
Vetoed by Governor April 20.		Sent to Governor.....	862
116 By Gunderson. Adoption.		Approved by Governor.....	921
Introduced, referred.....	211	124 By Baird. Lands for park purposes.	
Recommended amendment and passage.....	760	Introduced, referred.....	226
Amendments amended and adopted.....	1042, 1046	Recommended amendment and passage.....	307
Passed; ayes 35, nays 0.....	1046	Amendment adopted.....	360
Received back.....	1164	Passed; ayes 33, nays 0.....	357
Reported enrolled.....	1224	Received back.....	863
Signed by President.....	1291	Reported enrolled.....	912
Sent to Governor.....	1224	Signed by President.....	921
Approved by Governor.....	1308	Sent to Governor.....	921
117 By Wilson of Polk. Private corporations.		Approved by Governor.....	960
Introduced, referred.....	211	125 By Lange. Chief of police.	
Recommended passage.....	438	Introduced, referred.....	226
Amended, passed; ayes 37, nays 0.....	523	Recommended indefinite postponement.....	308
Received back.....	1147	Indefinitely postponed.....	368
Concurred.....	1148	126 By Lange. Concealed weapons.	
Reported enrolled.....	1224	Introduced, referred.....	227
Signed by President.....	1224	Recommended indefinite postponement.....	1021
Sent to Governor.....	1224		
Approved by Governor.....	1308		



S. F.	Page	S. F.	Page
127 By Frailey. Disbarment proceedings against attorneys. Introduced, referred. . . . .	227	135 By Stanley. Power of waterworks trustees to invest funds in county road bonds. Introduced, referred. . . . .	240
Recommended amendment and passage . . . . .	481	Recommended amendment and passage . . . . .	390
Amendment adopted . . . . .	682	Amendment adopted . . . . .	454
Passed; ayes 45, nays 0. . . . .	683	Passed; ayes 43, nays 0. . . . .	454
Received back . . . . .	1408	Received back . . . . .	1552
Concurred . . . . .	1425	Reported enrolled . . . . .	1585
Reported enrolled . . . . .	1501	Signed by President. . . . .	1585
Signed by President. . . . .	1501	Sent to Governor. . . . .	1585
Sent to Governor. . . . .	1531	Approved by Governor April 19.	
Approved by Governor April 18.			
128 By Topping. Jonah Smith. Introduced, referred. . . . .	227	136 By Committee on Public Health. Requirements of applicant for license to practice medicine. Introduced . . . . .	240
Recommended passage . . . . .	557	Amended, passed; ayes 34, nays 11 . . . . .	478
Referred to appropriations. . . . .	557	Received back . . . . .	343
Recommended amendment and passage . . . . .	665	Reported enrolled . . . . .	519
Amendment adopted. . . . .	874	Signed by President. . . . .	519
Amended, passed; ayes 39, nays 0 . . . . .	874	Sent to Governor. . . . .	519
Received back . . . . .	1187	Approved by Governor. . . . .	555
Reported enrolled . . . . .	1224		
Signed by President. . . . .	1224	137 By Committee on Public Health. Appointment of county health officer. Introduced . . . . .	240
Sent to Governor. . . . .	1224	Amendment filed, action deferred . . . . .	344
Approved by Governor. . . . .	1309	Amended . . . . .	486
		Amended, failed to pass; ayes 14, nays 29. . . . .	490
129 By Wilson of Polk. Delinquent taxes. Introduced, referred. . . . .	227	138 By Committee on Public Health. For membership of state board of health in national organization. Introduced, referred. . . . .	240
Recommended amendment and passage . . . . .	894	Recommended amendment and passage . . . . .	776
Amendment adopted. . . . .	1149	Withdrawn . . . . .	1075
Amended, passed; ayes 31, nays 0 . . . . .	1150		
Title amended. . . . .	1150	139 By Rigby. Creating office of State Forester. Introduced, referred. . . . .	240
130 By Wilson of Polk. Short-hand reporters. Introduced, referred. . . . .	227	Recommended indefinite postponement . . . . .	949
Recommended passage . . . . .	437		
Passed; ayes 37, nays 0. . . . .	522	140 By Shane. Insurance. Introduced, referred. . . . .	253
131 By Klemme. Ferrets in hunting rabbits. Introduced, referred. . . . .	227	Recommended passage . . . . .	493
Recommended passage . . . . .	436	Passed; ayes 34, nays 0. . . . .	565
Passed; ayes 32, nays 4. . . . .	524	Received back . . . . .	1317
		Reported enrolled . . . . .	1388
132 By Rigby and Roberts. Prohibiting branch banking. Introduced, referred. . . . .	228	Signed by the President. . . . .	1388
Withdrawn from committee and placed on calendar. . . . .	850	Sent to Governor. . . . .	1389
Passed; ayes 38, nays 0. . . . .	1132	Approved by Governor April 19.	
Received back . . . . .	1417		
Reported enrolled . . . . .	1501	141 By Kern. Argument by attorney. Introduced, referred. . . . .	253
Signed by President. . . . .	1501	Recommended indefinite postponement . . . . .	778
Sent to Governor. . . . .	1531		
Approved by Governor April 18.		142 By Clearman. Cities and towns. Introduced, referred. . . . .	257
133 By Ramsey. Free distribution of certain laws. Introduced, referred. . . . .	239	Recommended passage . . . . .	483
Recommended passage . . . . .	516	Amended, passed; ayes 40, nays 0 . . . . .	681
Passed; ayes 32, nays 0. . . . .	567	Received back . . . . .	951
Received back . . . . .	1552	Concurred . . . . .	1010
Reported enrolled . . . . .	1585	Reported enrolled . . . . .	1043
Signed by President. . . . .	1585	Signed by President. . . . .	1043
Sent to Governor. . . . .	1585	Sent to Governor. . . . .	1043
Approved by Governor April 19.		Approved by Governor. . . . .	1084
134 By Slemmons. Automobile —permanent license plates. Introduced, referred. . . . .	240		
Recommended indefinite postponement . . . . .	680		

S. F.	Page
143 By Johnston. Board of Railroad Commissioners.	
Introduced, referred.....	257
Withdrawn by author.....	431
144 By Bergman. Delinquent motor vehicle fees.	
Introduced, referred.....	257
Recommended amendment and passage.....	518
Amendment adopted.....	569
Passed; ayes 27, nays 0.....	575
Received back.....	819
Reported enrolled.....	841
Signed by President.....	841
Sent to Governor.....	862
Approved by Governor.....	921
145 By Bergman. Automobiles—drivers 15 years old or under must be accompanied by person 21 years old or over.	
Introduced, referred.....	258
Recommended amendment and passage.....	518
Amendment adopted.....	576
Passed; ayes 30, nays 0.....	575
Received back.....	1164
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1309
146 By Bergman. Automobiles.	
Introduced, referred.....	258
Recommended passage.....	422
Passed; ayes 44, nays 0.....	498
Received back.....	1031
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
147 By Bergman. Motor vehicle department.	
Introduced, referred.....	258
Recommended passage.....	421
Passed; ayes 43, nays 0.....	485
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
148 By Bergman. Electric automobiles.	
Introduced, referred.....	258
Recommended passage.....	518
Passed; ayes 30, nays 0.....	577
Received back.....	1165
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1308
149 By Shaff. Licensing motor vehicle operators.	
Introduced, referred.....	258
Recommended amendment and passage.....	782
Made special order.....	1092
Made special order.....	1124
Amendments adopted.....	1192
Amended, failed to pass; ayes 16, nays 21.....	1192-1194
150 By Langftt. Delinquent motor vehicle fees.	
Introduced, referred.....	266
Withdrawn by author.....	577

S. F.	Page
151 By Beatty. Workmen's compensation.	
Introduced, referred.....	266
Withdrawn and rereferred.....	306
Recommended passage.....	483
Passed; ayes 36, nays 0.....	565
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
152 By Beatty. Passes on common carriers.	
Introduced, referred.....	266
Recommended amendment and passage.....	430
Amendment adopted.....	500
Passed; ayes 30, nays 11.....	500
Received back.....	1165
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1335
153 By Shinn. Missouri Valley.	
Introduced, referred.....	266
Recommended passage.....	684
Withdrawn by author.....	742
154 By Brookins. Gasoline.	
Introduced, referred.....	266
Recommended amendments.....	808
Amendment filed.....	882, 883
Amendments filed.....	1096
Amendments adopted.....	1112
Amended, failed to pass.....	1112
155 By Gunderson. Judgment on written instruments.	
Introduced, referred.....	267
Recommended indefinite postponement.....	662
156 By Wilson of Page. Assistants for county auditor and recorder.	
Introduced, referred.....	267
Recommended amendment and passage.....	456
Amendment adopted.....	525
Passed; ayes 32, nays 5.....	526
157 By Beatty. Board of Railroad Commissioners.	
Introduced, referred.....	284
Recommended amendment and passage.....	429
Amendment adopted.....	468
Amended, passed; ayes 35, nays 0.....	469
Received back.....	1164
Reported enrolled.....	1224
Signed by President.....	1224
Sent to the Governor.....	1224
Approved by Governor.....	1309
158 By Stoddard and McFarlane. Practice of cosmetology.	
Introduced, referred.....	284
Recommended passage.....	421
Amended, passed; ayes 32, nays 8.....	499
Received back.....	1059
Concurred.....	1071
Reported enrolled.....	1098
Signed by President.....	1111
Reported enrolled.....	1270
Sent to Governor.....	1141
Approved by Governor.....	1336

S. F.	Page
159 By Stoddard. Expenses of boundary commission.	
Introduced, referred.....	285
Recommended passage.....	303
Passed; ayes 38, nays 0.....	359
Received back.....	819
Reported enrolled.....	841
Signed by President.....	841
Sent to Governor.....	862
Approved by Governor.....	921
160 By Skromme. Unfair discrimination in sales and purchases.	
Introduced, referred.....	285
Recommended indefinite postponement.....	483
161 By Stoddard. State Aid to county and district fairs.	
Introduced, referred.....	285
Recommended passage.....	439
Rereferred.....	439
Recommended passage.....	483
Passed; ayes 35, nays 0.....	565
Received back.....	1207
Reported enrolled.....	1255
Signed by President.....	1255
Sent to Governor.....	1256
Approved by Governor.....	1309
162 By Browne. Bank dividends.	
Introduced, referred.....	285
163 By Bergman. Township roads.	
Introduced, referred.....	285
Recommended passage.....	777
Amended, failed to pass; ayes 21, nays 24.....	1076
Motion filed to reconsider.....	1081
164 By Wilson of Polk. Bad checks.	
Introduced, referred.....	286
Recommended passage.....	694
Amended, action deferred.....	858
Amended, passed; ayes 32, nays 4.....	978
Received back.....	1126
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1309
165 By Wilson of Polk. Fees of grand jurors.	
Introduced, referred.....	286
Recommended passage.....	428
Passed; ayes 40, nays 0.....	509
166 By Carden. Exempting from taxation.	
Introduced, referred.....	296
Recommended passage.....	437
Passed; ayes 44, nays 0.....	493
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1146
167 By Kern and Klemme. County officials.	
Introduced, referred.....	296
Recommended passage.....	307
Failed to pass; ayes 20, nays 22.....	394
168 By McFarlane. Firemen's and policemen's pensions.	
Introduced, referred.....	297

S. F.	Page
Recommended amendment and passage.....	482
Amendments adopted.....	561
Passed; ayes 35, nays 0.....	561
Received back.....	1031
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
169 By Fackler. County road fund.	
Introduced, referred.....	297
Withdrawn by author.....	644
170 By Fulton. Right-of-way for telegraph and telephone lines.	
Introduced, referred.....	305
Recommended indefinite postponement.....	507
Withdrawn by author.....	719
171 By Lange. Roshek Brothers.	
Introduced, referred.....	305
Recommended passage.....	519
Passed; ayes 33, nays 0.....	559
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
172 By Wilson of Polk. Attachment bonds.	
Introduced, referred.....	305
Recommended passage.....	573
Passed; ayes 36, nays 1.....	607
173 By Wilson of Polk. Salary of clerk of district court.	
Introduced, referred.....	305
Recommended passage.....	656
Passed; ayes 40, nays 0.....	724
174 By Wilson of Polk. Board of parole.	
Introduced, referred.....	305
Recommended passage.....	695
Passed; ayes 27, nays 0.....	857
175 By Ellis. Workmen's compensation.	
Introduced, referred.....	306
Recommended amendment and passage.....	893
Amendment.....	1141
Made special order.....	1169
176 By Slemmons. Fishing with trot-line.	
Introduced, referred.....	306
Recommended passage.....	557
Failed to pass; ayes 19, nays 23.....	610
177 By Stoddard. Iowa Products.	
Introduced, referred.....	312
Recommended passage.....	456
Amendments filed.....	528
Action deferred.....	646
Amended, passed; ayes 41, nays 3.....	649
Received back.....	1188
Concurred.....	1277
Reported enrolled.....	1308
Signed by President.....	1308
Sent to Governor.....	1308
Approved by Governor.....	1345

S. F.	Page
178 By Shane. City of Eldon.	
Introduced, referred.....	312
Recommended passage.....	694
Amended, passed; ayes 31, nays 0	707
Received back.....	1001
Reported enrolled.....	1043
Signed by President.....	1043
Sent to Governor.....	1043
Approved by Governor.....	1084
179 By Browne. Insurance.	
Introduced, referred.....	322
Recommended passage.....	390
Amendments filed.....	472
Amended, passed; ayes 43, nays 0	494
Received back.....	1188
Reported enrolled.....	1224
Signed by president.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1309
180. By Committee on Military Affairs. Investment of surplus bonus and disability fund.	
Introduced, placed.....	330
Amendment filed.....	424
H. F. 183 substituted.....	448
Withdrawn.....	450
181 By Committee on Military Affairs. Report of soldiers relief commission to bonus board.	
Introduced, placed.....	330
Amendment filed.....	424
H. F. 199 substituted.....	448
Withdrawn.....	450
182 By Baird. Jurisdiction of courts.	
Introduced, referred.....	330
Recommended amendment and passage.....	481
Amendments adopted.....	564
Passed; ayes 37, nays 0.....	564
183 By Gilchrist. Liquor law violations.	
Introduced, referred.....	330
Recommended passage.....	572
Passed; ayes 33, nays 1.....	609
Received back.....	1032
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145
184 By Gilchrist. Criminal investigation.	
Introduced, referred.....	330
Recommended indefinite postponement.....	696
Referred.....	757
Recommended indefinite postponement.....	976
Report rejected.....	976
Made special order.....	1169
Amended, passed; ayes 36, nays 1	1194
Received back.....	1416
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1469
Approved by Governor.....	1531
185 By Ellis. Rape.	
Introduced, referred.....	330
Recommended passage.....	822
Amendments offered.....	1121

S. F.	Page
186 By Fulton. Committee on retrenchment and reform.	
Introduced, referred.....	340
Returned without recommendations.....	451
Withdrawn by author.....	967
187 By Bergman. Gas tax.	
Introduced, referred.....	340
Recommended amendment and passage.....	644
Amendment filed.....	717
Substitute bill filed.....	749
Made special order.....	770
Made special order.....	880
Amendments filed.....	906, 909
Made special order.....	931
Committee amendments adopted	948
Amended, passed; ayes 28, nays 22	951
188 By Bergman. Speed limit of automobiles.	
Introduced, referred.....	340
Recommended passage.....	421
Amended, passed; ayes 37, nays 8	496
Title amended.....	497
Received back.....	1147
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1310
189 By McFarlane. Investment companies.	
Introduced, referred.....	340
190 By Merritt. Fees of clerk of district court.	
Introduced, referred.....	354
Recommended indefinite postponement.....	686
191 By Clearman. Probation officers.	
Introduced, referred.....	354
Recommended passage.....	429
Passed; ayes 35, nays 1.....	596
Received back.....	1188
Concurred.....	1212
Reported enrolled.....	1255
Signed by President.....	1255
Sent to Governor.....	1256
Approved by Governor.....	1309
192 By Committee on Board of Control. Prison labor.	
Introduced.....	366
Made special order.....	451
Action deferred.....	536
H. F. 189 substituted.....	615
193 By Stoddard. Motor vehicles.	
Introduced, referred.....	366
Recommended amendment and passage.....	518
Amendment filed.....	528
Amendments adopted.....	598
Passed; ayes 42, nays 0.....	599
194 By Shane. Fee for traveling circuses.	
Introduced, referred.....	377
Recommended passage.....	457
Amendment filed.....	501
Amended, passed; ayes 27, nays 0	542
195 By Brookins. Motor carrier tax.	
Introduced, referred.....	377
Withdrawn by author.....	395

SENATE RECORD OF SENATE BILLS

1641

S. F.	Page
196 By Ellis. Appanoose county.	
Introduced, referred .....	377
Referred .....	391
Recommended passage .....	694
Passed; ayes 34, nays 0 .....	708
Received back .....	1001
Reported enrolled .....	1043
Signed by President .....	1043
Sent to Governor .....	1043
Approved by Governor .....	1084
197 By Cavanaugh. League of Iowa Municipalities.	
Introduced, referred .....	388
Recommended passage .....	887
Passed; ayes 26, nays 3 .....	1139
198 By Cavanaugh. Municipal art galleries.	
Introduced, referred .....	388
Recommended passage .....	483
Amended, passed; ayes 34, nays 0 .....	562
Received back .....	1147
Reported enrolled .....	1224
Signed by President .....	1224
Sent to Governor .....	1224
Approved by Governor .....	1310
199 By Fulton. Drainage.	
Introduced, referred .....	389
Recommended indefinite post- ponement .....	517
Withdrawn by author .....	719
200 By Gilchrist. R. E. Rouse.	
Introduced, referred .....	389
Recommended passage .....	695
Passed; ayes 34, nays 0 .....	728
Received back .....	1503
Reported enrolled .....	1585
Signed by the President .....	1585
Sent to Governor .....	1585
Approved by Governor April 19.	
201 By Brookins. Motor car- rier tax.	
Introduced, referred .....	389
Recommended amendment and passage .....	781
Referred to sifting committee .....	1227
202 By Gilchrist. Appeals to supreme court.	
Introduced, referred .....	411
Recommended passage .....	481
Passed; ayes 35, nays 0 .....	563
203 By Ulstad. Appointment of overseers of the poor.	
Introduced, referred .....	413
Withdrawn by author .....	1153
204 By Rigby. Board of con- servation.	
Introduced, referred .....	413
Withdrawn .....	435
205 By Fulton. Budget direc- tor.	
Introduced, referred .....	413
Returned without recommenda- tions .....	762
Amended, passed; ayes 34, nays 0 .....	1041
206 By Topping. Tax levy for parks.	
Introduced, referred .....	414
Recommended passage .....	685
H. F. 206 substituted .....	875
Withdrawn by author .....	875

S. F.	Page
207 By Baird. Flood protec- tion.	
Introduced, referred .....	414
Recommended passage .....	532
Amended, passed; ayes 42, nays 0 .....	601
Received back .....	1533
Reported enrolled .....	1585
Signed by President .....	1585
Sent to Governor .....	1585
Approved by Governor April 19.	
208 By Frailey. Insurance com- missioner.	
Introduced, referred .....	414
Recommended passage .....	557
Passed; ayes 37, nays 2 .....	766
Reported enrolled .....	912
Signed by President .....	921
Sent to Governor .....	921
Approved by Governor .....	960
209 By Bergman. Arterial highways.	
Introduced, referred .....	426
Recommended passage .....	753
Amended, passed; ayes 43, nays 0 .....	1038
Received back .....	1460
Concurred .....	1497
Reported enrolled .....	1585
Signed by President .....	1585
Sent to Governor .....	1585
Approved by Governor April 19.	
210 By Frailey. Employees at penitentiary and reforma- tory.	
Introduced, referred .....	426
Recommended passage .....	710
Passed; ayes 32, nays 1 .....	983
Received back .....	1460
Concurred .....	1474
Reported enrolled .....	1530
Signed by President .....	1530
Sent to Governor .....	1566
Approved by Governor April 18.	
211 By Lange. Police judge or magistrate in manager plan cities.	
Introduced, referred .....	426
Recommended amendment and passage .....	482
Amendments adopted .....	526
Passed; ayes 35, nays 0 .....	527
212 By Stoddard. Street im- provements.	
Introduced, referred .....	426
Recommended amendment and passage .....	780
Amendments filed .....	906
Enacting clause stricken .....	1068
213 By Baird. Street improve- ments and sewers.	
Introduced, referred .....	427
Recommended passage .....	779
Passed; ayes 39, nays 0 .....	1067
214 By Fulton. Street im- provements.	
Introduced, referred .....	427
Recommended passage .....	533
Passed; ayes 42, nays 0 .....	602
Received back .....	1147
Reported enrolled .....	1224
Signed by President .....	1224
Sent to Governor .....	1224
Approved by Governor .....	1310

S. F.	Page	S. F.	Page
215 By Committee on Ways and Means. Cigarettes.		Received back	1364
Introduced	433	Concurred	1382
Passed; ayes 37, nays 0	513	Reported enrolled	1407
Received back	1408	Signed by President	1415
Concurred	1426	Sent to Governor	1416
Reported enrolled	1501	Approved by Governor	1500
Signed by President	1501	224 By Gilchrist. Grates for hospital windows.	
Sent to Governor	1531	Introduced, referred	450
Approved by Governor April 18.		Amendments filed	909
216 By Mills. Pasteurization.		225 By Committee on Educational Institutions. Requiring academies to obtain approval of courses from Iowa board of education.	
Introduced, referred	434	Introduced	451
Recommended amendment and passage	721	Action deferred	596
Amendment adopted	986	Amendment filed	621
Amended, passed; ayes 39, nays 2	986	Amended, passed; ayes 38, nays 0	680
217 By Committee on Conservation. Board of conservation.		Received back	1188
Introduced	434	Concurred	1257
Amended, passed; ayes 37, nays 0	514	Reported enrolled	1270
Received back	863	Signed by President	1271
Refused to concur	915	Sent to Governor	1280
Received back	960	Approved by Governor	1335
Reported enrolled	1019	226 By Wilson of Page. Code revision committees.	
Signed by President	1019	Introduced, referred	456
Sent to Governor	1029	Recommended passage	517
Approved by Governor	1083	Failed to pass; ayes 7, nays 24.	368
218 By Committee on Appropriations. Commission to promote agricultural, industrial and commercial development of Iowa.		227 By Wilson of Page. False checks.	
Introduced	434	Introduced, referred	456
Amended, passed; ayes 35, nays 4	515	Recommended indefinite postponement	663
219 By Committee on Judiciary No. 2. Regulating the solicitation of public donations.		228 By Skromme. First aid to injured miners.	
Introduced	434	Introduced, referred	456
Action deferred	521	Withdrawn by author	818
Amendment filed	528	229 By Fulton. Surgical operations.	
Amended, passed; ayes 36, nays 0	535	Introduced, referred	476
Received back	845	Recommended indefinite postponement	1020
Reported enrolled	888	230 By Clearman. Interest on funds of state educational institutions.	
Signed by President	889	Introduced, referred	476
Sent to Governor	889	Recommended passage	557
Approved by Governor	921	Failed to pass; ayes 21, nays 21.	609
220 By Frailey. Special assessments.		Motion filed to reconsider	621
Introduced, referred	434	Reconsideration prevailed	666
Withdrawn by author	963	Passed; ayes 43, nays 1	666
221 By Clearman. Police court.		Received back	961
Introduced, referred	434	Reported enrolled	1019
Recommended passage	533	Signed by President	1019
Withdrawn by author	683	Sent to Governor	1029
222 By Topping. Warehouse liens.		Approved by Governor	1083
Introduced, referred	434	231 By Frailey. Transfer of funds to the park fund.	
Recommended passage	778	Introduced, referred	477
Passed; ayes 29, nays 0	1009	Recommended passage	595
Reported enrolled	1469	Passed; ayes 42, nays 0	766
Signed by President	1469	Received back	1001
Sent to Governor	1469	Reported enrolled	1043
Approved by Governor	1531	Signed by President	1043
223 By Brookins. Veterinary medicine.		Sent to Governor	1043
Introduced, referred	450	Approved by Governor	1083
Recommended passage	533	232 By Ulstad. Mine shot-fir-	
Passed; ayes 41, nays 0	603	men.	
		Introduced, referred	477
		Recommended passage	665

SENATE RECORD OF SENATE BILLS

1643

S. F.	Page
Passed; ayes 36, nays 0.....	870
Received back.....	1164
Reported enrolled.....	1224
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1309
<b>233 By Roberts. Repealing gasoline tax refund on state and municipal motor vehicles and trucks.</b>	
Introduced, referred.....	477
Recommended passage.....	782
Passed; ayes 38, nays 0.....	1092
<b>234 By Stoddard. Extension of water mains.</b>	
Introduced, referred.....	477
Committee recommended passage.....	779
Amended, passed; ayes 30, nays 6.....	1063
<b>235 By Stoddard. State Treasurer.</b>	
Introduced, referred.....	477
Recommended passage.....	556
Passed; ayes 38, nays 0.....	615
Received back.....	1391
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1469
Approved by Governor April 15.	
<b>236 By Stoddard and Cavanaugh. Appropriation for expenses of American Legion Band and Drum Corps to Paris.</b>	
Introduced, referred.....	492
Placed on calendar.....	880
Made special order.....	936
Amendment filed.....	957
Amended, passed; ayes 42, nays 5.....	1086
Received back.....	1454
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor April 19.	
<b>237 By Frailey. Admission to the bar.</b>	
Introduced, referred.....	492
Recommended indefinite postponement.....	939
<b>238 By Carden. Life insurance.</b>	
Introduced, referred.....	492
Recommended indefinite postponement.....	934
<b>239 By Baird. Special assessments.</b>	
Introduced, referred.....	492
Recommended amendment and passage.....	595
Amendment adopted.....	723
Amended, passed; ayes 38, nays 0.....	723
<b>240 By Skromme. Acceptance of provisions of the federal "Purnell Act."</b>	
Introduced, referred.....	504
Recommended passage.....	558
Amended, passed; ayes 43, nays 0.....	617
Received back.....	1001
Reported enrolled.....	1043
Signed by President.....	1043
Sent to Governor.....	1043
Approved by Governor.....	1083

S. F.	Page
<b>241 By McLeland. Petitions for nomination.</b>	
Introduced, referred.....	504
Recommended amendment and passage.....	935
Amendment adopted.....	1156
Amended, passed; ayes 34, nays 0.....	1156
<b>242 By Stoddard. Jury lists.</b>	
Introduced, referred.....	504
Recommended amendment and passage.....	779
Amended, passed; ayes 36, nays 1.....	1093
<b>243 By Mills. Dog licenses.</b>	
Introduced.....	505
<b>244 By Shane. Board of Parole.</b>	
Introduced, referred.....	505
Withdrawn by author.....	719
<b>245 By Johnston. Mechanics liens.</b>	
Introduced, referred.....	516
Recommended indefinite postponement.....	848
<b>246 By Browne. Insurance.</b>	
Introduced, referred.....	531
Withdrawn from committee.....	895
Passed; ayes 30, nays 0.....	1157
Reported enrolled.....	1585
Signed by President.....	1585
Sent to Governor.....	1585
Approved by Governor April 19.	
<b>247 By Stoddard. Making teachers' pensions available in school districts of 10,000 or more.</b>	
Introduced, referred.....	531
Recommended amendment and passage.....	662
Amendment adopted.....	783
Amended, passed; ayes 29, nays 13.....	784
<b>248 By Johnston. City manager plan.</b>	
Introduced, referred.....	532
Amendment filed.....	578
Recommended passage.....	595
Passed; ayes 42, nays 0.....	645
Received back.....	675
Reported enrolled.....	737
Signed by President.....	750
Sent to Governor.....	750
Approved by Governor.....	830
<b>249 By Shaft. Eggs.</b>	
Introduced, referred.....	532
Recommended indefinite postponement.....	845
Report rejected.....	964
Amendments filed.....	988
Placed on calendar.....	1270
Passed; ayes 34, nays 4.....	1273
Received back.....	1568
Reported enrolled.....	1585
Signed by President.....	1585
Sent to Governor.....	1585
Approved by Governor April 15.	
<b>250 By Baird. Engineer to give bond for faithful performance.</b>	
Introduced, referred.....	539
Recommended passage.....	664
Passed; ayes 34, nays 0.....	731

S. F.	Page	S. F.	Page
251 By Baird. Board of engineering examiners.		260 By Wilson of Polk. Decreasing number of employees under civil service.	
Introduced, referred.....	555	Introduced, referred.....	571
Recommended amendment and passage.....	663	Recommended passage.....	665
Amendment filed.....	717	Amended, passed; ayes 31, nays 1.....	851
Committee amendment filed.....	944	Received back.....	1208
Amended, passed; ayes 41, nays 0.....	944	Concurred.....	1256
Received back.....	1416	Reported enrolled.....	1370
Reported enrolled.....	1501	Signed by President.....	1271
Signed by President.....	1501	Sent to Governor.....	1280
Sent to Governor.....	1531	Approved by Governor.....	1335
Approved by Governor April 18.			
252 By Baird. Repayment of water rebates.		261 By Fulton. Sale of securities by investment companies.	
Introduced, referred.....	555	Introduced, referred.....	571
Recommended passage.....	664		
Passed; ayes 29, nays 3.....	729-730	262 By Committee on Insurance. Nonmedical life insurance.	
		Introduced.....	571
253 By Committee on Appropriations. Use of appropriations.		Amended.....	758
Introduced.....	555	Amended, passed; ayes 43, nays 3.....	767
Passed; ayes 39, nays 0.....	606		
Received back.....	1392	263 By Committee on Insurance. Investment of life insurance funds.	
Reported enrolled.....	1469	Introduced.....	571
Signed by President.....	1469	Amended.....	758-759
Sent to Governor.....	1469	Amended, passed; ayes 39, nays 7.....	763
Approved by Governor.....	1532	Received back.....	1166
		Concurred.....	1168
254 By Ulstad. Ellsworth College.		Reported enrolled.....	1224
Introduced, referred.....	555	Signed by President.....	1224
Withdrawn from committee.....	998	Sent to Governor.....	1224
		Approved by Governor.....	1308
255 By Lange. Mines—escape shafts.		264 By Rigby and Roberts. Mortgage bonds.	
Introduced, referred.....	555	Introduced, referred.....	580
Amendment filed.....	621	Placed on calendar.....	850
Recommended passage.....	665	Amendments filed.....	1016
Passed; ayes 37, nays 0.....	869	Amended, passed; ayes 39, nays 0.....	1133
256 By Shaff. Adulteration of food, etc.		265 By Clark. Clerk of court.	
Introduced, referred.....	556	Introduced, referred.....	585
Recommended passage.....	722	Recommended passage.....	686
Passed; ayes 39, nays 0.....	987	Amended, passed; ayes 36, nays 0.....	878
Received back.....	1416		
Reported enrolled.....	1501	266 By Clark. Municipal emergency fund.	
Signed by President.....	1501	Introduced, referred.....	585
Sent to Governor.....	1531	Recommended passage.....	802
Approved by Governor April 23.		Passed; ayes 27, nays 14.....	1098
257 By Cavanaugh. Dolliver Memorial State Park.		267 By Clark. County engineer.	
Introduced, referred.....	570	Introduced, referred.....	585
Recommended passage.....	662	Recommended passage.....	686
Passed; ayes 33, nays 0.....	727	Amendment filed.....	717
Received back.....	1001	Amended, passed; ayes 36, nays 0.....	877
Reported enrolled.....	1043		
Signed by President.....	1043	268 By Clark. Supervisors' time and mileage.	
Sent to Governor.....	1043	Introduced, referred.....	585
Approved by Governor.....	1084	Recommended passage.....	686
		Amendment filed.....	717
258 By McFarlane. Dormitories at state educational institutions.		Amended, passed; ayes 36, nays 0.....	876
Introduced, referred.....	571		
Recommended passage.....	722	269 By Clark. Mine inspectors.	
Passed; ayes 39, nays 0.....	984	Introduced, referred.....	585
Reported enrolled.....	1501	Recommended passage.....	666
Signed by President.....	1501	Amendment filed.....	800
Sent to Governor.....	1531	Amended, passed; ayes 38, nays 0.....	868
Approved by Governor April 18.			
259 By Wilson of Polk. Fire department maintenance.			
Introduced, referred.....	571		
Recommended passage.....	664		
Passed; ayes 31, nays 0.....	868		



SENATE RECORD OF SENATE BILLS

1645

S. F.	Page
270 By Shaff. Transporting newspapers by motor carriers.	
Introduced, referred.....	585
Recommended passage.....	782
Passed; ayes 35, nays 0.....	1088
Received back.....	1417
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor April 18.	
271 By Shaff. Primary and secondary roads.	
Introduced, referred.....	586
Recommended indefinite postponement.....	1023
272 By Shaff. Locating new lines (electric, telegraph, telephone) on primary and secondary roads.	
Introduced, referred.....	586
Recommended indefinite postponement.....	1023
273 By Shaff. Bids for constructing highways to include locating lines (electric, telephone and telegraph).	
Introduced, referred.....	586
Recommended indefinite postponement.....	1022
274 By Stoddard. License fees for trucks.	
Introduced, referred.....	586
275 By Wilson of Polk. Exemption from taxation.	
Introduced, referred.....	586
Recommended indefinite postponement.....	802
276 By Johnston. Tax payments.	
Introduced, referred.....	586
Recommended amendment and passage.....	802
Withdrawn by author.....	1102
277 By Bergman. Office of state treasurer to receive \$5,000 annually from state highway commission maintenance fund.	
Introduced, referred.....	586
Recommended passage.....	754
Passed; ayes 36, nays 0.....	1040
278 By McFarlane. Joint erection by city (or town) and county of soldiers, sailors and marines memorials.	
Introduced, referred.....	587
Recommended passage.....	664
Passed; ayes 35, nays 0.....	873
Received back.....	1408
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1469
Approved by Governor.....	1531
279 By McFarlane. Assignment of certificate for tax sale.	
Introduced, referred.....	587
Returned without recommendation.....	802
Passed; ayes 31, nays 5.....	1099
Received back.....	1164
Reported enrolled.....	1224

S. F.	Page
Signed by President.....	1224
Sent to Governor.....	1224
Approved by Governor.....	1309
280 By McFarlane. Marginal assignments or releases.	
Introduced, referred.....	587
Recommended passage.....	663
Amended, passed; ayes 29, nays 8.....	872
281 By Shaff. Canvass of votes in city election.	
Introduced, referred.....	593
Recommended amendment and passage.....	896
Amendments adopted.....	1236
Passed; ayes 41, nays 0.....	1237
282 By Shinn. Township licenses.	
Introduced, referred.....	593
Returned without recommendation.....	934
283 By Rigby. Drainage.	
Introduced, referred.....	593
Recommended amendment and passage.....	1021
Amendments adopted.....	1180
Amended, passed; ayes 28, nays 0.....	1180
Received back.....	1416
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor April 18.	
284 By Clark. County aid for fairs.	
Introduced, referred.....	594
Recommended passage.....	792
Passed; ayes 35, nays 2.....	1095
Received back.....	1416
Reported correctly enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor April 23.	
285 By McFarlane. Night schools.	
Introduced, referred.....	613
Recommended passage.....	662
Passed; ayes 36, nays 0.....	871
Received back.....	1364
Concurred.....	1383
Reported enrolled.....	1407
Signed by President.....	1415
Sent to Governor.....	1416
Approved by Governor.....	1500
286 By McFarlane. Compensation of county officers.	
Introduced, referred.....	614
Recommended amendment and passage.....	685
Amendment adopted.....	945
Passed; ayes 39, nays 0.....	945
Received back.....	1460
Reported enrolled.....	1530
Signed by President.....	1530
Sent to Governor.....	1566
Approved by Governor April 19.	
287 By Wilson of Polk. Sewers.	
Introduced, referred.....	614
Recommended passage.....	779
Passed; ayes 41, nays 0.....	1063

S. F.	Page	S. F.	Page
288 By Wilson of Polk. Chief of fire department.		298 By Kimberly. Municipal primaries.	
Introduced, referred.....	614	Introduced, referred.....	654
289 By Clearman. Iowa City.		299 By McFarlane. Tax sale certificates.	
Introduced, referred.....	614	Introduced, referred.....	654
Recommended passage.....	696	Recommended indefinite postponement.....	887
Proof of publication.....	732	Withdrawn by author.....	912
Withdrawn by author.....	859	300 By McFarlane. Allowing counties to buy tax sale real estate.	
290 By Rigby. Preservation of materials of disbanded G. A. R. Posts.		Introduced, referred.....	654
Introduced, referred.....	614	Recommended passage.....	848
Recommended passage.....	803	Passed; ayes 40, nays 0.....	1131
Amended, passed; ayes 32, nays 0.....	853	Received back.....	1347
Received back.....	1340	Reported enrolled.....	1388
Reported enrolled.....	1388	Signed by President.....	1388
Signed by President.....	1388	Sent to Governor.....	1389
Sent to Governor.....	1389	Approved by Governor.....	1500
Approved by Governor.....	1499	301 By McFarlane. Payment of all taxes before recording conveyance.	
291 By Ellis. Fur-bearing animals.		Introduced, referred.....	654
Introduced, referred.....	615	302 By Stoddard. Investment of surplus funds of building and loan associations.	
Recommended passage.....	809	Introduced, referred.....	654
Amended, passed; ayes 35, nays 3.....	1116	Recommended passage.....	822
292 By Wilson of Polk. State Real Estate Commissioner.		H. F. 331 substituted.....	1121
Introduced, referred.....	615	Withdrawn by author.....	1122
Returned without recommendations.....	974	303 By Stoddard. Membership fees for building and loan associations.	
Failed to pass; ayes 24, nays 20.....	1466	Introduced, referred.....	655
293 By Clark. Tax exemption.		Recommended passage.....	822
Introduced, referred.....	643	Withdrawn by author.....	1229
Recommended passage.....	663	304 By Haskell. Maintaining county law libraries.	
Passed; ayes 31, nays 0.....	856	Introduced, referred.....	655
294 By Merritt. Consolidated school districts.		Recommended passage.....	791
Introduced, referred.....	643	Called up, action deferred.....	1012
295 By Committee on Highways. Transferring funds of city, town or county.		Amendment filed.....	1056
Introduced.....	643	Amended, passed; ayes 30, nays 7.....	1094
Action deferred.....	725	305 By Shaff. Township roads.	
Amended.....	756	Introduced, referred.....	655
Amended, passed; ayes 41, nays 0.....	764	Recommended passage.....	753
Received back.....	1084	Amended, passed; ayes 40, nays 3.....	1039
Reported enrolled.....	1125	Received back.....	1408
Signed by President.....	1125	Reported enrolled.....	1469
Sent to Governor.....	1125	Signed by President.....	1469
Approved by Governor.....	1185	Sent to Governor.....	1469
296 By Committee on Conservation. Devil's Backbone Park.		Approved by Governor.....	1531
Introduced.....	643	306 By Cavanaugh. Jury commissions.	
Passed; ayes 36, nays 0.....	726	Introduced, referred.....	655
Received back.....	1207	Recommended indefinite postponement.....	822
Reported enrolled.....	1255	307 By Wilson of Polk. Co-insurance.	
Signed by President.....	1255	Introduced, referred.....	655
Sent to Governor.....	1256	308 By Mills and Booth. Soldiers' relief commission.	
Approved by Governor.....	1309	Introduced, referred.....	655
297 By Benson. Deaf children.		Recommended passage.....	803
Introduced, referred.....	643	Passed; ayes 33, nays 0.....	852
Recommended passage.....	820	Received back.....	1502
Amendment filed.....	1141	Reported enrolled.....	1585
Amended, passed; ayes 41, nays 0.....	1227	Signed by President.....	1585
Received back.....	1455	Sent to Governor.....	1585
Concurred.....	1496	Approved by Governor April 19.	
Reported enrolled.....	1585		
Signed by President.....	1585		
Sent to Governor.....	1585		
Approved by Governor April 19.			

S. F.	Page	S. F.	Page
309 By Fralley. Action in re-insurance cases.	656	319 By Gilchrist. Requiring physicians to report injuries from firearms.	678
Introduced, referred.....	656	Introduced, referred.....	847
Withdrawn by author.....	949	Recommended passage.....	847
310 By Committee on Military affairs. Spanish and World War flags.	661	Passed; ayes 41, nays 0.....	1232
Introduced.....	661	320 By Gilchrist. Bail bonds.	679
Amended, passed; ayes 38, nays 0.....	867	Introduced, referred.....	679
Received back.....	1187	Recommended indefinite postponement.....	821
Reported enrolled.....	1224	321 By Gilchrist. Joint indictments.	679
Signed by President.....	1224	Introduced, referred.....	679
Sent to Governor.....	1224	Recommended indefinite postponement.....	845
Approved by Governor.....	1309	322 By Gilchrist. Stolen property.	679
311 By Wilson of Page. Transporting school children.	661	Introduced, referred.....	679
Introduced, referred.....	661	323 By Gilchrist. Felony with firearms.	679
312 By Browne. Empowering insurance commissioner to call meeting of mutual insurance companies upon petition of policyholders.	661	Introduced, referred.....	679
Introduced, referred.....	661	Recommended indefinite postponement.....	847
Recommended indefinite postponement.....	934	324 By Gilchrist. Habitual petty thievery.	679
Report rejected.....	1014	Introduced, referred.....	679
Motion filed to reconsider.....	1027	Recommended indefinite postponement.....	912
313 By Cavanaugh. Webster County.	661	325 By Gilchrist. Board of parole.	680
Introduced, referred.....	661	Introduced, referred.....	680
Recommended passage.....	753	Recommended indefinite postponement.....	975
Passed; ayes 41, nays 0.....	946	326 By Committee on Judiciary No. 2. Supreme Court abstracts.	689
Received back.....	1001	Introduced.....	689
Concurred.....	1011	327 By Baird and Wilson of Polk. Indeterminate sentences.	689
Reported enrolled.....	1043	Introduced, referred.....	689
Signed by President.....	1043	Recommended amendment and passage.....	848
Sent to Governor.....	1043	328 By Cavanaugh. Redistricting schools.	710
Approved by Governor.....	1084	Introduced, referred.....	710
314 By Baird. Superintendent of school for deaf.	661	Recommended indefinite postponement.....	821
Introduced, referred.....	661	329 By Ulstad. Hamilton County.	710
315 By Committee on Claims. Buchanan County.	661	Introduced, referred.....	710
Introduced, referred.....	661	Recommended passage.....	778
Recommended passage.....	693	H. F. 309 substituted.....	1076
Passed; ayes 40, nays 0.....	981	Withdrawn by author.....	1076
Received back.....	1391	330 By Wilson of Page. Board of parole.	710
Reported enrolled.....	1469	Introduced, referred.....	710
Signed by President.....	1469	331 By Merritt. Refunding certain special assessments on paving.	719
Sent to Governor.....	1469	Introduced, referred.....	719
Approved by Governor.....	1532	Recommended indefinite postponement.....	1025
316 By Committee on Insurance. Fraternal life insurance.	678	332 By Wilson of Polk. Licensing electrician in cities and towns.	720
Introduced.....	678	Introduced, referred.....	720
Made special order.....	857		
Amendments filed.....	907		
Amended, passed; ayes 42, nays 0.....	930		
Received back.....	1166		
Concurred.....	1169		
Reported enrolled.....	1224		
Signed by President.....	1224		
Sent to Governor.....	1224		
Approved by Governor.....	1308		
317 By Ellis. Methods of conducting air currents in coal mines.	678		
Introduced, referred.....	678		
318 By Dean. Assignment of tax sale certificate.	678		
Introduced, referred.....	678		

S. F.	Page
333 By Wilson of Polk. Deputy sheriffs' salaries.	
Introduced, referred.....	720
Recommended passage.....	809
334 By Wilson of Polk. Park commissioners.	
Introduced, referred.....	720
Recommended passage.....	887
Passed; ayes 33, nays 8.....	1237
335 By Lange. Jury commissioners.	
Introduced, referred.....	720
Recommended indefinite postponement.....	822
Withdrawn by author.....	850
336 By Lange. Seizure of automobiles that have been tampered with.	
Introduced, referred.....	720
Recommended amendment and passage.....	846
Amendments adopted.....	1003
Passed; ayes 29, nays 2.....	1003
Received back.....	1408
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1469
Approved by Governor.....	1531
337 By Committee on Compensation of Public Officers. District Judges' salaries.	
Introduced.....	720
Taken up, action deferred.....	1035-1036
Amended, passed; ayes 31, nays 11.....	1089
338 By Langfitt. Court of claims.	
Introduced, referred.....	737
Recommended amendment and passage.....	992
339 By Fulton. Secondary roads.	
Introduced, referred.....	738
Recommended indefinite postponement.....	941
340 By Fulton. Exempting certain securities from blue sky law.	
Introduced, referred.....	738
Recommended amendment and passage.....	887
Amendments adopted.....	1238
Passed; ayes 38, nays 0.....	1238
Received back.....	1568
Laid on table.....	1571
341 By Committee on Claims. Hardin County.	
Introduced, referred.....	738
Recommended passage.....	777
Passed; ayes 41, nays 0.....	1068
Received back.....	1391
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1469
Approved by Governor.....	1532
342 By Committee on Judiciary No. 2. Blue sky laws.	
Introduced.....	738
Passed; ayes 41, nays 0.....	1036
Received back.....	1502
Reported enrolled.....	1585
Signed by President.....	1585
Sent to Governor.....	1585
Approved by Governor April 19.	

S. F.	Page
343 By Frailey. Wheel tax in special charter cities.	
Introduced, referred.....	738
Recommended indefinite postponement.....	781
344 By Shinn. State textbook board.	
Introduced, referred.....	738
Recommended indefinite postponement.....	997
Report rejected.....	998
345 By Carden. Transfer of funds by New London.	
Introduced, referred.....	739
Placed on calendar.....	850
Passed; ayes 33, nays 0.....	850
Received back.....	1001
Reported enrolled.....	1043
Signed by President.....	1043
Sent to Governor.....	1043
Approved by Governor.....	1083
346 By Benson. Legalizing soldiers' monument tax in Clayton County.	
Introduced, referred.....	739
Recommended passage.....	847
Withdrawn by author.....	1130
347 By Bergman. Collection of gas tax.	
Introduced, referred.....	739
Recommended passage.....	972
Amendments filed.....	989
Amended, passed; ayes 36, nays 1.....	1275-1276
Received back.....	1407
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1469
Approved by Governor.....	1531
348 By Rigby. Warehouse liens.	
Introduced, referred.....	751
Recommended passage.....	975
Reported out.....	1433
Passed; ayes 40, nays 0.....	1489
Received back.....	1533
Reported enrolled.....	1585
Signed by President.....	1585
Sent to Governor.....	1585
Approved by Governor April 19.	
349 By Ellis. Defining "practicing physician."	
Introduced, referred.....	751
Referred.....	815
350 By Breakenridge. Palo Alto county.	
Introduced, referred.....	751
Recommended indefinite postponement.....	912
351 By Lange. Chain stores.	
Introduced, referred.....	759
Recommended indefinite postponement.....	1021
Report rejected.....	1023
Amendment filed.....	1056
Made special order.....	1138
Substitute offered.....	1216
Amended, passed; ayes 33, nays 13.....	1217-1222
Motion to reconsider.....	1242
Made special order.....	1310
Reconsideration prevailed.....	1366
Amended and passed; ayes 29, nays 17.....	1367-1369

SENATE RECORD OF SENATE BILLS

1649

S. F.	Page
352 By Committee on Highways. Highway Commission.	
Introduced	759
Amendment filed	800
Amended, passed; ayes 38, nays 1	1047
Received back	1188
Refused to concur	1423
Received back	1533
Conference committee appointed	1533
Committee reported disagreement. S. J.	1547
Second conference committee appointed	1548
Committee reported	1570
Report adopted	1571
Received back	1577
Reported enrolled	1576
Signed by President	1576
Sent to Governor	1576
Approved by Governor April 19.	
353 By Committee on Highways. Highway commission. Audit—Gas tax.	
Introduced	759
Amended, passed; ayes 36, nays 1	1049
Received back	1419
Amended and concurred	1432-1433, 1436-1438
Received back	1501
Amended title	1527-1529
Reported enrolled	1585
Signed by President	1585
Recalled from enrolling committee	1592
Title amendment declared to have been improperly adopted	1593
Reported enrolled	1595
Signed by President	1596
Sent to Governor	1596
Approved by Governor April 19.	
354 By Committee on Highways. Primary roads.	
Introduced	759
Amendment filed	906
Amendment filed	936
Amended passed; ayes 29, nays 14	1050-1054
355 By Ulstad. Paving Repair fund.	
Introduced, referred	759
356 By Ellis. Licensing fish dealers.	
Introduced, referred	760
Recommended amendment and passage	970
Amendments adopted	1161
Passed; ayes 31, nays 0	1161
Title amended	1162
357 By Benson. Selling merchandise near fairs.	
Introduced, referred	760
Recommended passage	808
Amended, passed; ayes 27, nays 19	1102-1103
Substituted for H. F. 334	1127
Received back	1164
Reported enrolled	1224
Signed by President	1224
Sent to Governor	1224
Approved by Governor	1308
358 By Lange. Township Licenses.	
Introduced referred	774
Recommended passage	934
Passed; ayes 33, nays 3	1153

S. F.	Page
359 By Fulton. Votes necessary for city or town to contract indebtedness.	
Introduced, referred	744
Amended, failed to pass; ayes 12, nays 32	1465
360 By Committee on Appropriations. State aid to fair associations.	
Introduced	774
Amendment filed	1026
Amended, passed; ayes 43, nays 1	1061
Received back	1208
Concurred	1383
Reported enrolled	1407
Signed by President	1415
Sent to Governor	1416
Approved by Governor	1500
361 By Clearman. Township high schools.	
Introduced, referred	789
Recommended indefinite postponement	821
362 By Brush. Public fund deposits.	
Introduced, referred	789
Recommended passage	975
Made special order	1137
Passed; ayes 45, nays 0	1230-1231
363 By Roberts. Board of audits to audit claims against highway commission, board of control and board of education.	
Introduced, referred	790
Recommended passage	994
364 By Fralley. Frankel Clothing Co.	
Introduced, referred	790
Recommended amendment and passage	974
Amended, passed; ayes 41, nays 0	1278
Received back	1503
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor April 19.	
365 By Committee on Fish and Game. State Game Commission.	
Introduced	790
Made special order	1119
366 By Kimberly. Industries revolving fund at the prisons.	
Introduced, referred	790
Recommended passage	848
Passed; ayes 40, nays 1	1131
Received back	1417
Correctly enrolled	1469
Signed by President	1469
Sent to Governor	1469
Approved by Governor	1531
367 By Committee on Appropriations. State aid to fairs.	
Introduced	791
Withdrawn	1096
368 By Shinn. Transfer of funds by Manila.	
Introduced, referred	801
Recommended passage	846
H. F. 204 substituted	1015
Withdrawn by author	1016

S. F.	Page
369 By Committee on Pharmacy. Sale and distribution of sodium fluoride.	
Introduced	815
Passed; ayes 33, nays 0	1007
Received back	1347
Reported enrolled	1388
Signed by President	1388
Sent to Governor	1389
Approved by Governor	1500
370 By Wilson of Polk. Tax levy for aid to widow for care of children.	
Introduced, referred	815
Recommended passage	846
Amended, passed; ayes 38, nays 0	1129
Received back	1568
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor April 19.	
371 By Wilson of Page. Tax exemption.	
Introduced, referred	815
Placed on calendar	998
372 By Dean. Sale of securities of certain public utilities.	
Introduced, referred	815
Recommended indefinite postponement	994
373 By Ellis. Monuments at graves of Revolutionary War veterans.	
Introduced referred	831
Recommended amendment and passage	935
Amendments adopted	1154
Amended, passed; ayes 31, nays 0	1154
Received back	1503
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor April 19.	
374 By Lange. Repealing law forbidding city manager to participate in city elections.	
Introduced, referred	831
Recommended passage	993
Passed; ayes 28, nays 0	1176
375 By Lange. Limit of indebtedness.	
Introduced, referred	831
Reported out	1271
Amended failed to pass; ayes 11, nays 27	1281
376 By Skromme. Listing securities, mortgages, etc. for taxation.	
Introduced, referred	831
Recommended indefinite postponement	913
377 By Skromme. Appeal from board of review.	
Introduced referred	832
Recommended passage	913
378 By Skromme. Mortgages and land contracts.	
Introduced, referred	832
Recommended indefinite postponement	865

S. F.	Page
379 By Skromme. Exemption from taxation.	
Introduced, referred	832
Recommended indefinite postponement	975
380 By Sub-committee on Motor Vehicles. Use of highways.	
Introduced, referred	832
Recommended passage	971
Amended, passed; ayes 29, nays 5	1466
381 By Sub-committee on Motor Vehicles. Speed limit of motor busses.	
Introduced, referred	833
Recommended passage	971
Withdrawn	1324
382 By Breakenridge. Algona.	
Introduced, referred	833
Recommended passage	976
Passed; ayes 35, nays 0	1483
Received back	1578
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor April 19.	
383 By Fulton. Cooperative banking.	
Introduced, referred	833
Recommended amendment and passage	994
Amendments adopted	1338
Passed; ayes 34, nays 0	1339
Received back	1392
Reported enrolled	1469
Signed by President	1469
Sent to Governor	1469
Approved by Governor	1532
384 By McLeland. Placing a bounty on "fox."	
Introduced, referred	833
385 By Committee on Appropriations. Eradication of corn-borer.	
Introduced	834
Passed; ayes 36, nays 0	1127
Received back	1381
Concurred	1393
Reported enrolled	1407
Signed by President	1415
Sent to Governor	1416
Approved by Governor	1500
386 By Bergman. Refunding gasoline tax on trucks and tractors used in roadwork.	
Introduced, referred	834
Recommended indefinite postponement	972
387 By Merritt. State police.	
Introduced referred	843
388 By Wilson of Polk. Assessment records and compensation of assessors.	
Introduced, referred	843
389 By Stoddard. Certificate of title to owners of automobiles.	
Introduced referred	843
Recommended indefinite postponement	972

S. F.	Page
390 By Wilson of Polk. Gravel pits inside city limits.	
Introduced, referred.....	843
Recommended passage.....	1022
Amended, passed; ayes 35, nays 1.....	1482
391 By Fulton. Primary elections.	
Introduced, referred.....	844
Recommended indefinite postponement.....	935
392 By Brookins. Automobiles.	
Introduced, referred.....	844
Recommended indefinite postponement.....	972
393 By Wilson of Polk. Municipal courts.	
Introduced, referred.....	844
Recommended passage.....	938
394 By Committee on Appropriations. Certain expenses of the 42nd G. A.	
Introduced.....	844
Passed; ayes 40, nays 0.....	1136
Received back.....	1391
Reported enrolled.....	1469
Signed by President.....	1469
Sent to Governor.....	1169
Approved by Governor.....	1532
395 By Committee on Judiciary No. 1. Trials—introducing witnesses without notice to identify documentary evidence.	
Introduced.....	862
Passed; ayes 38, nays 2.....	1137
396 By Committee on County and Township Affairs. Compensation of township trustees.	
Introduced.....	885
Passed; ayes 38, nays 0.....	1137
397 By Committee on Cities and Towns. Platting of land adjacent to cities.	
Introduced.....	885
H. F. 379 substituted.....	1232
Withdrawn.....	1235
398 By Committee on Cities and Towns. City plan commissioners.	
Introduced.....	886
H. F. 380 substituted.....	1233
Withdrawn.....	1235
399 By Committee on Cities and Towns. Streets and public grounds.	
Introduced.....	886
H. F. 381 substituted.....	1234
Withdrawn.....	1235
400 By Committee on Motor Vehicles. Mileage tax for trucks.	
Introduced.....	895
Amendment filed.....	1142
401 By Breakenridge. The blind.	
Introduced.....	904
Passed; ayes 40, nays 0.....	905
402 By Committee on Judiciary No. 1. Price of supplement to book of annotations.	
Introduced.....	921

S. F.	Page
Passed; ayes 31, nays 0.....	1511
Received back.....	1416
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor Apr. 18.....	
403 By Committee on Judiciary No. 1. Floyd county.	
Introduced.....	933
Amended, passed; ayes 34, nays 0.....	1006
Received back.....	1346
Reported enrolled.....	1388
Signed by President.....	1388
Sent to Governor.....	1389
Approved by Governor.....	1499
404 By Committee on Military Affairs. Commitment of insane war veterans.	
Introduced.....	933
Passed; ayes 33, nays 0.....	1405
Received back.....	1454
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor Apr. 18.....	
405 By Committee on Motor Vehicles. Automobiles.	
Introduced.....	933
Amended, passed; ayes 34, nays 10.....	1468
406 By Committee on Claims. Damages by pheasants in Winnebago and Hancock counties.	
Introduced referred.....	969
Recommended indefinite postponement.....	1079
407 By Committee on Judiciary No. 2. (Exact duplicate of S. F. 342, by same committee.)	
Introduced.....	969
408 By Committee on Public Schools. Legalizing election in certain school districts.	
Introduced.....	988
Amendment filed.....	988
Amended, passed; ayes 28, nays 0.....	1172
Received back.....	1417
Reported enrolled.....	1501
Signed by President.....	1501
Sent to Governor.....	1531
Approved by Governor Apr. 18.....	
409 By Committee on Cities and Towns. Relieving street railways from expense of paving.	
Introduced.....	997
Amendment filed.....	1055
Amended, passed; ayes 39, nays 2.....	1202
410 By Committee on Judiciary No. 1. Regarding redemption on real estate.	
Introduced.....	997
411 By Committee on Judiciary No. 1. Pleadings—motion to dismiss.	
Introduced.....	998
412 By Committee on Judiciary No. 1. Judges' vacation orders.	
Introduced.....	998

S. F.	Page
413 By Committee on Public Health. Licensing Embalmers.	
Introduced .....	1024
414 By Committee on Public Health. Venereal Diseases.	
Introduced .....	1024
415 By Committee on Claims. Arthur Ashcraft.	
Introduced, referred .....	1024
Recommended passage .....	1078
Amendment filed .....	1081
Amended, passed; ayes 38, nays 0 .....	1261
Recommended passage .....	1560
Received back .....	1418
Reported enrolled .....	1530
Signed by President .....	1530
Sent to Governor .....	1566
Approved by Governor Apr. 18.	
416 By Committee on Claims. Vera Gage.	
Introduced, referred .....	1024
Recommended passage .....	1078
Amendment filed .....	1081
Passed; ayes 38, nays 0 .....	1264
Reconsidered .....	1265
Amended, passed; ayes 38, nays 0 .....	1265
417 By Committee on Claims. George Simpson.	
Introduced, referred .....	1024
Recommended passage .....	1078
Amendment filed .....	1081
Amended, passed; ayes 40, nays 0 .....	1263
Received back .....	1380
Reported enrolled .....	1407
Signed by President .....	1415
Sent to Governor .....	1416
Approved by Governor .....	1500
418 By Committee on Claims. Appropriation for state and other expenses.	
Introduced, referred .....	1025
Recommended amendment and passage .....	1206
Amendments adopted .....	1252
Passed; ayes 40, nays 0 .....	1253
Received back .....	1391
Reported enrolled .....	1469
Signed by President .....	1469
Sent to Governor .....	1469
Approved by Governor .....	1532
419 By Committee on Claims. C. T. Murphy.	
Introduced, referred .....	1025
Recommended passage .....	1079
Amendment filed .....	1081
Amended, passed; ayes 41, nays 0 .....	1271
Title amended .....	1272
Received back .....	1380
Reported enrolled .....	1407
Signed by President .....	1415
Sent to Governor .....	1415
Approved by Governor .....	1500
420 By Committee on Claims. Charles Feenstra.	
Introduced, referred .....	1025
Recommended passage .....	1224
Amendment filed .....	1242
Amendment adopted .....	1248
Passed; ayes 42, nays 0 .....	1248
Received back .....	1392
Concurred .....	1423
Reported enrolled .....	1469
Signed by President .....	1469
Sent to Governor .....	1469
Approved by Governor .....	1531

S. F.	Page
421 By Committee on Claims. Havner, Flick and Powers.	
Introduced, referred .....	1025
Recommended passage .....	1186
Passed; ayes 35, nays 5 .....	1248
Refused to concur .....	1424
Conference committee appointed .....	1533
Received back .....	1533
Committee reported .....	1547
Report adopted .....	1550
Received back .....	1577
Reported enrolled .....	1585
Signed by President .....	1585
Sent to Governor .....	1585
Approved by Governor Apr. 19.	
422 By Committee on Claims. Appropriation to return to city of Keokuk money paid to state sinking fund.	
Introduced, referred .....	1025
Recommended passage .....	1079
Amendments filed .....	1242
Amended, passed; ayes 37, nays 0 .....	1273
Received back .....	1380
Reported enrolled .....	1407
Signed by President .....	1415
Sent to Governor .....	1416
Approved by Governor .....	1500
423 By Committee on Claims. Jas. A. Devitt.	
Introduced, referred .....	1025
Recommended passage .....	1186
Passed; ayes 36, nays 3 .....	1249
Received back .....	1392
Refused to concur .....	1425
Conference committee .....	1533
Conference report .....	1550
Report adopted .....	1551
Received back .....	1578
Reported enrolled .....	1585
Signed by President .....	1585
Sent to Governor .....	1585
Approved by Governor Apr. 19.	
424 By Committee on Claims. Francine Talbott.	
Introduced, referred .....	1026
Recommended passage .....	1079
Amended, passed; ayes 39, nays 0 .....	1263
425 By Committee on Cities and Towns. Providing for state auditor to examine offices in cities and towns under 3,000 inhabitants.	
Introduced, referred .....	1026
Recommended passage .....	1079
Amended, passed; ayes 36; nays 0 .....	1460
426 By Committee on Motor Vehicles. Danger signals on road machinery.	
Introduced, referred .....	1080
427 By Sifting Committee. Transferring surplus earnings of incorporated towns.	
Introduced .....	1125
Passed; ayes 29, nays 0 .....	1177
Title amended .....	1177
428 By Sifting Committee. Newton.	
Introduced .....	1125
Passed; ayes 44, nays 0 .....	1229
Received back .....	1245
Reported enrolled .....	1270
Signed by President .....	1271
Sent to Governor .....	1280
Approved by Governor .....	1335



S. F.	Page
429 By Sifting Committee. Banking.	
Introduced	1126
Made special order	1254
Amendments filed	1267
Amendments filed	1279
Substitute offered	1283-1301
Action deferred, made special order	1302
Substitution lost	1312
Action deferred, made special order	1314
Amendments filed	1330
Amended, passed; ayes 37, nays 8	1369
Title amended	1375
430 By Sifting Committee. Public docks.	
Introduced	1203
Passed; ayes 45, nays 0	1250
Received back	1340
Reported enrolled	1388
Signed by President	1388
Sent to Governor	1389
Approved by Governor	1499
431 By Sifting Committee. soliciting donations.	
Introduced	1203
Passed; ayes 44, nays 0	1251
Received back	1417
Reported enrolled	1501
Signed by President	1501
Sent to Governor	1531
Approved by Governor Apr. 18.	
432 By Committee on Appropriations. Repairs on state capitol and historical building.	
Introduced	1225
Passed; ayes 40, nays 0	1252
Received back	1503
Concurred	1534
Reported enrolled	1583
Signed by President	1583
Sent to Governor	1583
Approved by Governor Apr. 19.	
433 By Browne. Interstate bridges.	
Introduced, referred	1254
434 By Sifting committee. Legal services for Highway Commission.	
Introduced	1271
Passed; ayes 26, nays 10	1324
435 By Benson. Banking.	
Introduced	1302
436 By Committee on Appropriations. Expenses of committee to investigate bridge contracts.	
Introduced	1303
Amended, passed; ayes 36, nays 1	1325
Received back	1419
Concurred	1496
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor Apr. 19.	
437 By Sifting Committee. Barbering.	
Introduced	1310
Made special order	1341
Amended, passed	1394
Received back	1534
Concurred	1535
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor Apr. 19.	

S. F.	Page
438 By Committee on Claims. B. F. Skyles.	
Introduced, referred	1329
Recommended passage	1342
Passed; ayes 36, nays 0	1461
Recommended passage	1853
Received back	1577
Reported enrolled	1583
Signed by President	1583
Sent to Governor	1583
Approved by Governor Apr. 19.	
439 By Committee on Claims. Liberty Club of Sioux City.	
Introduced, referred	1329
Recommended passage	1342
Passed; ayes 36, nays 1	1462
440 By Committee on Claims. Mrs. Cora E. Bolyard.	
Introduced, referred	1330
Recommended passage	1342
Passed; ayes 35, nays 0	1463
441 By Committee on Claims. Bertha M. H. Shambaugh.	
Introduced, referred	1330
Recommended passage	1342
Passed; ayes 38, nays 0	1464
Received back	1578
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor Apr. 19.	
442 By Lange. Changing limit of indebtedness on municipal utilities.	
Introduced, referred	1336
443 By Thompson. Republican and Democratic National conventions.	
Introduced, referred	1336
444 By Sifting Committee. Legalizing bond issue of Dike.	
Introduced	1375
Passed; ayes 42, nays 0	1472
Received back	1568
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor Apr. 19.	
445 By Committee on Claims. H. C. Jones.	
Introduced	1375
Passed; ayes 39, nays 0	1519
Received back	1578
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor Apr. 19.	
446 By Committee on Appropriations. Embalmer examiners.	
Introduced	1536
Passed; ayes 41, nays 0	1537
Received back	1577
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor Apr. 19.	
447 By Committee on Ways and Means. State tax levy.	
Introduced	1539
Passed; ayes 46, nays 0	1540
Received back	1578
Reported enrolled	1585
Signed by President	1585
Sent to Governor	1585
Approved by Governor Apr. 19.	

# HISTORY OF HOUSE BILLS IN SENATE

## HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

3, 5, 7, 8, 12, 13, 17, 20, 22, 23, 24, 25, 27, 35, 39, 40, 41, 42, 43, 44, 45,  
 49, 50, 54, 55, 56, 57, 59, 60, 64, 65, 71, 73, 74, 76, 78, 79, 80, 81, 82, 83, 84,  
 85, 87, 88, 89, 90, 91, 92, 101, 107, 109, 111, 113, 115, 116, 117, 118, 120, 123,  
 128, 135, 140, 141, 142, 143, 151, 157, 160, 162, 163, 172, 177, 183, 184, 187,  
 189, 192, 193, 194, 195, 196, 199, 203, 204, 206, 208, 210, 214, 217, 226, 228,  
 232, 238, 242, 247, 249, 257, 259, 262, 265, 266, 267, 268, 271, 275, 286, 289,  
 308, 309, 317, 319, 327, 328, 329, 330, 331, 332, 339, 347, 352, 354, 358, 359,  
 362, 366, 379, 380, 381, 387, 396, 398, 399, 407, 416, 426, 428, 438, 440, 444,  
 449, 453, 457, 458, 470, 471, 472, 475, 476, 479, 503, 504, 505, 506, 507, 508,  
 509, 512, 517, 518, 519, 520, 521, H. J. R. 1, 2.

## RECORD OF EACH BILL

H. F.	Page	H. F.	Page
<p>3 By Christophel. Township assessors.                      Received, referred ..... 241, 242                      Amendments filed ..... 303                      Recommended passage ..... 307                      Passed: ayes 27, nays 0 ..... 471                      Reported enrolled ..... 570                      Signed by President ..... 570</p> <p>4 By Haney. Publication by supervisors of proceedings relative to drainage districts.                      Received, referred to drainage.. 775</p> <p>5 By Haney. Number of ballots to be furnished in each precinct.                      Received, referred to elections ..... 427, 432                      Recommended passage ..... 740                      Passed: ayes 37, nays 0 ..... 1036                      Signed by President ..... 1074</p> <p>7 By Haney. Double election boards.                      Received, referred ..... 478, 480                      Recommended passage ..... 935                      Passed: ayes 29, nays 0 ..... 1155                      Signed by President ..... 1186</p> <p>8 By Anderson. Drainage.                      Received, referred ..... 241, 242                      Recommended passage ..... 427                      Amendment filed ..... 501                      Amended, passed: ayes 41, nays 0 510                      Signed by President ..... 593</p> <p>9 By Patterson and Johnson of Dickinson. State income tax.                      Received, referred to ways and means ..... 801, 810                      Recommended indefinite postponement ..... 835                      Indefinitely postponed: ayes 24, nays 20 ..... 835, 837</p> <p>11 By Hopkins. Making 65 per cent of vote necessary to carry bond issues.                      Received, referred ..... 436, 442                      Recommended indefinite postponement ..... 696</p>	<p>12 By Christophel. Pasteurization.                      Received, referred ..... 341                      Recommended amendment and passage ..... 809                      Amendment adopted ..... 1114-1115                      Passed: ayes 35, nays 1 ..... 1115                      Signed by President ..... 1186</p> <p>13 By Kent. Petition to straighten river or creek.                      Received, referred ..... 220                      Recommended amendment and passage ..... 534                      Amendment adopted ..... 604                      Passed: ayes 41, nays 0 ..... 604                      Signed by President ..... 750</p> <p>17 By Blackford. Vacancy in office.                      Received, referred to elections ..... 580, 582                      Recommended passage ..... 935                      Passed: ayes 39, nays 1 ..... 1305                      Signed by President ..... 1362</p> <p>18 By Johnson of Dickinson. Giving counties 10 per cent of hunting and fishing license fees.                      Received, referred to fish and game ..... 287, 290                      Recommended indefinite postponement ..... 835</p> <p>19 By Johnson of Marion. Schoolhouse repairs.                      Received, referred ..... 1187, 1204                      Placed on calendar ..... 1314                      Amended, passed: ayes 38, nays 0 ..... 1402                      Signed by President ..... 1530</p> <p>20 By Edge. Luther Taylor.                      Received, referred ..... 220, 222                      Recommended amendment and passage ..... 372                      Amendment adopted ..... 449                      Passed: ayes 38, nays 0 ..... 449                      Signed by President ..... 519</p> <p>21 By Anderson. School tuition of children in charitable institutions.                      Received, referred ..... 862, 866</p>		

H. F.	Page
22 By Bixler. Farm aid associations.	
Received, referred.....	220, 222
Recommended amendment and passage.....	439
Amendments adopted.....	523
Passed; ayes 39, nays 0.....	524
Signed by President.....	593
23 By Blythe. Quail.	
Received, referred.....	287, 290
Recommended passage.....	557
Passed; ayes 38, nays 3.....	619
Signed by President.....	660
24 By Cole of Delaware. Earlville.	
Received, referred.....	323, 331
Recommended passage.....	693
Passed; ayes 35, nays 0.....	730-731
Signed by President.....	774
25 By Hill. Municipal bonds.	
Received, referred.....	1187, 1204
Recommended amendments and passage.....	1433
Amended, passed; ayes 39, nays 0.....	1486
Signed by President.....	1581
27 By Hopkins. County high schools.	
Received, referred.....	286, 289
Recommended passage.....	436
Passed; ayes 38, nays 0.....	538
Signed by President.....	593
29 By Knudson. Tax valuation of public utility properties.	
Received.....	863
Referred.....	886
Recommended indefinite postponement.....	997
35 By Blythe. Compensation of township trustees.	
Received, referred.....	378, 380
Amendment adopted.....	985
Passed; ayes 38, nays 0.....	985
Signed by President.....	1043
39 By Huff. Civil liability operators of automobiles.	
Received, referred.....	378, 380
Recommended passage.....	422
Amended, passed; ayes 37, nays 0.....	467-468
Refusal to concur received.....	539
Insisted.....	691
Conference committee.....	691
Received in Senate.....	956
Conference report.....	957
Concurred in conference report.....	964
Signed by President.....	1043
40 By Johnson of Dickinson. Hunting and fishing licenses.	
Received, referred.....	478, 479
Recommended passage.....	834
Passed; ayes 42, nays 0.....	1231
Signed by President.....	1281
41 By Lichty. Township trustees and clerks.	
Received, referred.....	309, 313
Recommended passage.....	740
Passed; ayes 33, nays 2.....	1037
Signed by President.....	1074

H. F.	Page
42 By Lovrien. State sinking fund for public deposits.	
Received, referred.....	414, 422
Amendment filed.....	658
Amendment filed.....	1242
Amendment filed.....	1306
Made special order.....	1310
Call of Senate filed.....	1330
Amended, passed the Senate; ayes 28, nays 19.....	1386, 1388
Signed by President.....	1434
43 By Stepanek. Annexation of territory to cities and towns.	
Received, referred.....	690
Recommended passage.....	799
Passed; ayes 29, nays 0.....	1008-1009
Signed by President.....	1074
44 By Stepanek. Cedar Rapids.	
Received, referred.....	378, 380
Recommended passage.....	533
Passed; ayes 41, nays 0.....	616
Signed by President.....	660
45 By Stepanek. Iowa Railway and Light Corporation.	
Received, referred to Judiciary No. 2.....	478, 480
Recommended passage.....	693
Passed; ayes 35, nays 0.....	879
Signed by President.....	938
49 By Committee on Rules. Joint conventions of General Assembly.	
Received, referred to rules.....	229, 230
Recommended passage.....	255
Passed; ayes 43, nays 0.....	299
Signed by President.....	326
50 By Forsling. Administration of guardianship.	
Received, referred.....	287, 290
Recommended amendment and passage.....	428
Amendment adopted.....	470
Passed; ayes 36, nays 0.....	470
Signed by President.....	570
51 By Forsling. Appeal bonds in mayor's court.	
Received, referred.....	287, 289
Recommended indefinite postponement.....	721
53 By Knudson. Nominations by primaries.	
Received, referred.....	436, 442
Recommended passage.....	740
Amendment filed.....	1016
Made special order.....	1036
Enacting clause stricken.....	1067
54 By Ontjes. Poll tax lists.	
Received, referred to ways and means.....	241, 242
Recommended passage.....	436
Passed; ayes 35, nays 1.....	511
Signed by President.....	570
55 By Wagner. Voting machines.	
Received, referred.....	287, 289
Recommended passage.....	740
Amendment filed.....	1016
Amended, passed; ayes 44, nays 0.....	1089
Signed by President.....	1136

H. F.	Page
56 By Wagner. Authorizing park boards to accept gifts of property.	
Received, referred.....	378, 380
Recommended passage.....	532
Passed; ayes 38, nays 0.....	722
Signed by President.....	774
57 By Elliott. Bread.	
Received, referred.....	752, 771
Recommended passage.....	997
Passed; ayes 38, nays 0.....	1315
Signed by President.....	1363
59 By Johnson of Keokuk. Poultry dealers.	
Received, referred.....	378, 380
Amendments filed.....	659
Recommended passage.....	739
Called up, action deferred.....	1011
Amendment filed.....	1055
Amended, passed; ayes 38, nays 7.....	1090-1092
Signed by President.....	1186
60 By Lovrien. Banking.	
Received, referred.....	308, 312
Recommended passage.....	556
Passed; ayes 38, nays 5.....	620
Signed by President.....	660
61 By Springer. Lists of jurors.	
Received, referred.....	478, 480
Recommended indefinite postponement.....	663
64 By Elliott. Permanent registration in cities of 125,000.	
Received, referred.....	1187, 1204
Passed; ayes 43, nays 0.....	1476-1477
Title amended.....	1477
Signed by President.....	1566
Sent to Governor.....	1848
Approved by Governor.....	1873
65 By Cole of Delaware. Horse and Mule Breeders Association.	
Received, referred.....	1208, 1225
Referred to appropriations.....	1245
Recommended passage.....	1281
Action deferred.....	1327
Passed; ayes 29, nays 12.....	1359
Signed by President.....	1434
67 By Martin. Taxes on mortgaged real estate.	
Received.....	1419
Referred to sifting committee.....	1471
70 By Reimers. Public county libraries.	
Received, referred.....	888-889
71 By Reimers. Branch public libraries.	
Received, referred to public libraries.....	888-889
Recommended passage.....	949
Passed; ayes 31, nays 0.....	1158-1159
Signed by President.....	1186
73 By Ickis. Pinnated grouse and prairie chickens.	
Received, referred.....	378, 379
Recommended passage.....	685
Passed; ayes 33, nays 0.....	857
Signed by President.....	893

H. F.	Page
74 By Prichard. Architectural examiners.	
Received, referred.....	427, 432
Recommended passage.....	694
Passed; ayes 42, nays 3.....	977-978
Signed by President.....	1043
76 By Walrod. Recording of town and city plats.	
Received, referred.....	435, 442
Recommended passage.....	532
Passed; ayes 43, nays 0.....	600
Signed by President.....	660
77 By Committee on Judiciary No. 2. Delinquent corporations.	
Received, referred to code revision.....	229, 230
Recommended indefinite postponement.....	420
Indefinitely postponed.....	431
78 By Committee on Judiciary No. 2. Auditing of claims against state.	
Received, referred.....	229, 231
Recommended passage.....	418
Passed; ayes 37, nays 0.....	465
Signed by President.....	538
79 By Committee on Judiciary No. 2. Insurance commissioner.	
Received, referred.....	229, 231
Recommended passage.....	418
Passed; ayes 38, nays 0.....	460-461
Signed by President.....	538
80 By Committee on Judiciary No. 2. Removal of city and town officers.	
Received, referred.....	229, 231
Recommended passage.....	418
Passed; ayes 36, nays 0.....	461
Signed by President.....	538
81 By Committee on Judiciary No. 2. Defaulting treasurer.	
Received, referred to code revision.....	229, 231
Recommended passage.....	656
Passed; ayes 37, nays 0.....	725, 726
Signed by President.....	775
82 By Committee on Judiciary No. 2. Escheated lands.	
Received, referred to code revision.....	229, 231
Recommended passage.....	656
Passed; ayes 33, nays 9.....	855-856
Signed by President.....	893
83 By Committee on Judiciary No. 2. Machine guns.	
Received, referred.....	323, 331
Recommended passage.....	695
Amended, passed; ayes 41, nays 0.....	967, 968
Insisted.....	1276-1277
Conference report adopted.....	1556-1557
Signed by President.....	1596
84 By Committee on Judiciary No. 2. Sewer proceedings.	
Received, referred.....	230, 232
Passed; ayes 37, nays 0.....	465-466
Signed by President.....	538
85 By Committee on Judiciary No. 2. Bankruptcy.	
Received, referred.....	229, 231

H. F.	Page
Recommended passage .....	572
Passed; ayes 37, nays 2.....	618
Signed by President.....	660
86 By Committee on Judiciary No. 2. Giving judges authority to fix bonds in assignment cases.	
Received, referred .....	229, 231
Recommended passage .....	418
Passed; ayes 26, nays 6.....	466-467
Motion to reconsider.....	501
87 By Committee on Judiciary No. 2. Salaries of certain state officers.	
Received, referred to Judiciary No. 2.....	230, 232
Recommended passage .....	437
Passed; ayes 29, nays 0.....	588-589
Signed by President.....	660
88 By Committee on Judiciary No. 2. Nomination certifi- cates.	
Received, referred .....	230, 232
Recommended passage .....	417
Passed; ayes 36, nays 0.....	464
Signed by President.....	538
89 By Committee on Judiciary No. 2. Giving to supreme court clerk power to admin- ister oaths.	
Received, referred .....	230, 232
Recommended passage .....	417
Passed; ayes 38, nays 0.....	460
Signed by President.....	538
90 By Committee on Judiciary No. 2. Approval of bonds of state officers.	
Received, referred .....	230, 232
Recommended passage .....	417
Passed; ayes 33, nays 0.....	463
Signed by President.....	538
91 By Committee on Judiciary No. 2. State printing board.	
Received, referred .....	230, 232
Recommended passage .....	417
Passed; ayes 37, nays 0.....	463
Signed by President.....	538
92 By Committee on Judiciary No. 2. Withdrawal of candi- dates.	
Received, referred .....	230, 232
Recommended passage .....	416
Passed; ayes 36, nays 0.....	462
Signed by President.....	538
100 By Wamstad. Embezzle- ment by public officer.	
Received, referred .....	287, 290
Recommended passage .....	437
Failed to pass; ayes 22, nays 16.	521
Motion to reconsider.....	527
101 By Wamstad. Double election boards.	
Received, referred .....	675, 684
Recommended passage .....	895
Passed; ayes 40, nays 0.....	1139
Signed by President.....	1186
102 By Wamstad. False as- sumption as an officer.	
Received, referred .....	287, 290
Recommended passage .....	1021

H. F.	Page
107 By Ontjes. School board vacancies.	
Received, referred .....	286, 289
Recommended passage .....	308
Passed; ayes 44, nays 0.....	342
Signed by President.....	391
109 By Committee on Judiciary No. 2. State library commis- sion.	
Received, referred to code revi- sion .....	259, 263
Recommended passage .....	656
Passed; ayes 33, nays 0.....	854-855
Signed by President.....	983
110 By Committee on Judiciary No. 2. Expense of state en- tomologist.	
Received, referred .....	259, 263
Committee recommended pas- sage .....	656
111 By Committee on Judiciary No. 2. Returns of marriage.	
Received, referred .....	259, 264
Recommended passage .....	657
Passed; ayes 32, nays 0.....	854
Signed by President.....	893
113 By Bush. Noxious weeds.	
Received, referred .....	960, 976
Recommended amendment and passage .....	996
Amendment adopted.....	1182
Amended, passed; ayes 27, nays 2 .....	1182
Signed by President.....	1271
114 By Charlton. Budget bill for counties.	
Received .....	1018
Referred .....	1034
115 By Smith. School elections.	
Received, referred .....	415, 422
Recommended passage .....	821
Amended, passed; ayes 38, nays 1 .....	1120-1121
Signed by President.....	1245
116 By Berry. Monroe county.	
Received, referred.....	690
Recommended passage .....	778
Passed; ayes 28, nays 0.....	1013-1014
Signed by President.....	1074
117 By W. S. Kennedy. Nagle vs. Whiting election contest.	
Received, referred .....	675, 685
Recommended passage .....	777
Amended, passed; ayes 39, nays 0 .....	1075
Signed by President.....	1186
118 By Blair. Overseers of the poor.	
Received, referred .....	820, 821
Recommended passage .....	933
Passed; ayes 31, nays 1.....	1152-1153
Signed by President.....	1186
120 By Hattendorf. Compensa- tion of township clerks.	
Received, referred .....	478, 480
Recommended amendment and passage .....	697
Amendment adopted .....	982
Amended, passed; ayes 38, nays 0 .....	982-983
Signed by President.....	1043

H. F.	Page
123 By Ratliff, School with small attendance.	
Received, referred	820, 830
Recommended passage	974
Passed; ayes 29, nays 0	1173
Signed by President	1245
128 By Forsling, Compensation of officers of cities and towns.	
Received, referred	862, 866
Passed; ayes 34, nays 3	1521
Signed by President	1581
135 By Bair, Trees along public highways.	
Received, referred	435, 442
Recommended passage	913
Passed; ayes 30, nays 0	1151
Signed by President	1186
140 By Committee on Judiciary No. 2, Neglected, dependent and delinquent children.	
Received, referred	309, 313
Recommended passage	481
Passed; ayes 39, nays 0	543
Signed by President	593
141 By Committee on Judiciary No. 2, Orphans' home.	
Received, referred	309, 313
Recommended passage	482
Passed; ayes 32, nays 0	560-561
Signed by President	593
142 By Cole of Harrison, Missouri Valley.	
Received, referred	478, 480
Recommended passage	693
Passed; ayes 34, nays 0	709
Signed by President	774
143 By Eden, Pensions for firemen and policemen.	
Received, referred	690
Recommended passage	940
Passed; ayes 35, nays 0	1359
Signed by President	1388
144 By Hansen, Farm aid associations.	
Received	1018
Referred	1034
145 By McIntosh, Municipal utility plants.	
Received, referred	1127, 1141
146 By McIntosh, Municipal utilities.	
Received, referred	1127, 1141
147 By Patterson, Municipal utilities.	
Received, referred	1127, 1141
148 By Patterson, George Eden.	
Received, referred	1000, 1005
Recommended passage	1019
149 By Reimers, Road poll tax.	
Received	1018
Referred	1034
150 By Wamstad, Tuition in adjoining state for student residing in district not having four-year high school.	
Received, referred	862, 865
Recommended passage	972
Passed; ayes 38, nays 3	1477-1478
Signed by President	1530

H. F.	Page
151 By Wagner, Soldiers Orphans' Home.	
Received, referred	960, 977
Recommended passage	992
Passed; ayes 30, nays 0	1178
Signed by President	1245
157 By Hill, Official Register.	
Received, referred	478, 489
Returned by committee	558
Passed; ayes 33, nays 0	558
Signed by President	593
160 By Grimwood, Electric transmission lines.	
Received, referred	580, 581
Recommended passage	802
Passed; ayes 39, nays 1	1099
Signed by President	1186
162 By Crozier, Executors, administrators and trustees.	
Received, referred	589, 691
Recommended passage	539
Passed; ayes 43, nays 0	1478-1479
Signed by President	1530
163 By Akin, Four County Fair Association.	
Received, referred	366, 977
Recommended passage	1089
Made special order	1161
Passed; ayes 35, nays 0	1226
Signed by President	1281
166 By Hale, Street improvement and sewers.	
Received, referred	863, 866
172 By Simmer, Street lighting.	
Received, referred	888, 889
Recommended passage	941
Passed; ayes 33, nays 0	1158
Signed by President	1183
173 By Simmer, Fire protection.	
Received, referred	752, 770
174 By Wagner, Assessment of machinery installed in buildings.	
Received	1018
Referred	1035
177 By Hubbard, Larceny of domestic animals.	
Received, referred	775, 791
Recommended indefinite postponement	940
Report rejected	938
Amendment filed	1026
Passed; ayes 40, nays 0	1479
Signed by President	1530
182 By Venard, Substitute jurors.	
Received, referred	1364, 1376
Reported out	1451
Action deferred	1494
Passed; ayes 26, nays 7	1508
Signed by President	1581
183 By Committee on Military, Bonus and disability fund.	
Received, passed on file	435, 441
Substituted for S. F. 180	448
Passed; ayes 41, nays 1	448
Signed by President	519

H. F.	Page
184 By Committee on Military. Authorizing governor to receive and distribute certain funds now in possession of Secretary of War.	
Received, referred.....	458, 459
Recommended passage.....	533
Passed; ayes 43, nays 0.....	602-693
Signed by President.....	660
185 By Forsling. Poll tax exemption.	
Received, referred.....	1030, 1044
187 By W. S. Kennedy. Tax assessment in cities under special charter.	
Received, referred.....	1127, 1140
Passed; ayes 40, nays 0.....	1316
Signed by President.....	1363
189 By Committee on Board of Control. Prison labor.	
Received.....	594
Substituted for S. F. 192.....	615
Amendment filed.....	622
Failed to pass; ayes 25, nays 21.....	651, 653
Motion to reconsider.....	657
Reconsideration prevailed.....	670-671
Amended, passed; ayes 32, nays 15.....	671, 674
Signed by President.....	750
191 By Committee on Judiciary No. 2. Fees collected by commissioner of insurance.	
Received, referred.....	458, 459
Committee recommended passage.....	975
192 By Committee on Judiciary No. 2. Cities under special charter.	
Received, referred.....	458
Recommended passage.....	780
Passed; ayes 40, nays 0.....	1069
Signed by President.....	1125
193 By Committee on Judiciary No. 2. House of Representatives.	
Received, referred.....	457, 458
Recommended passage.....	693
Passed; ayes 32, nays 0.....	728-729
Signed by President.....	774
194 By Charlton. Municipal court.	
Received, referred.....	1059, 1980
Passed; ayes 34, nays 0.....	1317
Signed by President.....	1363
195 By Charlton. Transfer of misdemeanor cases.	
Received, referred.....	1031, 1044
Passed; ayes 37, nays 0.....	1317-1518
Signed by President.....	1363
196 By Kline. Muskrats.	
Received, referred.....	1030, 1043
Reported out.....	1151
Passed; ayes 32, nays 7.....	1490
Signed by President.....	1581
199 By Committee on Military. Soldiers relief commission.	
Received, passed on file.....	436, 441
Substituted for S. F. 181.....	448
Passed; ayes 42, nays 0.....	449
Signed by President.....	519

H. F.	Page
203 By Wamstad. Drainage.	
Received, referred.....	820, 830
Recommended passage.....	950
Passed; ayes 29, nays 0.....	1160-1161
Signed by President.....	1186
204 By Fleming. Town of Manilla.	
Received, referred.....	1000, 1005
Substituted for S. F. 368.....	1015
Passed; ayes 31, nays 0.....	1015
Signed by President.....	1074
206 By Mathews. Tax levy for parks.	
Received, referred.....	862, 866
Substituted for S. F. 206.....	875
Passed; ayes 27, nays 6.....	875
Signed by President.....	938
208 By Forsling. County treasurers.	
Received.....	863
Referred.....	885
Recommended passage.....	976
Action deferred.....	1162
Made special order.....	1169
Amended, passed.....	1195-1196
Signed by President.....	1271
210 By O'Donnell. Deputy county officers.	
Received, referred.....	820, 831
Recommended passage.....	979
Passed; ayes 29, nays 0.....	1162, 1163
Signed by President.....	1186
214 By Oliver. Increasing number of petitioners necessary for a drainage district.	
Received, referred.....	1031, 1044
Reported out.....	1335
Amended, passed; ayes 27, nays 2.....	1404
Signed by President.....	1530
215 By Committee on Interstate Bridges. Interstate bridges.	
Received, referred.....	675, 685
Recommended amendment and passage.....	971
Made special order.....	1179
Amendments adopted.....	1196-1198
Amended, failed to pass; ayes 18, nays 22.....	1198-1203
217 By Hollingsworth. School tuition for children of employees residing in state institutions.	
Received, referred.....	1364, 1376
Reported out.....	1451
Passed; ayes 41, nays 0.....	1488
Signed by President.....	1581
222 By McIntosh. Municipal emergency funds.	
Received, referred.....	820, 830
Recommended passage.....	941
Passed; ayes 40, nays 0.....	1396
Signed by President.....	1530
226 By Simmer. Surplus earnings of municipally owned utilities.	
Received, referred.....	280, 831
Recommended passage.....	941
Amendment filed.....	958
Amended, passed; ayes 29, nays 0.....	1002
Signed by President.....	1074

H. F.	Page
228 By Crone. Kindergartens.	
Received, referred.....	950, 956
Recommended amendment and passage.....	996
Reported out.....	1307
Amendment adopted.....	1327 1323
Amendments filed.....	1342
Passed; ayes 26, nays 11.....	1361
Signed by President.....	1431
230 By Hubbard. Assessment for drainage repairs.	
Received, referred.....	969, 977
Committee recommended amendment and passage.....	1022
232 By Committee on Public Health. Appropriation for membership of state board of health in national organization.	
Received, referred.....	950, 956
Recommended passage.....	1020
Amended, passed; ayes 35, nays 0.....	1074
Signed by President.....	1186
235 By Bair. Permanent school fund.	
Received, referred.....	950, 956
Returned without recommendation.....	973
238 By Forsling. Town of Sergeant Bluff.	
Received, referred.....	1001, 1005
Recommended passage.....	1019
Passed; ayes 29, nays 0.....	1173-1180
Signed by President.....	1243
240 By Berry. Methods of conducting air currents in coal mines.	
Received.....	1418
Referred.....	1471
242 By Hubbard. Drainage assessments.	
Received, referred.....	1001, 1605
Passed; ayes 36, nays 0.....	1319
Signed by President.....	1363
247 By Grimwood. Use of Capitol buildings and grounds.	
Received, referred.....	775, 791
Recommended passage.....	919
Passed; ayes 29, nays 0.....	1160
Signed by President.....	1186
248 By Knutson. Alimony.	
Received, referred.....	1187, 1209
249 By Hager. Junior colleges.	
Received, referred.....	942, 943
Passed; ayes 44, nays 0.....	1476
Signed by President.....	1530
257 By Venard. Soldiers relief commission.	
Received, referred.....	1116, 1148
Reported out.....	1133
Passed; ayes 29, nays 10.....	1512
Signed by President.....	1581
258 By Committee on Insurance. Life insurance.	
Received, referred.....	845, 849
259 By Johnson of Marlon. Marion county.	
Received, referred.....	999, 1004
Placed on calendar.....	1119
Passed; ayes 29, nays 0.....	1178
Signed by President.....	1245

H. F.	Page
262 By Oliver. Fees to state treasurer.	
Received, referred.....	1031, 1045
Recommended placing on calendar.....	1241
Amended, passed; ayes 35, nays 0.....	1258
Signed by President.....	1362
263 By Oliver. Railroad commission.	
Received, referred.....	1031, 1045
264 By Oliver. Employees of penitentiary.	
Received, referred.....	1031, 1044
265 By Committee on Public Schools. Schools—publishing financial statement.	
Received, referred.....	845, 849
Recommended amendment and passage.....	973
Amended, passed; ayes 37, nays 0.....	1325
Signed by President.....	1434
266 By Committee on Public Schools. County superintendents of schools.	
Received, referred.....	845, 849
Recommended passage.....	973
Amendment filed.....	1242
Sifting committee recommended amendment.....	1468
Amended, passed; ayes 36, nays 0.....	1511
Signed by President.....	1581
267 By Committee on Public Schools. State aid for standard schools.	
Received, referred.....	845, 849
Recommended passage.....	973
Reported out.....	1301
Passed; ayes 28, nays 0.....	1336 1337
Signed by President.....	1388
268 By Committee on Public Schools. Public school libraries.	
Received, referred.....	844, 848
Recommended passage.....	974
Passed; ayes 32, nays 0.....	1337
Signed by President.....	1388
271 By Stepanek. Canceling special assessment for graveling and refunding installments paid.	
Received, referred.....	1165, 1166
Passed; ayes 34, nays 1.....	1319
Signed by President.....	1363
275 By Held. Licenses for dogs.	
Received, referred.....	1502, 1505
Passed; ayes 30, nays 0.....	1542
Signed by President.....	1596
280 By Wagner. Playgrounds and swimming pools.	
Received, referred.....	1165, 1167
282 By Wagner. Street improvements.	
Received.....	1018
Referred.....	1035
283 By Wamstad. Medical and surgical treatment for indigent persons.	
Received, referred.....	1340, 1341



286 By Committee of Conservation of Resources. Dams for municipal purposes.  
 Received, referred.....862, 865  
 Placed on calendar.....1184  
 Passed; ayes 37, nays 0.....1246  
 Signed by President.....1308

289 By Committee on Animal Industry. Bovine tuberculosis.  
 Received, referred.....950, 956  
 Recommended passage.....996  
 Amendment filed.....1056  
 Passed; ayes 32, nays 4.....1320-1321  
 Signed by President.....1363

292 By Hager. Uniform conveyance blanks.  
 Received, referred.....1148, 1163

298 By Simmer. Thresherman's lien.  
 Received, referred.....1165-1167

306 By Rutledge. Trust funds may be invested in building and loan stock.  
 Received, referred.....1208, 1225

308 By Ickis. Union county.  
 Received, referred.....1000, 1005  
 Recommended passage.....1019  
 Passed; ayes 34, nays 0.....1322  
 Signed by President.....1530

309 By Knudson. Hamilton county.  
 Received, referred.....1000, 1005  
 Recommended passage.....1020  
 Substituted for S. F. 329.....1076  
 Passed; ayes 39, nays 0.....1076  
 Signed by President.....1125

315 By Bixler. Local budgets.  
 Received, referred.....752, 771  
 Recommended indefinite postponement.....975

317 By Johnson of Dickinson. Delinquent personal property taxes.  
 Received, referred.....1346, 1358  
 Passed; ayes 32, nays 5.....1522-1523  
 Signed by President.....1581

318 By Krouse. County attorneys.  
 Received, referred.....1146, 1148

319 By Nagle. Iowa City.  
 Received, referred to judiciary.....752, 770  
 Passed; ayes 29, nays 0.....858  
 Signed by President.....893

325 By McCaulley. Jury commissioners.  
 Received, referred.....1031, 1045

326 By Committee on Public Schools. Consolidated school districts.  
 Received, referred.....950, 957

327 By McCaulley. Reinsurance.  
 Received, referred.....1030, 1044  
 Recommended amendment and consideration.....1244  
 Amendment adopted.....1260  
 Passed; ayes 32, nays 0.....1260  
 Signed by President.....1362

H. F. Page

328 By Knutson. Tax payments.  
 Received, referred.....1031, 1045  
 Recommended passage.....1097  
 Amended, passed; ayes 45, nays 0.....1100  
 Signed by President.....1186

329 By Quirk. Town of Lake View.  
 Received, referred.....1000, 1005  
 Recommended passage.....1097  
 Passed; ayes 29, nays 0.....1174  
 Signed by President.....1245

330 By Committee on Building and Loan. Membership fee for building and loan associations.  
 Received in Senate.....1018  
 Referred.....1034  
 Placed on calendar.....1119  
 Passed; ayes 41, nays 0.....1228  
 Signed by President.....1281

331 Committee on Building and Loan. Investment of surplus funds of building and loan associations.  
 Received.....1018  
 Referred.....1035  
 Placed on calendar.....1119  
 Substituted for S. F. 302.....1121  
 Passed; ayes 39, nays 0.....1122  
 Signed by President.....1186

332 By Bush. Town of Aurelia.  
 Received, referred.....999, 1004  
 Placed on calendar.....1119  
 Passed; ayes 28, nays 0.....1175  
 Signed by President.....1245

333 By Bush. Town of Aurelia.  
 Received, referred.....1000, 1006  
 Placed on calendar.....1119  
 Passed; ayes 29, nays 0.....1175  
 Signed by President.....1245

339 By McCaulley. Conveyance or incumbrance on real estate not valid unless contains legal description.  
 Received, referred.....1166, 1167  
 Reported out.....1314  
 Amended, passed; ayes 31, nays 2.....1473  
 Signed by President.....1566

342 By Wagner. River fronts and levee improvements.  
 Received, referred.....1455, 1470

347 By Committee on Agriculture. Agricultural cooperative associations.  
 Received, referred.....1502, 1505  
 Passed; ayes 31, nays 4.....1546  
 Signed by President.....1596

348 By McCaulley. Legalizing acts of clerks of probate courts.  
 Received, referred.....1363, 1376

350 By Charlton. Sewers.  
 Received, referred.....1208, 1225

352 By Forsling. Personal taxes.  
 Received, referred.....1165, 1167  
 Passed; ayes 34, nays 0.....1322  
 Signed by President.....1363

H. F.	Page
354 By Hanson. Forest City.	
Received, referred.....	999, 1004
Placed on calendar.....	1119
Passed; ayes 34, nays 0.....	1261
Signed by President.....	1308
358 By Simmer. Wapello county.	
Received, referred.....	1418, 1422
Reported out.....	1451
Passed; ayes 39, nays 0.....	1484-1485
Signed by President.....	1566
359 By Committee on Suppres- sion of Intemperance. Intox- icating liquors.	
Received, referred.....	1059, 1080
Recommended placing on calen- dar.....	1244
Passed; ayes 28, nays 2.....	1259
Signed by President.....	1308
360 By Committee on Judiciary No. 2. County aid to the blind.	
Received, referred.....	1031, 1044
361 By Committee on Judiciary No. 2. Life insurance.	
Received, referred.....	1030, 1044
362 By Committee on Judiciary No. 2. Foods, agricultural seeds and paints.	
Received; referred.....	1030, 1044
Reported out.....	1307
Amendments filed.....	1377
Amended, action deferred.....	1397-1399
Receded on amendment.....	1456-1459
Passed; ayes 34, nays 4.....	1457-1459
Signed by President.....	1530
366 By McCaulley. Trials and judgments.	
Received, referred.....	1340, 1341
Passed; ayes 39, nays 0.....	1523
Signed by President.....	1581
376 By Wagner. Road fund in cities under special charter.	
Received, referred.....	1165, 1167
379 By Committee on Cities and Towns. Platting of land ad- jacent to cities.	
Received, referred.....	1146, 1147
Placed on calendar.....	1223
Substituted for S. F. 397.....	1232
Passed; ayes 37, nays 0.....	1233
Signed by President.....	1281
380 By Committee on Cities and Towns. City planning com- missions.	
Received, referred.....	1146, 1148
Placed on calendar.....	1223
Substituted for S. F. 398.....	1233
Passed; ayes 34, nays 0.....	1233
Signed by President.....	1281
381 By Committee on Cities and Towns. Streets and public grounds.	
Received, referred.....	1146, 1147
Placed on calendar.....	1223
Substituted for S. F. 399.....	1234
Passed; ayes 36, nays 0.....	1234
Signed by President.....	1281
387 By Cole of Delaware. Town of Ryan.	
Received, referred.....	1407, 1421
Reported out.....	1451

H. F.	Page
Passed; ayes 39, nays 0.....	1483
Signed by President.....	1581
392 By Griswold. Notice of ap- praisalment for inheritance tax.	
Received, referred.....	1166, 1167
396 By Hansen. Redefining nul- sances.	
Received, referred.....	1187, 1204
Passed; ayes 35, nays 0.....	1510
Signed by President.....	1581
398 By Hunt. Muscatine and Louisa counties.	
Received, referred to appropria- tion.....	1381, 1389
Passed; ayes 37, nays 0.....	1513
Signed by President.....	1581
399 By Johnson of Dickinson. Widows' pensions.	
Received, referred.....	1207, 1225
Passed; ayes 31, nays 0.....	1507
Signed by President.....	1581
407 By Rice. Additional su- preme court judge.	
Received, referred.....	1363, 1376
Passed; ayes 37, nays 1.....	1481
Signed by President.....	1566
416 By Elliott. Consolidating city and school elections.	
Received, referred.....	1455, 1471
Passed; ayes 30, nays 0.....	1543
Signed by President.....	1596
426 By Johnson of Marion. In- surance.	
Received, referred.....	1208, 1225
Reported out.....	1307
Passed; ayes 30, nays 0.....	1339
Signed by President.....	1388
428 By McCaulley. Calhoun county.	
Received, referred.....	1407, 1422
Reported out.....	1451
Passed; ayes 41, nays 0.....	1485
Reconsidered passage.....	1487
Amended, passed; ayes 45, nays 0.....	1488
Signed by President.....	1596
435 By Committee on Agricul- ture. Commercial feeds.	
Received, referred.....	1165, 1167
438 By Committee on Police Regulations. Dumping rub- bish on a highway.	
Received, referred.....	1166, 1167
Passed; ayes 35, nays 0.....	1480
Signed by President.....	1530
440 By Charlton. Art museums.	
Received, referred.....	1502, 1505
Passed; ayes 28, nays 2.....	1544-1545
Signed by President.....	1596
444 By Eden. City or town hall.	
Received, referred.....	1187, 1204
Reported out.....	1451
Passed; ayes 40, nays 1.....	1493
Signed by President.....	1581
448 By Nagle. Township high schools.	
Received, referred.....	1363, 1376

H. F.	Page
449 By Nagle, John Joseph Rouse.	
Received, referred.....	1381, 1390
Passed; ayes 35, nays 0.....	1514
Signed by President.....	1581
453 By Committee on Appropriations. Allowing mines sixty days to replace licensed men leaving their work.	
Received.....	1018
Referred.....	1035
Placed on calendar.....	1184
Amendment adopted.....	1247
Passed; ayes 40, nays 1.....	1247
Signed by President.....	1362
457 By Hempel, Clayton county.	
Received, referred.....	999, 1004
Passed; ayes 39, nays 0.....	1130
Signed by President.....	1186
458 By Hill, Streets.	
Received, referred.....	1346, 1358
Passed; ayes 35, nays 0.....	1524
Signed by President.....	1581
467 By Committee on County and Township Organization. Extending provision of state sinking fund for public deposits to include fiduciary funds.	
Received, referred.....	1417, 1422
Failed to pass; ayes 21, nays 16.....	1548
Reconsidered.....	1555
Failed to pass; ayes 21, nays 19.....	1556
468 By Johnson of Keokuk. Board of audits to audit claims against board of control and board of education.	
Received, referred.....	1059, 1080
470 By Committee on Claims. Roy Rogers.	
Received, referred.....	1381, 1390
Passed; ayes 39, nays 0.....	1495
Signed by President.....	1581
471 By Committee on Claims. Elsie Brogan.	
Received, referred.....	1381, 1390
Passed; ayes 40, nays 0.....	1491
Signed by President.....	1581
472 By Committee on Claims. Bertha Sheesley.	
Received, referred.....	1381, 1390
Passed; ayes 40, nays 0.....	1515
Signed by President.....	1581
475 By Committee on Insurance. Fraternal insurance for children.	
Received, referred.....	1347, 1358
Reported out.....	1451
Amended, passed; ayes 30, nays 5.....	1492
Signed by President.....	1596
475 By Committee on Motor Vehicles and Transportation. Speed limits for motor carriers.	
Received, referred.....	1187, 1204
Passed; ayes 31, nays 0.....	1323
Signed by President.....	1363

H. F.	Page
478 By Committee on Cities and Towns. Installment assessments for street improvements.	
Received, referred.....	1201, 1225
479 By Committee on Cities and Towns. Flood protection.	
Received, referred.....	999, 1004
Recommended amendment and passage.....	1023
Amendments adopted.....	1171
Passed; ayes 30, nays 0.....	1171
Signed by President.....	1271
484 By Committee on Public Schools. Teachers' certificates.	
Received, referred.....	1364, 1377
485 By Committee on Public Schools. Prohibiting agents entering school buildings.	
Amended, passed; ayes 36, nays 0.....	1552
Title amended.....	1554
Signed by President.....	1596
487 By Committee on Cities and Towns. Paving repair fund.	
Received, referred.....	1455, 1470
490 By Committee on Public Schools. Standard schools.	
Received, referred.....	1364, 1376
494 By Committee on Public Utilities. Electric transmission lines.	
Received, referred.....	1418, 1422
503 By Committee on Appropriations. Appropriation to refund certain taxes paid by insurance companies.	
Received, referred.....	1381, 1389
Passed; ayes 38, nays 0.....	1516
Signed by President.....	1581
504 By Committee on Fish and Game. Fishing licenses.	
Received, referred.....	1418, 1422
Passed; ayes 36, nays 0.....	1525
Signed by President.....	1581
505 By Committee on Motor Vehicles and Transportation. Danger signals on road machinery.	
Received, referred.....	1418, 1422
Reported out.....	1451
Passed; ayes 37, nays 0.....	1492
Signed by President.....	1581
506 By Committee on Claims. Vera Gage.	
Received, referred.....	1391, 1406
Passed; ayes 37, nays 0.....	1428
Signed by President.....	1530
507 By Committee on Claims. Francine Talbot.	
Received, referred.....	1391, 1405
Passed; ayes 36, nays 0.....	1429
Signed by President.....	1530
508 By Committee on Claims. Marshall county.	
Received, referred.....	1380, 1389
Passed; ayes 40, nays 0.....	1517
Signed by President.....	1581

H. F.	Page
509 By Committee on Claims. Animals slaughtered on account of tuberculosis. Received, referred to appropriations.....	1380, 1389
Passed: ayes 40, nays 10.....	1517
Signed by President.....	1581
512 By Committee on Appropriations. Roster of Iowa soldiers. Received, referred to appropriations.....	1380, 1389
Passed: ayes 38, nays 0.....	1518
Signed by President.....	1581
516 By Sifting Committee. Waterworks trustees. Received, referred.....	1418, 1422
Passed: ayes 35, nays 0.....	1541
Signed by President.....	1596
517 By Sifting Committee. Trial information. Received, referred.....	1502, 1505
Passed: ayes 38, nays 0.....	1525
Signed by President.....	1581

H. F.	Page
518 By Committee on Claims. Frebly and Hinford. Received.....	1577
Passed: ayes 34, nays 0.....	1582
Signed by President.....	1596
519 By Committee on Claims. George Christophel. Received.....	1577
Passed: ayes 35, nays 0.....	1581
Signed by President.....	1596
520 By Sifting Committee. Auditor in cigarette division of treasurer's office. Received, referred.....	1455, 1470
Passed: ayes 33, nays 0.....	1526
Signed by President.....	1581
521 By Committee on Appropriations. Salary of additional judge of supreme court. Certain expenses of General Assembly. Received.....	1568
Amended and reconsider amendment.....	1579
Passed: ayes 30, nays 1.....	1580
Signed by President.....	1596

SENATE RECORD ON SENATE JOINT RESOLUTIONS

S. J. R.	Page
1 By Lange. Mississippi Bridge at Dubuque. Introduced, referred.....	104
Recommended amendment and passage.....	206
Amendments adopted.....	215
Passed: ayes 35, nays 2.....	216
Received back.....	581
Reported enrolled.....	590
Signed by President.....	593
Sent to Governor.....	593
Approved by Governor.....	737
2 By Wilson of Page. Independence Sunday. Introduced, referred.....	241
Recommended amendment.....	572
Amendment adopted.....	608
Passed: ayes 33, nays 0.....	608
Received back.....	1017
Reported enrolled.....	1083
Signed by President.....	1083
Sent to Governor.....	1083
Approved by Governor.....	1145

S. J. R.	Page
Signed by President.....	1469
Sent to Governor.....	1469
4 By Ellis. Ratifying federal amendment regarding child labor. Introduced, referred.....	790
5 By Frailey and McFarlane. Convict labor. Introduced, referred.....	843
Recommended reference to appropriations.....	865
Referred to appropriations.....	865
Recommended passage.....	889
Amendment filed.....	1016
Amended, passed: ayes 43, nays 0.....	1235

3 By Gilchrist. Constitutional amendment. Introduced, referred.....	377
Recommended passage.....	507
Passed: ayes 36, nays 12.....	743
Received back.....	1408
Reported enrolled.....	1469

6 By Sifting Committee. Reconsidering the actions of previous assemblies asking Congress for a constitutional convention. Introduced.....	1498
Passed: ayes 35, nays 4.....	1520
Received back.....	1552
Reported enrolled.....	1585
Signed by President.....	1585
Sent to Governor.....	1585
Approved by Governor April 19.....	

SENATE RECORD ON HOUSE JOINT RESOLUTIONS

H. J. R.	Page
1 By Knutson. Compensation of officers of 42d G. A. Received.....	59
Passed: ayes 31, nays 0.....	59
Signed by President.....	141
2 By Knutson. Additional employees of 42d G. A. Received.....	175
Passed: ayes 40, nays 0.....	175

H. J. R.	Page
Signed by President.....	221
5 By Hines. Revision of taxation laws. Received, referred.....	1455, 1470
6 By Committee on Appropriations. Renting of additional office room. Received, referred.....	999, 1004

## RESOLUTIONS

### ACTION ON SENATE CONCURRENT RESOLUTIONS

- No. 1.—For joint committee on inauguration, 10.
- No. 2.—For short January recess, 24.
- No. 3.—For special banking investigating committee, 108, 121, 123, 126.
- No. 4.—Codes for committee rooms and newspaper reporters, 119, 135.
- No. 5.—Memorializing congress for farm relief legislation, 120.
- No. 6.—Tariff on onyx, 131.
- No. 7.—Chicago board of trade, 134, 486.
- No. 8.—For joint convention to hear former Governor W. L. Harding, 139.
- No. 9.—Tariff on molasses, 143, 173.
- No. 10.—Relating to Federal Reserve System, 197, 221.
- No. 11.—Relating to care of dependents and old age pensions, 212, 234.
- No. 12.—Federal estate tax law, 228, 260, 301.
- No. 13.—For joint memorial session for A. B. Cummins and Lafayette Young, 267.
- No. 14.—Investigation of criticisms of Highway Commission, 281, 380, 1558.
- No. 15.—For joint convention to hear Messrs. Seaman and Gilman, 314.
- No. 16.—Fire prevention movie.
- No. 17.—Adjournment for March recess, 369.
- No. 18.—For investigation of state board of education, 382.
- No. 19.—For joint convention to hear Howard P. Savage, 391.
- No. 20.—Chicago Board of Trade, 415, 485.
- No. 21.—McNary-Haugen bill, 446.
- No. 22.—Pioneer Lawmakers, 484.
- No. 23.—McNary-Haugen bill, 573.
- No. 24.—War flags, 644.
- No. 25.—For final adjournment, 866, 1209.
- No. 26.—National political conventions, 1029, 1061, 1336, 1399.
- No. 27.—For joint conventions to hear Senator Brookhart, 1061.
- No. 28.—Employees on duty after close of session, 1345, 1384.
- No. 29.—Purchase of chairs by members, 1505.

---

## RESOLUTIONS

### ACTION ON HOUSE CONCURRENT RESOLUTIONS

- No. 1.—To hear message and canvass vote, 12, 14.
- No. 2.—For joint committee on additional employes, 12, 15.
- No. 3.—Waterway improvement, 233.
- No. 4.—Additional copies of 1926 report of Highway Commission, 242, 270.
- No. 5.—Relating to Federal Reserve System, 268, 270, 290, 325.
- No. 6.—For joint convention to hear Governor Pierce of Oregon, 309.
- No. 7.—For joint convention to hear Col. J. F. McNeil, 325, 331.
- No. 8.—Football, 415, 1506.
- No. 9.—McNary-Haugen bill, 447.
- No. 11.—Interstate bridges, 752, 943.
- No. 12.—The Blackhawk Purchase, 864, 916.
- No. 13.—Danger signals on road machinery on highways, 775, 913.
- No. 14.—For joint convention to hear Prince William, 776.
- No. 16.—Will Rogers, 1210.
- No. 17.—Bovine tuberculosis, 1364, 1403.

**SENATE RESOLUTIONS**

On committee clerks, 10.  
Elmer E. Mitchell memorial, 91.  
Relating to gavel from Washington elm, 129.  
Joseph Mattes memorial, 233.  
William S. Allen memorial, 255.  
Relating to appointments by Governor, 297.  
W. R. Lewis memorial, 304.  
Football, 411.  
D. A. Lyons memorial, 435.  
Allotments of funds by Highway Commission, 481.  
John B. Sullivan memorial, 573.  
For sifting committee, 594.  
John F. Ream memorial, 613.  
J. A. McKlveen memorial, 716.  
Robert Quigley memorial, 834.  
John L. Brookhart memorial, 834.  
J. H. Trewin memorial, 866.  
John B. Classen memorial, 911.  
Transfer of funds, 916, 937.  
William Bell Talman memorial, 938.  
Inviting President Coolidge to Iowa, 1103.  
Rodney W. Tirrill memorial, 1185.  
For evening memorial session, 1228.  
John R. Price memorial, 1271.  
Charles H. Thomas memorial, 1346.  
Sergeant-at-arms, doorkeepers, etc., 1528.  
Illness of Senator Haskell, 1538.  
Anson Marston, 1566.  
On death of Senator Fackler's grandchild, 1569.

## TOPICAL INDEX TO SENATE BILLS

### ABSTRACTS OF RECORD—

Filing in Supreme Court legalized. 326, committee on judiciary No. 2.

### ACADEMIES—

Approval of courses by Iowa board of education. 225, committee on educational institutions.

### AGRICULTURE—

Appropriation for expense of junior champion judging team, 1927. 6, Benson.

Registration of dealers in agricultural lime. 62, Clearman.

Registration of animals. 70, Breakenridge.

Iowa Crop Fest Act. 118, Gilchrist.

Tax exemption for new industries using farm products. 371, Wilson of Page.

Appropriation to eradicate corn borer. 385, committee on appropriations.

### ALGONA—

Authorizing transfer of funds. 382, Breakenridge.

### AMERICAN LEGION BAND AND DRUM CORPS—

Appropriation for expenses to Paris. 236, Stoddard and Cavanaugh.

### ANNOTATIONS—

Refund of excess money paid for same. 80, Stoddard.

Price of supplements to book of annotations. 402, committee on judiciary No. 1.

### APPANOOSE COUNTY—

Legalizing the transfer of funds of. 196, Ellis.

### APPEALS—

Objection to jurisdiction of court. 18, Cavanaugh.

Duty of county attorneys in criminal cases. 33, Cavanaugh.

Amount in controversy—time of filing. 202, Gilchrist.

### APPROPRIATIONS—

Expense of inaugural ceremonies. 1, Johnston.

Expense of junior champion judging team, 1927. 6, Benson.

Budget Bill. 10, Stoddard.

To refund excess money paid for annotations to the code. 80, Stoddard.

For three new normal schools. 88, Gilchrist, Darting and Shane.

Expenses of bank investigating committee. 94, Shinn.

Interest on certain pavement payment due Iowa City. 99, Clearman.

To compensate Jonah Smith for certain services. 128, Topping.

For membership fees to National Board of Health for State Board of Health. 138, committee on public health.

For a forestry department. 139, Rigby.

For expenses of boundary commission. 159, Stoddard.

To refund excess money paid for annotations to the code. 80, Stoddard.

For promotion of agricultural, industrial and commercial development of Iowa. 218, committee on appropriations.

Expenses of American Legion Band and Drum Corps to Paris. 236, Stoddard and Cavanaugh.

Use of appropriation. 253, Committee on appropriations.

For curator to collect material of disbanded G. A. R. Posts. 290, Rigby.

Reimbursing Buchanan county for care of insane patient. 315, committee on claims.

Reimbursing Hardin county for care of insane patient. 341, committee on claims.

- To eradicate corn borer. 491, committee on appropriations.  
 For certain expenses in connection with the 42d G. A. 394, committee on appropriations.  
 To reimburse Liberty Club of Sioux City for certain military equipment. 439, claims committee.  
 For damages by pheasants in Winnebago and Hancock counties. 406.  
 To indemnify C. T. Murphy for injuries. 419, committee on claims.  
 To indemnify George Simpson for injuries. 417, committee on claims.  
 To indemnify Vera Gage for injuries. 416, committee on claims.  
 To return to city of Keokuk money paid into state sinking fund. 422, committee on claims.  
 To indemnify Charles Feenstra for injuries. 420, committee on claims.  
 To compensate Francine Talbot for injuries. 424, committee on claims.  
 Omnibus bill. 418, committee on appropriations.  
 To indemnify Arthur Ashcraft for injuries. 415, committee on claims.  
 For attorney's fees for former superintendent of banking, Robert L. Leach. 421, 423, committee on claims.  
 Convict labor. S. J. R. 5, Frailey and McFarlane.  
 For repairs on capitol and historical buildings. 432, committee on appropriations.  
 Interstate toll bridges. 433, Brown.  
 For expenses in connection with Senate concurrent resolution No. 14. 436, committee on appropriations.  
 For hospital and medical attention to B. F. Skyles for injuries. 438, committee on claims.  
 To Mrs. Cora E. Bolyard for injuries. 440, committee on claims.  
 To Bertha M. H. Shambaugh for services at sesqui-centennial. 441, committee on claims.  
 To obtain Republican and Democratic national conventions for Des Moines. 443, Thompson.  
 To H. C. Jones for care of Patricia Jones. 445, committee on claims.  
 To reimburse funds of embalming examiners. 446, committee on appropriations.

**ARSON—**

- Penalties. 74, Wilson of Polk.

**ASHCRAFT, ARTHUR—**

- Appropriation to indemnify for injuries. 414, committee on claims.

**ASSOCIATIONS NOT CONDUCTED FOR PROFIT—**

- (See charities, churches, and associations.)

**ATTACHMENT—**

- Bond, 172, Wilson of Polk.

**ATTORNEYS—**

- Disbarment of. 127, Frailey.  
 Admission to the bar. 237, Frailey.

**AUTOMOBILES—**

- Civil liability of owners and operators. 8, Booth.  
 Exempting used car dealers from transfer fee. 59, Wilson of Polk.  
 Computing partial year license fees. 58, Wilson of Polk.  
 Portion of license fees to be retained by counties. 69, Brookins.  
 Repealing reduction schedules on automobile licenses. 87, Slemmons.  
 Requiring automobile drivers to stop at all railroad crossings. 102, Klemme.  
 Delinquent license fees. 144, Bergman.  
 Drivers under 15 years of age must be accompanied by person 21 years or over. 145, Bergman.



Changing time that manufacturers must file schedule of prices and weights, 146, Bergman.  
 Authority of agents or inspectors of the motor vehicle department. 147, Bergman.  
 License fees of electric automobiles. 148, Bergman.  
 Licensing operators and chauffeurs. 149, Shaff.  
 Collection of delinquent motor vehicle fees. 150, Langfitt.  
 Increasing speed limit of automobiles. 188, Bergman.  
 Redefining "motor vehicles." 193, Stoddard.  
 Lowering license fees for trucks of three ton capacity or greater which are operated in cities. 274, Stoddard.  
 Providing for seizure of automobiles which have been tampered with. 336, Lange.  
 Wheel tax in special charter cities. 343, Frailey.  
 Tail light when parking on highways. 380, committees on motor vehicles.  
 Certificate of title to owners of automobiles. 389, Stoddard.  
 Regarding the application for reregistration. 392, Brookins.  
 Operation of same at street intersections, approaching street cars—parking regulations—penalties for failure to report an accident. 405, committees on motor vehicles.

**BAD CHECKS—**

False checks. 227, Wilson of Page.

**BAIL—**

Bonds regulations. 320, Gilchrist.  
 Forfeiture. 89, McLeland.

**BAILIFFS—**

Appointment. 393, Wilson of Polk.

**BANKRUPTCY—**

Any person having availed himself of the provisions of bankruptcy ineligible as bank official. 12, Dean.

**BANKS AND BANKING—**

Securing depositors. 12, Dean.  
 Longer period of liability for assessment on bank stock. 12, Dean.  
 Interest on bank deposits. 12, Dean.  
 Additional members to banking board. 13, Dean.  
 Additional powers of banking board. 13, Dean.  
 Nomination of superintendent of banking. 13, Dean.  
 Moratorium for embarrassed bank. 14, Dean.  
 Eligibility of bank officials. 12, Dean.  
 Bank investigating committee. 94, Shinn.  
 Limiting deposits in state banks, trust companies, loan and trust companies to 20 times paid-up capital. 100, Gunderson.  
 Paid-up capital required to organize. 101, Gunderson.  
 Requiring deposit of securities with banking department equal to par value of bank stock. 121, Lange.  
 Exempting from taxation bank surplus up to 100 per cent of paid-in capital. 122, Lange.  
 Prohibiting branch banking. 132 Klemme.  
 Bank dividends not payable for five years after being declared. 162, Browne.  
 False drawing or uttering of checks. 164, Wilson of Polk.  
 False checks—repealing three sections. 227, Wilson of Page.  
 Action on bonds to secure deposit of public funds. 362, Brush.  
 Cooperative banking. 383, Fulton.

**BARBERS AND BEAUTY PARLORS—**

Model barber act. 56, Stoddard and McFarlane.  
Practice of cosmetology. 158, Stoddard and McFarlane.  
Licensing of barbers; rules and regulations. 437, sifting committee.

**BILLIARDS, POOL AND BOWLING—**

Limiting the number of halls in cities. 98, McFarlane.  
Country halls, township license requiring adjoining property consent. 282, Shinn.

**BLIND—**

A department of the school for the blind to aid blind residents of the state. 401, Breakenridge.

**"BLUE SKY"—**

Regulating investment companies. 189, McFarlane.  
Regulating sale of certain securities. 261, Fulton.  
Exempting certain securities from blue-sky laws. 340, Fulton.  
Contracts to sell merchandise under blue-sky laws. 342, 407, committee on judiciary No. 2.  
Sale of securities of public utilities. 372, Dean.

**BOARD OF AUDIT—**

To audit claims of highway commission, board of control and board of education. 363, Roberts.  
Auditing offices of small cities and towns. 425, committee on cities and towns.

**BOARD OF CONTROL—**

Qualifications and appointment of members. 68, Lange.  
Transferring of women from reformatory to insane hospital. 109, Kimberly.  
Prison labor. 192, committee on board of control.  
Board of audit. 363, Roberts.

**BOARD OF EDUCATION—**

Claims audited by board of audit. 363, Roberts.

**BOARD OF PAROLE—**

Reports of county auditor on cost of criminal prosecution. 174, Wilson of Polk.  
Providing for a physician on board of parole. 244, Shane.  
Removing from same power to parole persons sentenced, the maximum term of which is 35 years or more. 325, Gilchrist.  
All paroles to have the approval of governor. 330, Wilson of Page.

**BOLYARD, MRS. CORA E.—**

Appropriation for injuries. 440, claims committee.

**BONDS AND STOCKS—**

Liability for assessments on bank stocks. 12, Dean.  
County bonds—form, maturity and payment. 83, Fulton.  
Sale or offering for sale certain securities. 261, Fulton.  
Building mortgage bonds must be designated as such in red. 264, Roberts and Rigby.

**BOUNDARY COMMISSION—**

Appropriation—expenses of. 159, Stoddard.

**BRIDGES—**

Interstate bridges. J. R. 1, Lange.  
All expenditures for construction submitted to voters. 49, Cavanaugh.  
County bridge fund and county road funds interchangeable. 169, Fackler.  
For appropriation for two interstate toll bridges. 433, Browne.

**BUCHANAN COUNTY—**

Appropriation—to reimburse for money paid insane hospital to care for Rena Setts. 315, committee on claims.

**BUDGET BILL (State)—**

State appropriation bill. 10, Stoddard.  
Introduction in the general assembly. 25, Cavanaugh.

**BUDGET DEPARTMENT—**

Expenses of state as submitted by. 10, Stoddard.  
Expenses of officers and employees. 17, Cavanaugh.  
Budget director's authority to coordinate work of various state departments. 205, Fulton.

**BUILDING AND LOAN—**

Membership fees. 303, Stoddard.  
Investment of surplus funds of building and loan associations. 302, Stoddard.

**CEMETERIES—**

Giving cemetery association organized under territorial legislature same rights as others. 16, Topping.

**CERTIFIED SHORTHAND REPORTERS—**

Examination fees to go to examiners for traveling expenses. 130, Wilson of Polk.

**CHAIN STORES—**

Licensing chain stores. 351, Lange.

**CHARITIES, CHURCHES AND ASSOCIATIONS NOT CONDUCTED FOR PROFIT—**

Solicitation of public donations. 219, committee on judiciary No. 2.  
Soliciting funds. 431, sifting committee.

**CHAUFFEURS—**

Licensing of chauffeurs. 149, Shaff.

**CHECKS—**

False drawing and uttering of checks. 164, Wilson of Polk.  
False checks. 227, Wilson of Page.

**CHILDREN—**

Children's boarding homes. 115, Gunderson.  
Adoption. 116, Gunderson.  
State aid for education of deaf children. 297 Benson.  
Child labor—ratifying federal amendment. J. R. 4, Ellis.

**CIGARETTES—**

Tax on. 215, committee on ways and means.

**CIRCUSES—**

Increasing exhibition fee for traveling circuses. 194, Shane.

**CITIES AND TOWNS—**

Expense of public docks. 4, Lange.  
Civil service in. 5, Lange.  
Tax limitation in commission plan cities. 11, Haskell.  
Removal and appointment of dock commissioners. 3, Lange.  
Reports of municipal officers. 41, Cavanaugh.  
Number of councilmen in commission plan cities. 77, Shane.

- Power to limit number of billiard, pool, dance halls, and bowling alleys. 98, McFarlane.
- Elective and appointive officers. 142, Clearman.
- Using Iowa products in public construction work. 177, Stoddard.
- Increasing amount that may be appropriated for dues to league of municipalities. 197, Cavanaugh.
- Municipal art galleries in cities of 20,000 or more. 198, Cavanaugh.
- Giving "flood protection" to cities of 35,000 or more. 207, Baird.
- In manager plan cities, the police judge or magistrate to be a practicing attorney. 211, Lange.
- Cost at intersections of street improvements. 212, Stoddard.
- Dropping April 1st as maturity date for street improvement bonds. 213 Baird.
- Street improvements—council's valuation of property affected. 214, Fulton.
- Municipal emergency funds. 266, Clark.
- Transferring funds to the park fund. 231, Fralley.
- Increasing mayors' salaries in special charter cities. 270, Wagner.
- Allowing cities of 20,000 or over city manager plan. 248, Johnston.
- Engineer, doing work for a city, to give bond for faithful performance of duties. 250, Baird.
- Employees under civil service. 260, Wilson of Page.
- Joint erection of soldiers memorials by city and county. 278, McFarlane.
- In city election if mayor is candidate for reelection, a judge of municipal court may sit with him to verify count. 281, Shaff.
- Cities' right to construct sewers on any city-owned property. 287, Wilson of Polk.
- Chief of fire department for appointment must be a resident of city at least one year. 288, Wilson of Polk.
- Transferring funds. 295, committee on highways.
- Municipal primaries and conventions. 298, Kimberly.
- Creating a paving repair fund for cities and towns. 355, Ulstad.
- Majority vote authorizes a municipality to contract indebtedness. 359 Fulton.
- Repealing law forbidding city manager to participate in city elections. 374, Lange.
- Method of compiling assessment records and compensation of assessors in cities of 125,000 or more. 388, Wilson of Polk.
- Opening gravel pits inside city limits. 390, Wilson of Polk.
- Platting of land in and adjacent to cities of 25,000 or more. 397 committee on cities and towns.
- Relative to the city plan commissions and their power and duties. 398, committee on cities and towns.
- Streets and public grounds—amending a section on benefited districts. 399, committee on cities and towns.
- Relieving street railways from paving their right of way. 409, committee on cities and towns.
- Providing for state to audit offices in cities and towns with less than 3,000 inhabitants. 425, committee on cities and towns.
- Police courts, establishment. 221, Clearman.
- Transferring surplus earnings of incorporated towns. 427, sifting committee.
- Expenses of public docks in commission form cities of 30,000 or less. 430, sifting committee.
- Municipal utilities, changing limit of indebtedness. 442, Lange.

#### CIVIL LIABILITY—

- Owners and operators of automobiles. 8, Booth.

#### CLAIMS—

(See appropriations)

- Creation of court of claims. 338, Langfitt.

**CLARKE-McNARY ACT—**

Cooperating with same in forestation. 139, Rigby.

**CLAYTON COUNTY—**

Legalizing tax for soldiers monument. 346, Benson.

**CLERK OF DISTRICT COURT—**

Payment of compensation. 265, Clark.

**CODE AND CODE EDITOR—**

Preparation and printing of. 27, Cavanaugh.  
 Dropping of "year" in referring to the code. 46, Cavanaugh.  
 Preparation of pamphlet on "duties of jurors." 47, Cavanaugh.  
 Free distribution of certain laws. 133, Ramsay.

**COMBINATIONS, POOLS AND TRUSTS—**

Regulation of. 111, Skromme.

**COMMERCE AND TRADE—**

Unfair discrimination in sales. 160, Skromme.  
 Grading and selling eggs. 249, Shaff.  
 Selling merchandise or service near any fair grounds. 357, Benson.  
 Sale of sodium fluoride—to be labeled a poison. 369, committee on pharmacy.  
 Tax exemption for new industries using farm products. 371, Wilson of Page.

**COMMISSIONERS OF PUBLIC DOCKS—**

Removal of. 3, Lange.

**COMMON CARRIERS—**

Limitation on liabilities. 43, Cavanaugh.  
 Issuing passes to their employed doctors. 153 Beatty.

**CONCEALED WEAPONS—**

Prohibiting sale of to parties having no permit to carry. 126, Lange.

**CONSTITUTIONAL AMENDMENTS—**

State senators. J. R. 3, Gilchrist.  
 Federal constitutional amendment on child labor. J. R. 4.

**CONTRACT SALES—**

Forcible entry on forfeiture of. 15, Stoddard.  
 Attachment bonds, 172, Wilson of Polk.

**CONVICTS—**

Ex-convicts ineligible as bank officials. 12, Dean.  
 Reduction of sentences. 38, Cavanaugh.  
 Prison labor after July 1, 1927. 192, committee on board of control.  
 Investigation of employment of convict labor in penitentiary and reformatory. J. R. 5, Frailey and McFarlane.

**CORN BORER—**

Iowa crop pest act. 118, Gilchrist.  
 Appropriation for eradication of. 385, committee on appropriations.

**CORPORATIONS—**

Payment of taxes. 42, Cavanaugh.  
 Renewal of charter. 117, Wilson of Polk.  
 Limit of indebtedness. 375, Dean.

**COSMETOLOGY—**

Practice of license, regulations, etc. S. F. 158, Stoddard and McFarlane.

**COUNTY AND TOWNSHIP AFFAIRS—**

- Changing term of office of county officials to four years. 75, Kern; 119, Klemme; 167, Kern and Klemme.
- Form, maturity and payment of county bonds. 83, Fulton.
- Fees collectible by county recorders. 103, Wilson of Page.
- Salaries of assistant county attorneys. 107, McFarlane.
- Appointments of overseers of the poor. 203, Uistad.
- County health officer and public health nurses. 137, committee on public health.
- Temporary assistants for county auditor and recorder. 156, Wilson of Page.
- Placing township roads under supervisors. 163 Bergman.
- Report of county auditor to board of parole on cost of criminal prosecution. 174, Wilson of Polk.
- Using Iowa products in public construction work. 177, Stoddard.
- Funds to pay court clerks and his assistants. 265, Clark.
- County engineer's salary from county road fund. 267, Clark.
- Supervisors' time and mileage devoted to road work to be paid from county road fund. 268, Clark.
- Joint erection of soldiers' memorial by county and city or town. 278, McFarlane.
- Township licenses to operate certain places of amusement—adjoining property consent. 282, Shinn.
- County aid for fairs— $\frac{1}{2}$  mill tax levy. 284, Clark.
- Compensation of county treasurer, recorder, sheriff and clerk in counties of 57,000. 286, McFarlane.
- Transferring funds. 295, committee on highways.
- Allowing counties to buy tax sale real estate. 300, McFarlane.
- All taxes to be paid before record of conveyance can be made. 301, McFarlane.
- Maintaining county law libraries. 304, Haskell.
- Organizing township high schools. 361, Clearman.
- Tax levy for aid to widow in care of child in counties of 140,000 or over. 370, Wilson of Polk.
- Compensation of township trustees—from road fund for time devoted to road work. 396, committee on county and township affairs.

**COUNTY RECORDER—**

- Fees collected by. 103, Wilson of Page.

**COURTS AND COURT PROCEDURE—**

- Jurisdiction, objections to on appeal. 18, Cavanaugh.
- Indictment, motion to set aside. 20, Cavanaugh.
- Discharge of jury; motion in arrest of judgment in criminal cases. 22, Cavanaugh.
- Demurrer to criminal charge, effect. 23, Cavanaugh.
- Forcible entry and detention. 29, Cavanaugh.
- Appeals in criminal cases, service of filings. 33, Cavanaugh.
- Indictment, may charge more than one offense. 34, Cavanaugh.
- Depositions. 39, Cavanaugh.
- Garnishment. 40, Cavanaugh.
- Jurors, selection and examination. 44, Cavanaugh.
- Mandamus, trial in vacation. 48, Cavanaugh.
- Indictment, power of court to amend. 50, Cavanaugh.
- "Struck" jury, repeal: juror as witness. 48, Cavanaugh.
- Abstract of record on appeal. 54, Cavanaugh.
- Defendant, failure to testify. 61, Wilson of Polk.
- Notice of trial, repeal. 73, Wilson of Polk.
- Argument by attorneys, restriction. 141, Kern.
- Written instruments, entry of judgment thereon. 155, Gunderson.
- Attachment bonds. 172, Wilson of Polk.
- Clerk of district court, salary. 173, Wilson of Polk.

Jurisdiction of municipal court. 182, Baird.  
Liquor violations, report by clerk of district court. 183, Gilchrist.  
Clerk of district court, fees in settlement of estates. 190, Merritt.  
Supreme court, appeals to. 202, Gilchrist.  
Police court, establishment. 221, Clearman.  
Clerk of district court and deputies, payment of, compensation. 265, Clark.  
Bail bonds, regulation. 320, Gilchrist.  
Indictments, joint, trial of defendants. 321, Gilchrist.  
Abstracts, filing in supreme court legalized. 326, committee on judiciary No. 2.  
Indeterminate sentence, repeal. 327, Baird and Wilson of Polk.  
Bailliffs, appointment. 393, Wilson of Polk.  
Witnesses in criminal trials, introduction without notice. 395, committee on judiciary No. 1.  
Motion to disarm, hearing on. 411, committee on judiciary No. 1.  
Orders in vacation relating to real estate conveyances. 412, committee on judiciary No. 1.

#### **COURT REPORTERS—**

Increasing maximum expenses to \$5.00 per day. 92, Wilson of Page.

#### **CREEKS—**

(See rivers and creeks.)

#### **CRIMINAL INVESTIGATION—**

Identification of persons accused of crime. 184, Gilchrist.

#### **CURATOR—**

Report of. 26, Cavanaugh.  
Appropriation to collect material of disbanded G. A. R. Posts. 290, Rigby.

#### **DAIRY AND FOOD—**

Inspection of oleomargarine. 67, Benson.  
Grading and selling eggs. 249, Shaff.

#### **DANCE HALLS—**

Limiting number in cities and towns. 98, McFarlane.

#### **DEAD ANIMALS—**

Penalties in connection with disposal of. 76, Shane.

#### **DEAF—**

State aid for education of all children of school age. 297, Benson.  
Repealing qualifications for superintendent of school for deaf. 314, Baird.

#### **DEMOCRATIC NATIONAL CONVENTION—**

For appropriation to obtain for Des Moines. 443, Thompson.

#### **DEMURRERS—**

Sustaining demurrers to criminal charges. 23, Cavanaugh.

#### **DEPARTMENT OF AGRICULTURE—**

State forester under. 139, Rigby.

#### **DEPOSITIONS—**

Taking of. 39, Cavanaugh.

#### **DEVIL'S BACKBONE PARK—**

Authorizing transfer of land to C. L. Gray. 296, committees on conservation.

#### **DEWITT TELEPHONE CO.—**

Legalizing franchise of. 7, Shaff.

**DIKE—**

Legalizing bond issue. 444, sifting committee.

**DISBARMENT—**

Of attorneys. 127, Frailey.

**DOGS—**

Licenses for. 243, Mills.

**DOLLIVER MEMORIAL STATE PARK—**

Authorizing exchange of certain real estate connected with. 257, Cavanaugh.

**DONATIONS—**

Solicitation of public donations. 219, committee on judiciary No. 2; 431, sifting committee.

**DRAINAGE—**

Prior construction improvement in drainage districts. 97, Merritt.

Dissolving a drainage district upon petition. 114, Clearman.

Changing remonstrances against establishment of levee or drainage. 199, Fulton.

Refunding bonds and petition for refunding. 283, Rigby.

**EDUCATIONAL INSTITUTIONS—**

Three additional normal schools. 88, Gilchrist, Darting and Shane.

Probation officers in counties having a state educational institution. 191, Clearman.

Control of dormitories at state educational institutions. 258, McFarlane.

Acceptance of the provisions of the Purnell Act. 240, Skromme.

Rate of interest on funds of state educational institutions. 230, Clearman.

Repealing qualification for superintendent of school for deaf. 314, Baird.

**EGGS—**

Grading and selling same. 249, Shaff.

**ELDON—**

Legalizing transfer of funds by Eldon. 178, Shane.

**ELECTRIC LIGHTS—**

Primary and secondary road surveys to locate electric transmission lines. 271, Shaff.

Locating new lines on primary and secondary roads. 272, Shaff.

Bids for constructing highways to include locating electric light lines. 272, Shaff.

**ELECTRICIANS—**

Licensing same in cities and towns. 332, Wilson of Polk.

**ELECTIONS—**

Election of police judge by entire electorate. 142, Clearman.

Petitions for nomination to have, place of residence, postoffice and date of signing. 241, McLeland.

In city election "a judge of municipal court" may sit with mayor to verify count. 281, Shaff.

In voting to consolidate school districts, country vote to be separate from all other. 294, Merritt.

Only the voters at primary elections to vote at regular elections and repealing change of party affiliations. 391, Fulton

**ESTATES OF DECEDENTS—**

Fees of clerk of district court. 190, Merritt.



**ELLSWORTH COLLEGE—**

Acceptance of gift of college for educational purposes. 254 Ulstad.

**EMBALMING—**

Licensing. 413, committee on public health.

**ENGINEERS (CIVIL)—**

Additional help for board of examiners, annual renewal of certificates of practicing engineers. 251, Baird.

**ENTOMOLOGIST—**

Office of state entomologist under agricultural department. 118, Gilchrist.

**FAIRS—**

Appropriation for deficit for "state aid to fairs" funds. 161, Stoddard.  
County aid— $\frac{1}{2}$  mill for association having \$8,000 worth of property. 284, Clark.

Selling merchandise or service near any fair grounds. 357, Benson.

State aid to fair association. 360, committee on appropriations; 367, committee on appropriations.

**FEENSTRA, CHARLES—**

To indemnify for injuries. 420, committees on claims.

**FELONY—**

Clarifying laws on definition of. 19, Cavanaugh.

Commitments for felony. 21, Cavanaugh.

Stolen property—buying, receiving or concealing same—punishment 20 years imprisonment, \$1,000 fine or both. 322, Gilchrist.

Increasing sentences for felony or attempts thereof, committed with firearms. 322, Gilchrist.

Providing penalties for second, third and fourth conviction of felony and for habitual petty thievery. 324, Gilchrist.

**FERRETS—**

Prohibiting use of same in hunting rabbits. 131, Klemme.

**FINES—**

Fines and sale of personal property against houses of prostitution. 35, Cavanaugh.

**FIREARMS—**

Prohibiting sale of concealed weapons to party having no permit to carry same. 126, Lange.

**FIRE DEPARTMENT—**

Tax levy for maintenance. 259, Wilson of Page.

Chief of fire department must be at least one year resident of city. 288, Wilson of Polk.

**FIREMEN—**

Annual examination and appointment. 5, Lange.

Pensions—men who served in world's war to have time included in department service. 168, McFarlane.

Decreasing number even under civil service. 260, Wilson of Polk.

Exempting from taxation property up to \$3,000 of widow of firemen who lost his life while on duty. 275, Wilson of Polk.

**FIRST AID—**

First aid treatment to injured miners. 228, Skromme.

**FISH AND GAME—**

Repeal of "closed season" on muskrats. 2, Ellis.  
 Extending closed season on quail to Nov. 1, 1931. 85, Clark.  
 Prohibiting use of ferrets in hunting rabbits. 131, Klemme.  
 Licensing fish dealers. 356, Ellis.  
 Creation of state game commission. 365, committee on fish and game.  
 Bounty on fox. 384, McLeland.

**FISHING—**

(See hunting and fishing.)

**FLOOD PROTECTION—**

For cities with 35,000 or more population. 207, Balrd.

**FLOYD COUNTY—**

Legalizing election of. 403, committee on judiciary No. 1.

**FOOD, DRUG AND OTHER ARTICLES—**

Adulteration—injunction for third conviction for same offense. 256, Shaff.

**FORCIBLE ENTRY AND DETENTION—**

Municipal court proceedings. 29, Cavanaugh.

**FORESTRY—**

Forestation of public and privately owned lands. 139, Rigby.

**FOX—**

Bounty on. 384, McLeland.

**FRANKEL CLOTHING CO.—**

Legalizing the corporation acts of. 364, Frailey.

**GAGE, VERA—**

Appropriation to compensate Vera Gage for injuries. 416, committee on claims.

**GARNISHMENTS—**

Notice of filing of and trial on. 40, Cavanaugh.

**GASOLINE—**

Licensing all places where sold. 154, Brookins.  
 Increasing gasoline tax to 3 cents. 187 Bergman; 353, committee on high-ways.  
 Repealing gas tax refund on state and municipal motor vehicles. 263, Roberts.  
 Collecting gas tax at point of importation. 347, Bergman.  
 Refunding tax on trucks and tractors used in road work. 386, Bergman.

**GENERAL ASSEMBLY—**

Eliminating code revision committees in both Houses. 226, Wilson of Page.  
 Senatorial representation—constitutional amendment. J. R. 3, Gilchrist.  
 Appropriation for certain expenses in connection with. 394, committee on appropriations.

**GENERAL FUND—**

Budget Bill. 10, Stoddard.  
 Introduction of biennial appropriation in the General Assembly. 25, Cavanaugh.

**G. A. R.—**

Appropriation for curator to collect material of disbanded posts. 290, Rigby.

**GRAVEL PITS—**

Opening same within city limits. 390, Wilson of Polk.

**GRAY, C. L.—**

Authorizing transfer of certain lands. 296, committee on conservation.

**HAMILTON COUNTY—**

Legalizing transfer of funds. 329, Ulstad.

**HARDIN COUNTY—**

Reimbursing same for care of insane patient. 341, committee on claims.

**HEALTH—**

Barber bill. 56, Stoddard and McFarlane.

Appointment of county health officer and nurses. 137, committee on public health.

Membership in National Board of Health of state organizations. 138, committee on public health.

Practice of cosmetology. 158, Stoddard and McFarlane.

**HIGHWAYS—**

(See roads and highways.)

**HIGHWAY COMMISSION—**

Confirmation of appointments. 9, Fulton.

Elimination of ex-officio member and making all members appointive. 78, Benson.

Centralizing control of primary roads in highway commission. 104, Shaff.

Office of state treasurer to receive \$5,000 annually from the highway commission's maintenance fund. 277.

Appointment of commission of five members. 352, committee on highways.

Audit of claims against. 353, committee on highways.

Claims to be audited by board of audits. 363, Roberts.

Legal aid for, 434, sifting committee.

**HOSPITALS—**

Trustees of county hospitals. 63, Kimberly.

Grates for the windows of hospitals for the insane. 224, Gilchrist.

Duties of officers of county hospitals on surgical cases. 229, Fulton.

Requiring physicians and hospital authorities to report injuries from firearms. 319, Gilchrist.

Duties of officers of county hospitals on surgical cases. 229, Fulton.

**HOUSES OF PROSTITUTION—**

Fines and sale of property. 35, Cavanaugh.

**HUNTING AND FISHING—**

Repeal of "closed season" on muskrats. 2, Ellis.

Extending closed season on quail to November 1, 1931. 85, Clark.

Transmitting hunting and fishing license fee to state treasurer. 106, Clark.

Prohibiting use of ferrets in hunting rabbits. 131, Klemme.

Closed season for "fur-bearing animals"—adding raccoon and skunk to list—changing date. 391, Ellis.

**INAUGURAL CEREMONIES—**

Expense of. 1, Johnston.

**INDEPENDENCE SUNDAY—**

Recognition and establishment of J. R. 2, Wilson of Page.

**INDETERMINATE SENTENCE—**

Repeal. 327, Baird and Wilson of Polk.

**INDICTMENT—**

Motion to set aside. 20, Cavanaugh.  
 Two or more offenses charged. 34, Cavanaugh.  
 Joint trial of defendants. 321 Gilchrist.  
 Regulating bail bonds. 321, Gilchrist.

**INSANE HOSPITAL—**

Transferring women from reformatory to. 109, Kimberly.  
 Grates for the windows. 224, Gilchrist.

**INSURANCE—**

Checking of deposits of life insurance companies with insurance department.  
 72, Haskell.  
 Securities deposited by insurance companies in Insurance Department. 140,  
 Shane.  
 Stock company (insurance) dividends. 179, Browne.  
 Giving insurance commissioner additional deputies and other help. 208,  
 Fralley.  
 A corporation insuring the lives of its officers. 238, Carden.  
 No dividends except out of earned profits. 246, Browne.  
 Relating to approval of life insurance policy forms by commissioner of in-  
 surance. 262, committee on insurance.  
 Investment of life insurance funds. 263, committee on insurance.  
 "Action" in reinsurance cases. 309, Fralley.  
 Empowering insurance commissioner to call meeting of mutual insurance  
 company upon petition. 312, Browne.  
 Repealing a section of 41st G. A. regarding coinsurance. 307, Wilson of Polk.  
 Relating to fraternal life insurance. 316, committee on insurance.

**INTOXICATING LIQUORS—**

Search warrants for. 37, Cavanaugh.  
 Proof in intoxicating liquor cases. 52, Cavanaugh.  
 Liquor violations, report to bureau of investigation. 183, Gilchrist.

**INTEREST RATES—**

On bank deposits. 12, Dean.  
 Maximum of 7 per cent. 64, Dean.

**INVESTMENT COMPANIES—**

Certain regulations. 189, McFarlane.  
 Sale or offering for sale certain securities. 261, Fulton.  
 Sale of securities of public utilities. 372, Dean.

**INTERNES—**

One year a requirement for examination for medicine. 136, committee on  
 public health.

**IOWA CITY—**

Refund to Iowa City on interest on certain paving. 99, Clearman.  
 Legalizing deed by Iowa City to American Legion Post No. 17. 289, Clearman.

**IOWA CROP PEST ACT—**

State entomologist. 118, Gilchrist.

**IOWA PRODUCTS—**

Using same in public construction work. 177, Stoddard.  
 Commission to promote agricultural, industrial and commercial development  
 of the state. 218, committee on appropriations.

**JONES, H. C.—**

Appropriation for care of Patricia Jones. 445, committee on claims.

**JUDICIARY, JUDGES AND JURIES—**

- Discharge of juries in criminal cases; motions in arrest of judgment. 22, Cavanaugh.
- Jurors, selection, swearing and examination. 44, Cavanaugh.
- Jury lists. 45, Cavanaugh.
- Jurors, preparation of pamphlet of instructions by code editor. 47, Cavanaugh.
- "Struck jury," repeal of law; jurors as witnesses. 53, Cavanaugh.
- District court judges, expenses. 60, Wilson of Page.
- Forfeiture of bail. 89, McLeland.
- Grand jurors, fees in certain counties. 165, Wilson of Polk.
- Police judge or magistrate, qualifications in cities under city manager plan. 211, Lange.
- Jury lists, 242, Stoddard.
- Jury commissions. 306, Cavanaugh.
- Jury commissioners, reappointment. S. F. 335, Lange.
- District judges, salary. 337, committee on compensation of public officers.
- Bailiffs, appointment in municipal court. 393, Wilson of Polk.
- Orders in vacation respecting real estate conveyances. 412, committee on judiciary No. 1.

**JUNIOR LIENS—**

(See liens.)

**KEOKUK—**

- Appropriation to return to Keokuk money paid to state sinking fund. 422, committee on claims.

**LAND TITLES—**

- Confirming title of R. E. Rouse. 200, Gilchrist.

**LEACH, ROBERT L.—**

- Appropriation for attorney's fees. 421, 423, committees on claims.

**LEAGUE OF IOWA MUNICIPALITIES—**

- Increasing amount that may be voted for dues. 197, Cavanaugh.

**LEGALIZING ACTS—**

- Dewitt Telephone Company's franchise. 7, Shaff.
- Transfer of funds, Missouri Valley. 153, Shinn.
- Renewal of corporate period of Roshek Brothers. 171, Lange.
- Transfer of funds by city of Eldon. 178, Shane.
- Transfer of funds by Appanoose County. 195, Ellis.
- Transfer of funds by town of Manilla. 368, Shinn.
- Transfer of funds by Hamilton county. 329, Ulstad.
- Deeding property to American Legion Post No. 17 by Iowa City. 289, Clearman.
- Transfer of funds by Webster county. 313, Cavanaugh.
- Legalizing the filing in the Supreme Court of abstracts or appearance by appellants. 326, committee on judiciary No. 2.
- Transfer of funds by New London. 354, Carden.
- Soldiers' monument tax in Clayton county. 346, Benson.
- Authorizing the transfer of funds by Palo Alto county. 350, Breakenridge.
- The corporation acts of Frankel Clothing Co. 364, Frailey.
- Authorizing transfer of funds by Algona. 382, Breakenridge.
- An election of Floyd county. 403, committee on judiciary No. 1.
- Legalizing certain school elections. 408, committee on public schools.
- Proceedings of council of Newton and a certain election. 428, sifting committee.
- Bond issue for memorial building at Dike. 444, sifting committee.

**LIBERTY CLUB OF SIOUX CITY—**

Appropriation to reimburse same for certain military equipment furnished. 452, Prichard. 439, claims committee.

**LIENS—**

Junior liens. 51, Cavanaugh.  
 Junior liens not to be recorded as personal judgments. 105, McFarlane.  
 Sales to satisfy warehouse liens. 222, Topping.  
 Mechanics liens for material and labor. 245, Johnston.  
 Precedence of warehouse liens over other liens. 318, Rigby.

**LIME—**

Registering and regulating dealers in agricultural lime. 62, Clearman.

**MANDAMUS—**

In court vacations. 48, Cavanaugh.

**MANILLA, TOWN OF—**

Legalizing transfer of funds. 368, Shinn.

**MECHANIC LIENS—**

For material and labor. 245, Johnston.

**MEDICINE—**

Requirements of applicant for license to practice. 136, committee on public health.

**MEN'S REFORMATORY—**

(See penitentiary and men's reformatory.)

**MILITARY—**

Free distribution of Iowa War Roster. 120, Klemme.  
 Exempting from taxation certain properties of dependents of soldiers, sailors and marines. 166, Carden.  
 Investment of surplus bonus and disability fund. 180, committee on military affairs.  
 Data to be furnished Bonus Board. 181, committee on military affairs.  
 Appropriation for American Legion band, drum corps and auxiliary to go to France. 236, Stoddard and Cavanaugh.  
 Joint erection of soldiers', sailors' and marines' memorial by city (or town) and county. 278, McFarlane.  
 Tax exemption for military service. 293, Clark.  
 Soldiers' relief commission—by whom composed and from what wars. 308, Mills and Booth.  
 A state transfer of \$10,000 to preserve Spanish and World War flags. 310.  
 Erection of monuments at graves of revolutionary war veterans. 373, Ellis.  
 Commitment of insane war veterans to U. S. veterans' hospital. 404, committees on military.

**MINES AND MINING—**

First aid treatment to injured miners. 228, Skromme.  
 Mine shot firemen to be furnished gas masks. 232, Uistad.  
 Methods of conducting air currents in coal mines. 317, Ellis.  
 Data of shafts sunk in coal mines. 269, Clark.  
 Escape shafts. 255, Lange.

**MISSOURI VALLEY (City)—**

Legalizing the transfer of certain funds. 153, Shinn.

**MORTGAGES—**

Exempting amount of mortgages from assessment on property. 79, Benson.

Chattel mortgages and conditional sales when filed must give amount securing. 82, Fackler.  
 Recording of mortgages must give amount and interest rate. 108, Booth.  
 Recording of mortgages and sales of personal property. 110, Gilchrist.  
 Attachment bonds. 172, Wilson of Polk.  
 Marginal assignment on release of mortgages. 280, McFarlane.  
 Regarding redemption. 410, committee on judiciary No. 1.

#### **MOTOR CARRIERS AND TRUCKS—**

Limitation on liabilities. 43, Cavanaugh.  
 Repealing "distribution of proceeds of motor carrier tax." 195, Brookins.  
 Allocating proceeds of motor carrier tax to counties on the ton-mileage basis. 201, Brookins.  
 Transporting newspapers by motor carriers. 270, Shaff.  
 Increasing speed limit to thirty-five miles. 381, subcommittees on motor vehicles.  
 Mileage tax for trucks and motor carriers. 400, committee on motor vehicles.

#### **MOTOR VEHICLES—**

(See automobiles.)

#### **MULCT TAX—**

Assessing same. 32, Cavanaugh.  
 Tax on cigarettes. 215, committee on ways and means.

#### **MUNICIPAL AFFAIRS—**

(See cities and towns.)

#### **MUNICIPAL COURT—**

Jurisdiction in civil or criminal matters. 182, Baird.  
 Appeals to supreme court. 202, Gilchrist.  
 Bailiffs, appointment. 393, Wilson of Polk.

#### **MUNICIPAL ART GALLERIES—**

In special charter cities of 20,000 or more. 198, Cavanaugh.

#### **MUNICIPAL UTILITIES—WATER, ELECTRICITY, HEATING AND GAS—**

Powers of waterworks trustees to invest funds in road bonds. 135, Stanley.  
 Extension of water mains—assessment for, petition for. 234, Stoddard.  
 Repayment of water rebates. 252, Baird.  
 Changing limit of indebtedness. 442, Lange.

#### **MUNICIPAL OFFICERS—**

Reports of. 41, Cavanaugh.

#### **MURPHY, C. T.—**

Appropriation to indemnify C. T. Murphy for injuries. 419, committees on claims.

#### **MUSKRATS—**

Repeal of closed season on. 2, Ellis.

#### **NEW LONDON—**

Legalizing transfer of funds. 345, Carden.

#### **NEWSPAPERS—**

Transporting newspapers by motor carriers. 270, Shaff.

#### **NEWTON—**

Legalizing council proceedings and a certain election. 428, sifting committee.

**NURSES—**

Public health nurses. 137, committee on public health.

**OFFICIALS, STATE—**

Confirmation of appointments to highway commission. 9, Fulton.

**OLEOMARGARINE—**

Inspection fee and enforcement. 67, Benson.

**OMNIBUS BILL—**

State and other expenses. 418, committees on claims.

**PALO ALTO COUNTY—**

Authorizing the transfer of funds. 350, Breakenridge.

**PARKS—**

Providing for acquiring lands for parks. 124, Baird.

Increasing tax levy for parks and cemeteries. 206, Topping.

Giving board of conservation of public parks right to make certain regulations for state parks. 204, Rigby; 217, committee on conservation.

Transferring other funds to the park fund. 231, Fraitley.

Exchange of real estate of Dolliver Memorial State Park. 257, Cavanaugh.

Limiting powers of park commissioners. 344, Wilson of Polk.

**PASTEURIZATION—**

Of milk, skimmed milk and cream. 216, Mills.

**PATENT—**

Land title to R. E. Rouse. 200, Gilchrist.

**PENITENTIARY AND MEN'S REFORMATORY—**

Increasing salary of certain employees. 210, Fraitley.

Creating industries revolving funds. 366, Kimberly.

Investigation of employment of convict labor in penitentiary and reformatory. J. R. 5, Fraitley and McFarlane.

**PERSONAL PROPERTY—**

Recording of mortgages or bills of sale. 110, Gilchrist.

**PHARMACY—**

Sale of sodium fluoride—a "poison." 369, committee on pharmacy.

**PHYSICIANS AND SURGEONS—**

Allowing physician to be trustee of county hospitals. 63, Kimberly.

Applicant for license to practice medicine must have one year internship. 136, committee on public health.

Common carrier passes to employed doctors. 152, Beatty.

Requiring physicians and hospital authorities to report injuries from firearms. 319, Gilchrist.

Defining "practicing physician." 349, Ellis.

**PLATS—**

Platting of land in and adjacent to cities of 25,000 or more. 397.

**POLICE, CONSTABLES AND PEACE OFFICERS—**

Annual examination and appointment of police. 5, Lange; H. F. 15, Ryder. Duties of police. 30, Cavanaugh.

Chief of police to be appointed from police department. 125, Lange; H. F. 408, Ryder.

Pension service—war time service to be included. 168, McFarlane.

Decreasing number when under civil service. 260, Wilson of Polk.



Exempting from taxation property up to \$3,000 of widow of policeman who lost his life while on duty. 275, Wilson of Polk.  
Creation of a department of state police. 387, Merritt.

**POLICE JUDGE—**

Election by entire electorate. 142, Clearman.

**POLITICAL PARTIES—**

Removing requirement that at least two parties be represented on Board of Control. 68, Lange.

**POLL TAX—**

Repealing same. 81, Stemmmons.

**POOR—**

Appointment of overseers of. 203, Ulstad.

**PRINTING BOARD, STATE—**

Free distribution of certain laws by superintendent of printing. 133, Ramsey.

**PRISON LABOR—**

Repealing law forbidding contracting for same after July 1, 1927. 192, committee on board of control.

**PRISONERS—**

Feeding, lodging and care. 31, Cavanaugh.

**PROBATION OFFICERS—**

In counties having a state educational institution. 191, Clearman.

**PUBLIC DOCKS—**

Removal of commissioners of. 3, Lange.  
Expense of same, in cities and towns. 4, Lange.  
Expenses in commission form cities of 30,000 or less. 430.

**PUBLIC SCHOOLS—**

(See Schools.)

**PUBLIC UTILITIES—**

Relieving street car companies from paving their right of way. 409, committee on cities and towns.

**PURE FOOD—**

(See Food, Drugs and other articles.)

**PURNELL ACT—**

Acceptance of provisions of. 240, Skromme.

**QUAIL—**

Extending closed season to November 1, 1931. 85, Clark.

**RAILROAD COMMISSION—**

One authorized member may hold hearing. 143, Johnston; 157, Beatty.

**RAILROADS—**

Limitation on liabilities. 43, Cavanaugh.  
Requiring automobile drivers to stop at all railroad crossings. 102, Klemme.

**RAPE—**

Punishment for assault with intent to commit rape. 90, McLeland.  
Misdemeanor to desert wife when marriage was performed to escape prosecution for rape. 185, Ellis.

**REAL ESTATE—**

- Forcible entry on contracts. 15, Stoddard.  
 Junior liens. 51, Cavanaugh.  
 Selling or mortgaging real estate of a decedent. 65, Cavanaugh.  
 Notice in proceedings for administration of estates of absentees. 66, Benson.  
 Exempting from taxation amount of mortgage. 79, Benson.  
 Sidewalks outside of cities, but in certain school districts to be assessed to property. 93, Wilson of Polk.  
 Mortgages, when recorded, must give amount securing and rate of interest. 108, Booth.  
 Forestation of public and privately owned lands. 139, Rigby.  
 Creating real estate commission and licensing brokers and salesmen. 292, Wilson of Polk.  
 Allowing counties to buy tax sale real estate. 300, McFarlane.  
 Before any record of conveyance is recorded, all tax due to be paid. 301, McFarlane.  
 Regarding redemption. 410, committee on judiciary No. 1.  
 Orders by judge in vacation respecting conveyances. 412, committee on judiciary No. 1.

**REPUBLICAN NATIONAL CONVENTION—**

- Appropriation to obtain same for Des Moines. 443, Thompson.

**RETRENCHMENT AND REFORM COMMITTEE—**

- Elimination of. 186, Fulton.

**RIVERS AND CREEKS—**

- Interstate bridges. J. R. 1, Lange.

**ROADS AND HIGHWAYS—**

- Condemnation of land for. 55, Cavanaugh.  
 Removing ex-officio member of Highway Commission. 78, Benson.  
 Centralizing control of primary roads in Highway Commission and doing away with area basis for allotment of funds. 104, Shaff.  
 County road fund and bridge fund interchangeable. 169, Fackler.  
 Township road bill—placing same under supervisors. 163, Bergman.  
 Increasing gasoline tax to 3 cents. 187, Bergman; 353, committee on highways.  
 Making primary roads arterial highways and regulating traffic entering same. 209, Bergman.  
 County engineer's salary to be paid from road funds. 267, Clark.  
 County supervisors' time and mileage on road work to be paid from county road fund. 268, Clark.  
 Survey and approval plans for primary and secondary roads to include location for electric lines. 271, Shaff.  
 Locating new lines (electric, telephone and telegraph) on highways. 272, Shaff.  
 Bids for constructing highways to include locating electric, telephone and telegraph lines. 273, Shaff.  
 Township road improvement—petition of 50 per cent of owners. 305, Shaff.  
 Home rule for secondary roads. 339, Fulton.  
 Requiring the paving of certain primary roads. 354, committee on highways.  
 Tail light when parking on highways—limiting loads—giving commission power to regulate use of highways. 380, committees on motor vehicles.  
 Refunding gasoline tax on trucks and tractors used in road work. 386, Bergman.  
 Compensation of township trustees—from road fund for time devoted to road work. 396, committee on county and township affairs.  
 Danger signals on road machinery after dark. 426, committees on motor vehicles.

**ROSHEK BROTHERS—**

Legalizing renewal of corporate period. 171, Lange.

**ROUSE, R. E.—**

Confirming land title. 200, Gilchrist.

**SCHOOLS—**

Societies and fraternities, expulsion permissible if pupil refuses to resign from society. 84, Fackler.

Using Iowa products in construction work. 177, Stoddard.

Teachers' pension available in school districts of 10,000 or more. 247, Stoddard.

Free night school, to be conducted by board of education. 285, McFarlane. In voting to consolidate, country vote to be separate from all others. 294, Merritt.

State aid for deaf, extended to all deaf children of school age. 297, Benson. Contracts to transport school children limited to three years. 311, Wilson of Page.

Redistricting same—giving this power to county board of education. 328, Cavanaugh.

Creating state textbook board. 344, Shinn.

Organization and maintenance of township high schools. 361, Clearman.

Legalizing certain school elections. 408, committee on public schools.

**SEWERS—**

(See Street Improvements and Sewers.)

**SHAMBAUGH, BERTHA M. H.—**

For expenses for Iowa exhibit at Sesquicentennial. 441, committee on claims.

**SHERIFFS—**

Repealing a section on sheriffs' fees. 24, Cavanaugh.

Limiting compensation for meals and lodging in counties having two jails. 113, Fralley.

Deputy sheriffs' salaries in Polk county. 333, Wilson of Polk.

**SHORTHAND REPORTERS—**

(See Certified Shorthand Reporters.)

**SIDEWALKS—**

Construction outside of cities but within certain school districts. 93, Wilson of Polk.

**SIMPSON, GEORGE—**

Appropriation to indemnify for injuries. 418, committee on claims.

**SITTS, RENA—**

To reimburse Buchanan county for money paid insane hospital for care of Rena Sitts. 315, committee on claims.

**SKYLES, B. F.—**

Appropriation for injuries. 438, committee on claims.

**SMITH, JONAH—**

Compensation for certain services. 128, Toppling.

**SOLDIERS—**

(See Military.)

**STATE AID—**

Appropriation to pay deficit in "State Aid to Fairs" funds. 161, Stoddard.

**STATE APPROPRIATION BILL—**

Biennial appropriation to June 30, 1929. 10, Stoddard.  
Introduction of biennial appropriation bill in General Assembly. 25, Cavanaugh.

**STATE FAIR BOARD—**

Annual report of. 28, Cavanaugh.

**STATE HIGHWAY COMMISSION—**

(See highway commission.)

**STATE HISTORICAL SOCIETY—**

Report of curator. 26, Cavanaugh.

**STATE INSTITUTIONS—**

Commitment for felony. 21, Cavanaugh.  
Reduction of sentences. 38, Cavanaugh.  
Increasing salaries at penitentiary and men's reformatory. 210, Frailey.

**STATE POLICE—**

Creation of a department of. 387, Merritt.

**STATE TREASURER—**

Office of state treasurer to receive \$5,000 annually from state highway commission maintenance fund. 277, Bergman.

**STOLEN PROPERTY—**

Buying, receiving or concealing same—punishment 20 years' imprisonment, \$1,000 fine, or both. 322, Gilchrist.

**STATE OFFICERS—**

Expenses of officers and employees of budget department. 17, Cavanaugh.  
Senate confirmation of public officers. 96, Fulton.  
Cancelling special deposits made by former state treasurers. 235, Stoddard.

**STORAGE BATTERIES—**

Wrongful possession of. 57, Wilson of Polk.

**STREET CAR COMPANIES—**

Relief from paving rights of way. 409, committee on cities and towns.

**STREET IMPROVEMENTS AND SEWERS—**

Cost at intersections of street improvements. 212, Stoddard.  
Dropping "April 1st" as maturity date for street improvement bonds. 213, Baird.  
Council's valuation of property affected in street improvements. 214, Fulton.  
Giving cities right to construct sewers on any city-owned property. 287, Wilson of Polk.  
Benefited districts. 399, Committees in cities and towns.

**SUPERINTENDENT OF BANKING—**

Fund to be deposited with superintendent of banking by state and savings banks to secure depositors. 12, Dean.  
Nomination of. 13, Dean.  
Declaring a moratorium. 14, Dean.

**TALBOT, FRANCINE—**

Appropriation to compensate for injuries. 424, committees on claims.

**TAXES AND TAXATION—**

To pay expenses of public docks. 4, Lange.  
Corporation taxes. 42, Cavanaugh.  
Limitation in commission plan cities. 11, Haskell.

- Exempting amount of mortgages. 79, Benson.  
 Repealing poll tax. 81, Slemmons.  
 Assessment book—one instead of two. 91, McLeland.  
 Assessing property for sidewalks outside of cities but in certain school districts. 93, Wilson of Polk.  
 Exempting bank surplus up to 100 per cent of paid-in capital. 122, Lange.  
 Repealing time delinquent taxes may be turned for collection. 129, Wilson of Polk.  
 Exemptions for dependents of soldiers, sailors and marines. 166, Carden.  
 Two and one-half mill tax levy for parks and cemeteries. 206, Topping.  
 Cigarette tax. 215, committee on ways and means.  
 No installment on "specials" under \$10.00. 220, Frailey, 239, Baird.  
 Levy for maintenance of fire department. 259, Wilson of Page.  
 Municipal emergency fund not to exceed three mills. 266, Clark.  
 Tax sale certificates not to be issued until all taxes and specials assessed against property are paid. 299, McFarlane.  
 Tax exemption for military service. 293, Clarke.  
 Allowing counties to buy tax sale real estate. 300, McFarlane.  
 All taxes to be paid before record of conveyance is made. 301, McFarlane.  
 Exempting from taxation property up to \$3,000 of widow of policeman or fireman who lost life while on duty. 275, Wilson of Polk.  
 Tax payments—when first half is not paid by April 1st, only that half is delinquent. 276, Johnson.  
 Assignment of certificate for tax sale. 279, McFarlane. 318, Dean.  
 Tax levy for county aid for fairs. 284, Clark.  
 Refunding certain special assessments on paving. 331, Merritt.  
 Wheel tax in special charter cities. 343, Frailey.  
 Creating a paving repair fund for cities and towns. 355, Ulstad. 487, committee on cities and towns.  
 Levy for aid of widow in care of child. 370, Wilson of Polk.  
 Exemption for new industries using farm products. 371, Wilson of Page.  
 Listing securities, mortgages, etc., for taxation. 376, Skromme.  
 Appeal from board of review may be taken by a taxpayer. 377, Skromme.  
 Mortgages and land contracts to be listed for taxation where located or are unenforceable. 378, Skromme.  
 Partial exemption for homesteads. 379, Skromme.  
 Method of compiling assessment records and compensation of assessors in cities of 125,000 or more. 388, Wilson of Polk.  
 Mileage tax for motor carriers and trucks. 400, committees on motor vehicles.

**TEACHERS—**

- Pensions available in district of 10,000 or more. 247, Stoddard.

**TEXTBOOKS—**

- Creating state board on. 344, Shinn.

**TELEGRAPH AND TELEPHONE—**

- Right of way for lines. 170, Fulton.  
 Primary and secondary road survey to locate electric lines. 271, Shaff.  
 Locating new lines along highways. 272, Shaff.  
 Bids for constructing highway to include locating electric lines. 273, Shaff.

**THEATERS—**

- County theater's license from township. 282, Shinn.  
 Limits for license fees. 358, Lange.

**TOWNS—**

- (See cities and towns.)

**TOWNSHIP—**

- (See county and township affairs.)

**TRUCKS—**

(See also motor carriers.)

Lowering license fees for trucks of three-ton capacity which are operated in cities. 274, Stoddard.

**TRUST COMPANIES—**

Limit on loans same as banks. 71, Gunderson.

Deposits limited to 20 times paid-up capital. 100, Gunderson.

**UNFAIR DISCRIMINATION—**

In sales and purchases. 160, Skromme.

**UNIFORM OPERATORS' AND CHAUFFEURS' LICENSE ACT—**

Licenses and other regulations. 149, Shaff.

**U. S. CHAMPION JUNIOR CATTLE JUDGING TEAM—**

Expenses of, to international stock show, 1927. 6, Benson.

**VENEREAL DISEASES—**

Rewriting a section on "physician and attendants" 414, committee on public health

**VETERINARIANS—**

Renewal of license to practice when same has expired 223, Brookins.

**WAREHOUSES—**

Sales to satisfy warehouse liens. 222, Topping.

If encumbered goods are not removed within five days after notice, warehouse lien takes precedence. 348, Rigby.

**WEBSTER COUNTY—**

Legalizing transfer of fund. 313, Cavanaugh.

**WITNESSES—**

Introduced without notice in criminal trial. 395, committee on judiciary No. 1.

**WOMEN—**

Misdemeanor to desert wife when marriage was performed to escape prosecution for rape. 185, Ellis.

Tax levy in counties of 140,000 or more for aid to widow in care of child. 370, Wilson of Polk.

**WORKMEN'S COMPENSATION—**

Payment of permanent partial disability. 112, Frailey.

Compensation payments to survivors of deceased employee. 151, Beatty.

Making same compulsory and methods of applying. 175, Ellis.

## GENERAL INDEX

### ADDRESSED JOINT CONVENTION—

Governor John Hammill.....	34,	66
Former Governor W. L. Harding.....		146
Governor Pierce of Oregon.....		312
Stewart Gilman and H. W. Seaman.....		345
Col. J. F. McNell.....		369
James B. Weaver.....		396
Henry Nollen.....		400
Howard P. Savage and Charles A. Mills.....		487
Senator Lloyd Ellis.....		544
H. W. Byers.....		545
Burton E. Sweet.....		546
Geo. M. Titus.....		552
E. D. Chassell.....		552
Shirley Gilliland.....		552
E. R. Zeller.....		552
Prince William of Sweden.....		788

### ADDRESSED THE SENATE—

Former Senator John Wickman.....		1475
Former Senator George Perkins.....		1501
Louis H. Cook.....		1566
Governor Hammill.....		1570
Mrs. John Hammill.....		1570
Mrs. Clem F. Kimball.....		1570
Former Senator Holdoegel.....		109
Former Speaker W. C. Edson.....		317
Hon. Dennis Murphree.....		376
Former Senator M. B. Pitt.....		413
Former Senator Shirley Gilliland.....		516
Loren H. Laughlin.....		721
W. T. Evans of Butler county.....		770
Former Senator Newberry.....		806
Senator Earl B. Searey of Illinois.....		1121
Former Governor W. L. Harding.....		1266
Former Senator Hale of Jones county.....		1266
Former Senator Dutcher of Johnson county.....		1385
Howard J. Clark.....		1399

### ADDITIONAL HELP—

Committee appointed (joint).....		16
Report of committee.....		23
Supplemental report of committee.....		122

### ADJOURNMENT—

Resolution for adjournment for short January recess.....		24
Resolution for adjournment for March recess.....		369
Resolution for final adjournment.....		866

### APPROPRIATIONS—

Schedule of.....		732
------------------	--	-----

### BADGES—

Secretary authorized to secure for officers.....		10
--	--	----

## BAIRD, W. S.—Senator Nineteenth District—

Bills introduced.....	S. F. 124, 182, 207, 213, 239, 250, 251; 252, 314, 327
Committee assignments.....	7, 10, 97, 1346
Petitions presented.....	
591, 592, 611, 642, 659, 675, 676, 677, 773, 808, 817, 1082, 1307, 1379	
Amendments offered.....	319, 704, 705, 784, 807, 1134, 1135
Resolutions offered.....	228
Motions made.....	7, 61, 207,
264, 302, 360, 361, 513, 564, 601, 709, 723, 724, 726, 729, 730, 731,	
807, 835, 944, 945, 1067, 1068, 1318, 1319, 1415, 1426, 1479, 1540, 1541	
Leave of absence granted.....	131, 137, 142, 209, 210, 455, 842, 991
Raised point of order.....	746

## BANK GUARANTY—

Report of special investigating committee.....	623
--	-----

## BEAM, WALTER H.—

Elected temporary secretary of the Senate.....	1
Elected permanent secretary of the Senate.....	6

## BEATTY, FRANK M.—Senator Twelfth District.

Bills introduced.....	S. F. 151, 152, 157
Committee assignments.....	10, 91, 98, 304, 772, 911
Petitions presented.....	183, 750, 1082
Amendments offered.....	343, 568, 907, 948, 1091, 1368
Resolutions offered.....	304
Motions made.....	161, 223, 273, 274, 275, 277, 459,
468, 565, 725, 855, 872, 1003, 1011, 1090, 1091, 1092, 1223, 1245, 1366	
Leave of absence granted.....	58, 61, 209, 366, 1143, 1216

## BENSON, C. A.—Senator Thirty-sixth District.

Bills introduced.....	S. F. 6, 66, 67, 78, 79, 297, 346, 357, 435
Committee assignments.....	89, 98, 806, 834, 1548, 1590
Petitions presented.....	530, 612
Amendments offered.....	189, 281, 387, 443, 528, 698, 700,
701, 704, 706, 756, 763, 986, 1096, 1113, 1197, 1200, 1220, 1395, 1401	
Resolutions offered.....	834
Motions made.....	61, 299, 301,
363, 364, 443, 444, 452, 453, 569, 583, 596, 621, 666, 680, 706, 707,	
787, 806, 834, 966, 1088, 1102, 1103, 1127, 1128, 1130, 1179, 1227,	
1228, 1269, 1280, 1306, 1393, 1394, 1404, 1415, 1478, 1479, 1496, 1555	
Leave of absence granted.....	842
Raised point of order.....	708, 965, 1457, 1554, 1556

## BERGMAN, A. H.—Senator Twenty-ninth District.

Bills introduced.....	
..... S. F. 144, 145, 146, 147, 148, 163, 187, 188, 209, 277, 347, 386	
Committee assignments.....	10, 98, 841, 1377, 1534, 1548
Amendments offered.....	
..... 303, 317, 321, 327, 497, 772, 793, 797, 811, 823, 837, 900, 989, 1303	
Motions made.....	58, 61, 495, 496, 497, 498, 499,
569, 575, 576, 577, 770, 811, 880, 901, 931, 948, 955, 1038, 1039,	
1040, 1041, 1076, 1077, 1096, 1141, 1229, 1230, 1254, 1251, 1275,	
1276, 1283, 1302, 1312, 1313, 1314, 1361, 1369, 1374, 1378, 1497, 1571	
Leave of absence granted.....	131, 209, 455

## BIENNIAL MESSAGE—

Read by Governor Hammill.....	34
-------------------------------	----

## BOOTH, CHAS. D.—Senator Eighteenth District.

Bills introduced.....	S. F. 8, 108
Committee assignments.....	7, 98, 216, 486, 1271



Petitions presented.....265, 612, 659, 660, 750, 861, 1082  
 Amendments offered.....1085, 1156, 1370  
 Motions made.....467, 691, 1007, 1075, 1163, 1311  
 Leave of absence granted.....209, 829, 842

**BREAKENRIDGE, W. J.—Senator Forty-seventh District.**

Bills introduced.....S. F. 70, 350, 382, 401  
 Committee assignments.....9, 98, 326  
 Petitions presented.....170, 224, 322, 413, 736, 750, 773, 959, 1082  
 Amendments offered.....327, 332, 515, 749, 797, 905, 951  
 Resolutions offered.....120, 139, 446, 573  
 Motions made.....121, 139, 262, 270, 363, 364, 447, 448, 516, 565,  
 566, 575, 800, 835, 836, 840, 904, 905, 965, 1114, 1115, 1231, 1232,  
 1320, 1321, 1322, 1327, 1359, 1360, 1483, 1484, 1507, 1522, 1546, 1547  
 Raised point of order.....315  
 Leave of absence granted.....210, 583, 991, 1143, 1184

**BROOKINS, A. T.—Senator Forty-fourth District.**

Bills introduced.....S. F. 69, 154, 195, 201, 223, 392  
 Committee assignments.....65, 98  
 Petitions presented.....210, 580, 612, 659, 677, 842, 937  
 Amendments offered.....800, 812, 823, 827, 828, 892, 1006, 1055, 1112, 1117, 1236  
 Motions made.....311, 603,  
 604, 1006, 1007, 1112, 1114, 1117, 1118, 1227, 1382, 1485, 1486, 1487, 1524  
 Addressed Senate on death of Senator Haskell.....1588  
 Raised point of order.....311

**BROWNE, CHAS. S.—Senator Twenty-third District.**

Bills introduced.....S. F. 162, 179, 246, 312, 433  
 Committee assignments.....2, 18, 65, 98, 486, 1548  
 Petitions presented.....366, 641, 736, 773, 1184  
 Amendments offered.....472, 494, 716, 798, 948  
 Resolutions offered.....341, 415  
 Motions made.....62, 65, 341, 439, 485, 495, 574, 653, 658, 674, 913, 918, 955, 1146,  
 1157, 1158, 1210, 1247, 1248, 1249, 1250, 1261, 1262, 1264, 1406,  
 1423, 1424, 1425, 1433, 1461, 1462, 1463, 1464, 1465, 1495, 1509, 1537  
 Leave of absence granted.....137, 142, 170, 183, 200, 209, 210, 296  
 Raised point of order.....1528, 1595

**BRUSH, S. A.**

Bills introduced.....S. F. 362  
 Committee assignments.....98, 716, 1590  
 Petitions presented.....239, 583, 641, 659, 676, 817  
 Amendments offered.....320, 1116  
 Motions made.....333, 918, 920, 1127, 1196, 1230, 1231, 1311  
 Leave of absence granted.....131, 137, 366, 991, 1311

**CALL OF THE SENATE—**

On Senate Joint Resolution No. 3.....  
 On House File 53.....1042  
 On Senate File 351.....1185  
 On House File 42.....1306, 1330  
 On Senate File 10.....1414  
 On Senate File 353.....1430, 1590

**CAMPBELL, ED. H.—Senator Fortieth District—**

Committee assignments.....99, 129, 233, 691, 1534  
 Petitions presented.....718, 719, 842, 1143, 1277  
 Amendments offered.....334, 896, 901, 919, 1182, 1283  
 Resolutions offered.....108, 446

Motions made.....8,	
90, 124, 129, 131, 325, 334, 343, 344, 355, 486, 491, 524, 602, 1074	
1075, 1174, 1175, 1176, 1181, 1182, 1183, 1283, 1313, 1542, 1543, 1550	
Leave of absence granted.....209, 210, 366, 530, 583	
CARDEN, WM.—Senator Tenth District.	
Bills introduced.....S. F. 166, 238, 345	
Committee assignments.....9, 99, 216, 256, 473, 716, 834	
Petitions presented.....239, 375, 475, 591, 676, 719, 736, 817, 969, 991, 1028	
Resolutions offered.....834, 1061	
Motions made.....9, 473, 493, 494, 680, 834, 850, 851, 1007, 1173	
CAVANAUGH, E. E.—Senator Twenty-seventh District.	
Bills introduced.....S. F. 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,	
28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45,	
46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 65, 197, 198, 257, 306, 313, 328	
Committee assignments.....	
.....16, 99, 109, 326, 613, 716, 772, 834, 1377, 1585, 1596	
Petitions presented.....170, 591, 612, 660	
Amendments offered.....	
.....249, 335, 394, 423, 716, 800, 869, 944, 1118, 1303, 1473, 1487	
Motions made.....	
.....1, 30, 60, 109, 176, 177, 190, 191, 192, 193, 200, 201, 202,	
235, 250, 251, 252, 273, 274, 275, 276, 277, 278, 279, 298, 331,	
410, 423, 431, 442, 445, 459, 460, 461, 462, 463, 464, 465, 466,	
543, 560, 561, 562, 563, 726, 727, 912, 936, 946, 947, 979, 980,	
981, 1011, 1013, 1035, 1070, 1071, 1089, 1139, 1140, 1151, 1152,	
1170, 1171, 1232, 1233, 1234, 1414, 1474, 1485, 1487, 1506, 1523, 1571	
Raised point of order.....234	
Leave of absence granted.....209, 491, 829, 842	
Called to the chair.....334	
CHAPLAINS—	
Committee on.....9	
J. W. Johnson (Barnes City).....1	
C. Wm. Bast.....23	
S. A. Fulton.....58, 1058	
D. O. Buchanan.....61	
J. E. Drake.....91	
Edmund J. Kulp.....107	
Clair H. Boos.....118	
T. L. Scott.....125	
E. F. Kimmelshue.....131	
W. A. Seifkes.....137	
S. J. Huffman.....142	
C. W. Pence.....170	
Carrie V. A. Lucas.....183	
M. E. Nethercut.....200	
Marie Castle.....210	
Arthur Bottom.....218	
J. G. Waterman.....224	
Roy H. Brown.....239	
H. C. Chambers.....257	
F. O. Winslow.....265	
H. J. Moore.....283	
F. C. Witzigman.....296	
Wilgus Bowers.....304	
Wm. P. Webb.....322	
E. G. Williams.....339	
Jonah Smith.....366	
G. W. Robinson.....375	

Theodore Morning.....	388
P. W. Pfaltzgraff.....	413
R. S. Mills.....	425
U. S. Smith.....	433
Karl W. G. Hiller.....	455
J. W. Johnson (Redfield).....	473
W. Crossley.....	475
Alfred T. Bishop.....	503
Senator Skromme.....	530
J. H. Nightingale.....	554
W. M. Majors.....	579
Olaf Holen.....	583
N. O. Peterson.....	591
Senator Lloyd Ellis.....	641
Chas. A. Richards.....	659
W. J. Fowler.....	688
J. E. Matheny.....	718
Roy H. Brown.....	735
R. L. Hauter.....	750
Chas. S. Macy.....	773
Geo. E. Purdy.....	801
J. R. Parks.....	817
E. W. Curtis.....	842
Edward Duea.....	861
Roy B. Weaklend.....	886
Frederick W. Eastwood.....	911
Jerrie Johnson.....	937
Albert Riggs.....	959
S. P. Williamson.....	991
Daniel Hogan.....	1028
A. P. Blough.....	1082
S. H. Turbeville.....	1097
W. Earnest Stockley.....	1119
Benjamin J. Trickey.....	1143
Walter A. Morgan.....	1184
A. Norrbom.....	1206
C. M. Pierce.....	1244
J. M. Walsh.....	1270
C. E. Lookingbill.....	1307
J. A. Hinderlie.....	1335
Carl Brown.....	1344
W. S. Harries.....	1379
A. W. Armstrong.....	1407
D. F. Landis.....	1451
Dilman Smith.....	1499

## CLARK, W. A.—Senator Thirteenth District.

Bills introduced.....	S. F. 85, 106, 123, 265, 266, 267, 268, 269, 284, 293
Committee assignments.....	2, 18, 99, 486, 1271
Amendments offered.....	814, 1056, 1077, 1094, 1118, 1122, 1141, 1475
Resolutions offered.....	1271
Motions made.....	58, 204, 358, 486, 490, 610, 619, 818, 868, 869, 876, 877, 878, 879, 1014, 1017, 1095, 1096, 1098, 1099, 1122, 1123, 1128, 1178, 1179, 1209, 1271, 1280, 1377, 1397

## CANVASS OF VOTE—

Tellers appointed.....	56
Returns opened by Speaker.....	56
Tellers reported.....	63
Report of tellers adopted.....	63

## CLEARMAN, GEO. M.—Senator Twenty-fifth District.

Bills introduced.....	S. F. 62, 99, 114, 142, 191, 221, 230, 289,	361
Committee assignments.....	16, 99, 473,	834
Petitions presented.....	125, 677, 830,	959
Motions made.....	355, 392, 393, 432, 501, 596, 609, 610, 666, 667, 681, 682, 769, 770, 858, 859, 914, 985, 986, 1010,	1212

## COMMITTEE CLERKS—

Committee appointed to examine applicants.....	10	
Report of examination committee.....	13, 771, 1035, 1110,	1119
List of.....	13	

## COMMITTEES, CONFERENCE—

On House concurrent resolution No. 3.....	326
On House File 39.....	691, 957, 963
On House File 83.....	1277, 1532, 1556
On Senate File 10.....	1377, 1409
On Senate File 421.....	1534, 1549
On Senate File 352.....	1534, 1447, 1548, 1570
On Senate File 423.....	1534, 1550

## COMMITTEE ROOMS—

Committee on appointed.....	9
Report of committee.....	31
Supplemental report of committee.....	139

## COMMITTEES, SPECIAL—

To notify the Governor.....	7, 1586,	1597
To notify the House.....	7, 1585,	1596
On chaplains.....	9	
On mileage.....	9	
On committee rooms.....	10	
On examination of committee clerks.....	10	
On inauguration (joint).....	10,	12
To escort former Senator White to the chair.....	12	
On additional employes (joint).....	16	
To attend funeral of John R. Price.....	18	
To notify Governor Hammill and Lieutenant Governor Kimball.....	65	
To escort Lieutenant Governor Kimball to chair.....	89	
On memorial for Elmer E. Mitchell.....	91	
To arrange for observance of Lincoln's birthday.....	216	
On memorial for Elmer E. Mitchell.....	91	
On memorial for Joseph Mattes.....	233	
On memorial for William S. Allen.....	256	
To purchase a U. S. flag and a state flag for use in Senate chamber.....	282	
On memorial for W. R. Lewis.....	304	
To invite Governor Pierce of Oregon to appear before joint convention.....	311	
To notify Messrs. Gilman and Seaman.....	345	
To notify Messrs. Weaver and Nollen.....	396	
On memorial for D. A. Lyons.....	435	
To attend funeral of Senator Sam F. Wilson.....	473	
On memorial for O. P. Wright.....	486	
To notify Messrs. Savage and Mills.....	487	
To notify Pioneer Lawmakers.....	544	
On memorial for J. A. McKlveen.....	716	
On memorial for Robert Quigley.....	834	
On memorial for John L. Brookhart.....	834	
On memorial for John B. Classon.....	917	
On memorial for William Bell Talman.....	938	
On memorial for Rodney W. Tirrill.....	1185	

GENERAL INDEX

1697

On memorial for John R. Price.....	1271
On memorial for Charles H. Thomas.....	1346
To attend funeral of Senator Haskell.....	1590

COMMUNICATIONS FROM—

Secretary of State W. C. Ramsay relating to Washington elm gavel .....	1
Secretary of State W. C. Ramsay relating to constitutional amendment .....	18
Lieutenant Governor Kimball, thanking Senate for flowers.....	184
Senator Baird, thanking Senate for flowers.....	184
Nicholas Longworth .....	283, 1120
President of Western Union Telegraph Company.....	235
Mary E. Price.....	235
Henry Jones and family.....	236
The White House.....	241, 283, 1344
Richard P. Hobson.....	284
Hon. Lloyd Thurston.....	355
Women's Relief Corps.....	355
Mrs. S. F. Wilson.....	473, 849, 1143
Congress .....	587
Pioneer Lawmakers.....	688
Secretary Jardine.....	741
U. S. Attorney General Sargent.....	742
Legislative Ladies League.....	1144
Governor Hammill, vetoing barber bill.....	1239
Governor Hammill relating to interstate bridges.....	1266, 1438
Governor Hammill relating to road funds.....	1451
Citizens of Harrison county.....	1469

CREDENTIALS—

Committee on appointed.....	4
Report of committee on.....	4
Report of committee on adopted.....	5

DARTING, H. A.—Senator Eighth District.

Committee assignments.....	99, 129
Petitions presented.....	969
Leave of absence granted .....	58, 61, 200, 209, 210, 842, 1119
Appointed teller.....	10
Confirmed as member of Highway Commission.....	1575

DEAN, H. F.—Senator Forty-ninth District.

Bills introduced.....	S. F. 12, 13, 14, 64, 318, 372
Committee assignments.....	99
Petitions presented.....	503, 580, 641, 1058
Motions made.....	11, 21, 141, 169, 982, 983, 1062, 1158, 1159, 1171, 1172, 1248, 1274, 1312, 1314, 1325, 1494, 1495, 1508, 1509, 1512, 1513
Leave of absence granted.....	283, 375, 1184, 1326
Confirmed as member of Highway Commission.....	337

DOTTS, A. G.—Senator Fourth District.

Committee assignments.....	9, 99, 716, 938
Petitions presented.....	583, 642, 677, 911, 959
Resolutions offered.....	716
Motions made.....	223, 716
Leave of absence granted.....	131, 209, 455

ELLIS, LLOYD—Senator Third District.

Bills introduced.....	
.....S. F. 2, 175, 185, 196, 291, 317, 349, 356, 373, and S. J. R.	4
Committee assignments.....	100, 1271, 1277, 1534, 1548

Petitions presented.....	592, 612
Amendments offered.....	126, 800, 823, 825, 967, 1047, 1084, 1116, 1142, 1162, 1468, 1579
Motions made.....	58, 198, 262, 335, 355, 356, 441, 708, 814, 880, 890, 967, 968, 969, 1057, 1081, 1088, 1098, 1115, 1116, 1117, 1121, 1152, 1153, 1154, 1155, 1161, 1169, 1254, 1276, 1362, 1400, 1428, 1490, 1556, 1579
Offered prayer on illness of Senator Haskell.....	1539
Raised point of order.....	316, 813, 892, 954, 1053
Leave of absence granted.....	131, 209, 366, 718, 842, 1184
Addressed joint convention.....	544

## EXECUTIVE SESSION OF THE SENATE—

Sessions held.....	106, 109, 145, 337, 355, 439, 747, 751, 799, 807, 1557, 1575, 1880
Andrew, L. A., confirmed.....	109
Yenter, Ray, confirmed.....	109, 355
Albert, Dr. Henry, confirmed.....	145
Dean, H. E., confirmed.....	337
Riefe, Carl C., confirmed.....	337
Lewis, Dwight, confirmed.....	439
Urlick, A. L., confirmed.....	747
Hogue, E. L., confirmed.....	747
Evans, Hiram K., confirmed.....	747
Strohm, John W., confirmed.....	748
Godfrey, George W., confirmed.....	748, 1558
Schoentgen, Edward P., confirmed.....	748
Devitt, Pauline Lewelling, confirmed.....	748
Abbott, Frank M., confirmed.....	748
Schnittjer, Dan J., confirmed.....	748
Clark, George Norman, confirmed.....	807
Niles, Clifford L., confirmed.....	1575
Darting, H. A., confirmed.....	1575
O'Donnell, T. J., confirmed.....	1580

## EXPLANATION OF VOTE—

By Senator Klemme.....	1055, 1249, 1313, 1388
By Senator Lange.....	1421

## FACKLER, S. E.—Senator Sixth District.

Bills introduced.....	S. F. 82, 84, 169
Committee assignments.....	10, 100, 1364
Petitions presented.....	137, 224, 579, 641, 660, 676, 677, 931, 1168, 1169, 1183, 1200, 1203, 1252, 1253, 1387, 1456, 1458, 1459
Amendments offered.....	764, 860, 944, 1395
Motions made.....	161, 198, 343, 344, 523, 524, 704, 725, 756, 765, 930
Leave of absence granted.....	218, 1028
Raised point of order.....	1434

## FRAILEY, JOSEPH R.—Senator First District.

Bills introduced.....	S. F. 112, 113, 127, 208, 210, 220, 231, 237, 309, 343, 364, and S. J. R. 5
Committee assignments.....	100, 256, 326, 573, 834
Petitions presented.....	183, 937, 1082
Amendments offered.....	411, 467, 986, 1052, 1123, 1199, 1220, 1235, 1273, 1278, 1399, 1400
Resolutions offered.....	212, 1228, 1538
Motions made.....	221, 261, 270, 355, 361, 362, 682, 683, 766, 767, 867, 879, 983, 984, 1036, 1069, 1210, 1235, 1236, 1273, 1278, 1425, 1474, 1503
Raised point of order.....	672, 1592

Leave of absence granted.....  
 .....23, 58, 61, 91, 118, 131, 142, 170, 366, 817, 842  
 Addressed Senate on death of Senator Haskell..... 1587  
 Placed Senator Shane in nomination for president pro tempore.... 11

FULTON, CHAS. J.—Senator Second District.

Bills introduced.....S. F. 9,  
 83, 96, 170, 186, 199, 205, 214, 229, 261, 339, 340, 359, 383, 391  
 Committee assignments.....2, 100, 182, 256, 691, 841  
 Petitions presented.....170, 583, 642, 677, 719, 959, 1028  
 Amendments offered.....124, 127, 180, 272, 280, 293  
 294, 295, 332, 343, 410, 424, 501, 508, 514, 515, 529, 617, 621,  
 657, 681, 699, 700, 701, 702, 703, 704, 706, 756, 757, 793, 799,  
 892, 897, 898, 902, 922, 951, 968, 978, 1017, 1051, 1052, 1056,  
 1064, 1065, 1066, 1074, 1075, 1090, 1217, 1267, 1279, 1330, 1375, 1396  
 Appealed from decision of chair..... 315  
 Resolutions offered.....255, 297, 916  
 Motions made.....2,  
 127, 187, 272, 273, 329, 334, 373, 381, 409, 410, 553, 602, 789,  
 804, 964, 1041, 1042, 1066, 1238, 1239, 1305, 1306, 1338, 1339, 1465  
 Filed statement..... 956  
 Appointed in special bank inquiry committee..... 182  
 Raised point of order.....127, 574, 813, 883, 901, 965  
 Leave of absence granted.....210, 1124  
 Offered amendment to rules..... 120  
 Resigned from standing committees..... 107

GILCHRIST, F. C.—Senator Fiftieth District.

Bills introduced.....S. F. 88, 95, 110, 118, 183,  
 184, 200, 202, 224, 319, 320, 321, 322, 323, 324, 325 and S. J. R. 3  
 Committee assignments.....100, 1277, 1534  
 Petitions presented.....678, 735  
 Amendments offered.....182,  
 188, 332, 334, 357, 496, 501, 510, 528, 646, 648, 657, 723, 756,  
 758, 878, 901, 909, 910, 951, 1016, 1089, 1094, 1121, 1134, 1156,  
 1177, 1192, 1193, 1194, 1219, 1386, 1398, 1402, 1433, 1436, 1466, 1505  
 Motions made.....117, 238, 249, 250, 303, 310, 317, 424, 536,  
 563, 570, 605, 606, 609, 618, 620, 698, 716, 727, 728, 743, 746,  
 747, 890, 1089, 1090, 1093, 1111, 1137, 1150, 1151, 1152, 1169,  
 1177, 1190, 1194, 1195, 1214, 1232, 1328, 1384, 1387, 1388, 1481, 1587  
 Raised point of order.....315,  
 328, 870, 744, 745, 882, 1527, 1529, 1555, 1572, 1590, 1591, 1593, 1594  
 Leave of absence granted.....61, 142, 433, 455, 1028, 1058, 1344  
 Addressed joint convention..... 553  
 Filed protest and objection..... 1584

GOVERNOR JOHN HAMMILL—

Read biennial message..... 34  
 Canvass of vote on Governor.....56, 63  
 Declared elected..... 63  
 Certificate of election..... 64  
 Oath of office..... 66  
 Inaugural address..... 66  
 Submitted veto of barber bill..... 1239  
 Submitted communication relating to interstate bridges.....1266, 1438  
 Submitted communication relating to highway funds..... 1451

GUNDERSON, O. E.—Senator Forty-first District.

Bills introduced.....S. F. 71, 100, 101, 115, 116, 155  
 Committee assignments.....4, 100, 1597  
 Petitions presented.....183, 224, 304, 531, 641, 676, 718, 719, 735

Amendments offered.....	317, 490, 954, 1039, 1046, 1052, 1085,	1242
Resolutions offered.....		1569
Motions made.....	106, 263,	
451, 452, 510, 521, 527, 560, 604, 605, 1036, 1037, 1042, 1046, 1047,		
1110, 1139, 1155, 1160, 1161, 1237, 1238, 1253, 1260, 1414, 1477,		1478
Leave of absence granted.....		959
<b>HARTMAN, GEO, S.—Senator Fortieth District.</b>		
Committee assignments.....		100
Petitions presented.....	224, 239, 425, 475, 504, 554,	
592, 643, 677, 719, 735, 817, 842, 885, 937, 960, 1028, 1058, 1082.		1143
<b>HASKELL, W. G.—Senator Twenty-sixth District.</b>		
Bills introduced.....	S. F. 11, 72,	304
Committee assignments.....	4, 101, 304,	841
Petitions presented.....	170, 339, 433, 475, 613, 678,	1028
Amendments offered.....	651, 672, 1091,	1200
Resolutions offered.....		411
Motions made.....	10, 181, 237, 554, 616, 617, 769,	
879, 880, 883, 1008, 1012, 1017, 1094, 1095, 1211, 1303, 1304, 1319,		1320
Raised point of order.....	311, 365,	589
Leave of absence granted.....	58, 200, 209, 455, 688, 842, 1123,	1384
Presented with chair.....		1572
Appointed teller.....		10
Death of announced.....		1586
Memorial services held for.....		1586
<b>INAUGURATION—</b>		
Resolution for joint committee on.....	10,	12
Senate members of committee appointed.....	10,	12
Report of committee submitting program.....		26
Inaugural address.....		66
<b>JOHNSTON, C. F.—Senator Forty-third District.</b>		
Bills introduced.....	S. F. 1, 143, 245, 248,	276
Committee assignments.....	10, 101, 304, 435, 544, 573, 841, 1534,	1585
Petitions presented.....	200, 503, 531, 579, 592, 612, 735, 736,	1097
Amendments offered.....	188, 451, 511, 578, 1064, 1100, 1385, 1386,	1492
Resolutions offered.....		10
Motions made.....	8, 31,	
136, 182, 191, 192, 193, 201, 221, 338, 454, 465, 500, 537, 544, 588,		
589, 597, 620, 645, 646, 351, 799, 807, 1042, 1100, 1101, 1323, 1324,		
1362, 1467, 1468, 1472, 1475, 1480, 1481, 1491, 1492, 1493, 1520,		1525
Leave of absence granted.....	61, 91, 210, 366, 718, 842,	991
<b>JOINT CONVENTION—</b>		
To hear biennial message of Governor Hammill and canvass vote.....		33
To complete canvass of vote and hear inaugural address of Governor Hammill.....		63
To hear address by former Governor W. L. Harding.....		146
To hear address by Governor Pierce of Oregon.....		311
To hear addresses by Messrs. Gilman and Seaman.....		345
On Lincoln's birthday to hear Col. J. F. McNeill.....		369
For Cummins and Young memorial exercises.....		396
To hear Howard P. Savage and Charles A. Mills.....		487
In honor of Pioneer Lawmakers.....		544
To hear Prince William of Sweden.....		786
<b>KIMBERLY, D. W.—Senator Twenty-first District.</b>		
Bills introduced.....	S. F. 63, 109, 298,	366
Committee assignments.....		101, 912
Petitions presented.....	210, 339, 843, 991,	1097



# GENERAL INDEX

1701

Amendments offered.....	793, 1027
Motions made.....	253, 768, 769, 910, 911, 1510
Leave of absence granted.....	61, 131, 170, 209, 1270
<b>KERN, CHARLES B.—Senator Eleventh District.</b>	
Bills introduced.....	S. F. 75, 141, 167
Committee assignments.....	101, 938, 1596
Petitions presented.....	239, 329, 583, 642
Amendments offered.....	321
Resolutions offered.....	937
Motions made.....	207, 209, 394, 938, 1566
Raised point of order.....	905
Leave of absence granted.....	122, 475
<b>KLEMMÉ, Wm. H.—Senator Forty-second District.</b>	
Bills introduced.....	S. F. 102, 119, 120, 131
Committee assignments.....	101, 435
Petitions presented.....	183, 455, 503, 613, 641, 642, 676, 688, 736
Amendments offered.....	531, 1200, 1209, 1399
Resolutions offered.....	435
Motions made.....	117, 162, 207, 301, 395, 504, 512, 513, 524, 525, 675, 759, 881, 969, 1084, 1086, 1343
Explained vote.....	1055, 1249, 1313, 1388
Honored on seventy-eighth birthday.....	425
<b>LANGFITT, JOHN M.—Senator Sixteenth District.</b>	
Bills introduced.....	S. F. 150, 338
Committee assignments.....	101, 911
Petitions presented.....	591, 659
Amendments offered.....	772, 812, 1271
Motions made.....	145, 282, 672, 1263, 1271, 1272
Leave of absence granted.....	209
<b>LEGISLATIVE LADIES' LEAGUE—</b>	
Communication from concerning mansion for Governor.....	1144
<b>LIEUTENANT GOVERNOR CLEM F. KIMBALL—</b>	
(See also president of the Senate.)	
Canvass of vote.....	56, 63
Declared elected.....	63
Certificate of election.....	64
Oath of office.....	66
<b>LINCOLN'S BIRTHDAY—</b>	
Committee appointed to arrange observance.....	216
Report of committee.....	247
Joint convention program in observance of.....	368
<b>McFARLANE, ARCH—Senator Thirty-eighth District.</b>	
Bills introduced.....	S. F. 56, 86, 98, 105, 107, 168, 189, 258, 278, 279, 280, 285, 286, 299, 300, 301, and S. J. R. 5
Committee assignments.....	7, 102, 772, 1590, 1595
Petitions presented.....	224, 592, 642, 643, 678, 773, 885, 960
Amendments offered.....	182, 187, 256, 499, 511, 671, 744, 794, 1051, 1102, 1198, 1218
Resolutions offered.....	24
Motions made.....	7, 12, 24, 56, 57, 253, 262, 263, 279, 280, 336, 342, 343, 362, 363, 365, 440, 449, 511, 533, 561, 597, 669, 671, 687, 734, 816, 818, 871, 872, 873, 874, 945, 946, 984, 1037, 1038, 1073, 1085, 1099, 1130, 1131, 1222, 1236, 1242, 1320, 1327, 1341, 1382, 1394, 1396, 1397, 1465, 1472, 1473, 1590, 1591, 1592, 1594

Raised point of order.....	336, 671, 902,	1572
Leave of absence granted.....	61, 170, 218, 366, 829,	842
Called to the chair.....		395
Appointed teller.....		10

McLELAND, W. E.—Senator Twenty-eighth District.

Bills introduced.....	S. F. 89, 90, 91, 241,	384
Committee assignments.....	102, 716, 772,	911
Petitions presented.....	209, 425, 501, 591, 660,	735
Amendments offered.....	124, 568, 598, 877, 1116,	1263
Resolutions offered.....		911
Motions made.....		125,
170, 183, 440, 559, 560, 568, 578, 598, 622, 722, 723, 911, 1012,		
1013, 1137, 1138, 1156, 1157, 1263, 1264, 1311, 1316, 1378, 1548,		1554

LANGE, OTTO F.—Senator Thirty-fifth District.

Bills introduced.....	S. F. 3, 4, 5, 68, 121, 122, 125,	
126, 171, 211, 255, 335, 336, 351, 358, 374, 375, 442, and S. J. R.		1
Committee assignments.....	10, 89,	101
Petitions presented.....		
..... 475, 503, 531, 584, 591, 592, 642, 677, 719, 750, 861, 1184,		1307
Amendments offered.....		
..... 499, 757, 763, 767, 792, 800, 813, 816, 839, 881, 899,		
988, 1016, 1050, 1057, 1068, 1131, 1134, 1216, 1236, 1281, 1365, 1394,		1398
Resolutions offered.....		131
Motions made.....		132, 179,
180, 203, 209, 214, 216, 236, 327, 364, 367, 440, 449, 450, 526,		
527, 559, 582, 649, 795, 813, 814, 870, 884, 916, 947, 1003, 1068,		
1138, 1153, 1154, 1162, 1163, 1168, 1176, 1177, 1216, 1221, 1222,		
1223, 1266, 1269, 1281, 1282, 1310, 1322, 1327, 1369, 1450, 1481,		1483
Explained vote.....		1421
Raised point of order.....	1200, 1221,	1222
Called to the chair.....		1586

MEMORIALS—

Memorial session.....		1377
Mitchell, Elmer E., committee appointed.....		91
Mattes, Joseph, committee appointed.....		233
Allen, William S., committee appointed.....		256
Lewis, W. R., committee appointed.....		304
Lyons, A. D., committee appointed.....		435
Wright, O. P., committee appointed.....		486
Sullivan, John B., committee appointed.....		573
Ream, John F., committee appointed.....		613
McKlveen, J. A., committee appointed.....		716
Quigley, Robert, committee appointed.....		834
Brookhart, John L., committee appointed.....		834
Clossen, John B., committee appointed.....		911
Trewin, J. H., resolution of tribute adopted.....		932
Talman, William Bell, committee appointed.....		938
Tirrill, Rodney W., committee appointed.....		1185
Price, John R., committee appointed.....		1271
Thomas, Charles H., committee appointed.....		1346

MERRITT, J. G.—Senator Forty-eighth District.

Bills introduced.....	S. F. 97, 190, 294, 331,	387
Committee assignments.....	7, 102, 233, 1377,	1596
Petitions presented.....		218,
224, 296, 304, 388, 554, 579, 584, 592, 642, 659, 676, 735, 937, 959,		1184
Amendments offered.....		303, 471, 798,
Resolutions offered.....		233
Motions made.....		605, 1161, 1174, 1226,
Leave of absence granted.....		61, 131

MILEAGE—

Committee on appointed.....	9
Report of committee.....	17, 1583

MILLS, REDFIELD C.—Senator Seventeenth District.

Bills introduced.....	S. F. 216, 243, 308
Committee assignments.....	102, 282, 487
Petitions presented.....	183, 554, 579, 613, 660, 676
Amendments offered.....	903, 1051, 1374
Motions made.....	10, 448, 449, 487, 602, 603, 852, 853, 867, 964, 986, 897, 1405
Leave of absence granted.....	58, 118, 366, 1143, 1335

OFFICERS AND EMPLOYES OF THE SENATE—

Temporary officers elected.....	1
Permanent officers elected.....	6
Pages appointed by Lieutenant Governor.....	23
Report of joint committee on extra help.....	25

OATH OF OFFICE—

By temporary officers.....	4
By newly-elected Senators.....	6
By postmistress.....	17
By pages.....	24
By Mrs. Ed. H. Campbell as Senator Campbell's clerk.....	238
By Martha Coffin as committee clerk.....	773
By Senator Thompson.....	911

PETITIONS RELATIVE TO—

School textbooks.....	842, 861
Heavy loads with narrow tires in paving.....	91
Near beer tax.....	591, 861, 885, 911, 937, 959, 991, 1028, 1082, 1307
Military training in schools.....	579
Boxing.....	591, 773, 1028
Fish and game.....	137, 339,
413, 503, 530, 531, 584, 591, 592, 641, 842, 937, 1028, 1058, 1082,	1097
Primary elections.....	530
Oleomargarine.....	322, 688
Drainage.....	126
Child welfare.....	735
Bank guaranty.....	137, 170,
239, 339, 388, 425, 455, 504, 530, 531, 554, 579, 580, 584, 642, 643,	659, 660, 718, 719, 735, 736, 750, 817, 842, 885, 937, 960, 991, 1082,
Garnishment.....	530, 584, 736, 801
Bridge contracts.....	265, 455
News censorship.....	475
Iowa products bill.....	584
Hospitals, medical profession, indigents, Perkins law, Wamstad bill, etc.....	504, 584, 642, 719, 817, 960
Motor vehicle fees, motor vehicle tax, etc.....	475, 1028, 1058, 1082
Prison labor.....	503, 584
Soldier exemption laws.....	475
Highways, bond issue, etc.....	137, 183, 218, 239,
296, 304, 388, 425, 455, 504, 531, 554, 579, 580, 591, 592, 641, 642,	659, 660, 718, 719, 736, 750, 773, 817, 842, 885, 911, 959, 1028, 1143
Tobacco tax.....	583, 584, 591, 592, 642, 643, 659, 660,
688, 518, 519, 736, 750, 773, 801, 817, 861, 937, 959, 969, 991, 1143,	1184
Licensing of engineers and land surveyors.....	554
Gas tax.....	224, 592, 817, 1184, 1307, 1379
Bovine tuberculosis.....	554, 991
Tax exempt securities.....	239
County homes.....	365, 642, 773

School taxation.....	773
Levy for fire department support.....	592, 817
High school fraternities and sororities.....	375, 425, 736
Interstate bridges.....	641
Pasteurization of milk.....	375
Bad check bill.....	433, 455, 641
Public health.....	239, 475, 960, 991, 1028, 1058
Beauty parlors.....	339, 375, 388
Licensing oil stations.....	339
Barbering.....	137, 142, 170, 183, 200, 209, 210, 218, 224, 239
Jury lists.....	1058
Licensing veterinarians.....	885, 1028
County agents.....	591
Income tax.....	210, 218, 224, 239, 265, 296, 304, 365, 388, 413, 425, 433, 503, 583, 584, 641, 642, 660

## PRESIDENT OF THE SENATE CLEM F. KIMBALL—

(See also Lieutenant Governor.)

Appointed pages.....	23
Addressed the Senate.....	89
Appointed standing committees.....	92
Appointed Senate members of special joint committee on bank inquiry.....	129
Petitions presented.....	366
Addressed Senate on being presented with loving cup.....	1554
Made rulings.....	127, 235, 279, 311, 315, 329, 365, 574, 589, 590, 670, 671, 672, 706, 744, 746, 813, 814, 841, 882, 884, 892, 901, 902, 905, 949, 965, 966, 1053, 1054, 1083, 1200, 1221, 1222, 1253, 1312, 1341, 1371, 1434, 1456, 1457, 1528, 1529, 1550, 1555, 1556, 1572, 1591, 1592, 1593, 1594, 1595
Signed bills.....	123, 141, 221, 271, 292, 313, 326, 342, 391, 430, 493, 519, 570, 593, 660, 750, 774, 889, 893, 921, 938, 1019, 1043, 1074, 1111, 1125, 1186, 1224, 1245, 1255, 1271, 1281, 1308, 1362, 1363, 1388, 1415, 1438, 1469, 1501, 1530, 1566, 1576, 1581, 1585, 1596

## PRESIDENT PRO TEM FRANK SHANE—

(See also Shane, Frank.)

Election of.....	11
Addressed the Senate.....	11
Presided at sessions of Senate.....	12, 257, 291, 322, 332, 334, 339, 485, 530, 537, 646, 698, 805, 931, 937, 951, 959, 1041, 1058, 1151, 1170, 1304, 1323, 1361, 1586
Presided at sessions of joint convention.....	63, 143
Made rulings.....	205, 336, 954, 965

## PROOF OF PUBLICATION—

Of Senate File 7.....	210
Of House File 44.....	265
Of Senate File 153.....	339
Of Senate File 178.....	475
Of Senate File 196.....	476
Of Senate File 289.....	732
Of Senate File 345.....	850
Of House File 45.....	861
Of House File 238.....	861
Of Senate File 382.....	960
Of Senate File 403.....	969
Of House File 116.....	992
of Senate File 382.....	1058
Of House File 329.....	1144
Of House File 259.....	1144

Of House File 354.....	1144
Of Senate File 428.....	1206
Of Senate File 444.....	1379
<b>RAMSEY, JOHN M.—Senator Thirty-ninth District.</b>	
Bills introduced.....	S. F. 133
Committee assignments.....	102, 435
Petitions presented.....	425, 592, 612, 677, 773, 817
Resolutions offered.....	119
Motions made.....	256, 331, 567, 568, 669
Leave of absence granted.....	354, 991, 1184
<b>RESIGNATION—</b>	
Of postmistress.....	12
Of Senator Fulton from all standing committee assignments.....	107
Of Senator Shane from special bank inquiry committee.....	181
Of committee clerk.....	216, 771, 1035
<b>RETRENCHMENT AND REFORM COMMITTEE—</b>	
Report of.....	162
<b>RIGBY, C. L.—Senator Twenty-fourth District.</b>	
Bills introduced.....	S. F. 132, 139, 204, 264, 283, 290, 348
Committee assignments.....	9, 102, 282, 1534, 1590
Petitions presented.....	179, 861, 1058, 1097
Amendments offered.....	327, 795, 1016, 1102, 1133
Motions made.....	12, 312, 451, 514, 536, 650, 652, 674, 915, 1099, 1100, 1128, 1131, 1132, 1133, 1135, 1159, 1178, 1180, 1181, 1489
Leave of absence granted.....	58, 61, 142, 239, 1184, 1216
<b>ROBERTS, H. GUY—Senator Fifth District—</b>	
Bills introduced.....	S. F. 233, 264, 363
Committee assignments.....	10, 34, 102, 311, 841, 938, 1346, 1377, 1534
Petitions presented.....	433, 530, 584, 676, 735, 750, 808
Amendments offered.....	316, 317, 321, 327, 515, 757, 796, 824, 825, 829, 839, 899, 1039, 1221, 1228, 1461
Resolutions offered.....	594, 1346
Motions made.....	34, 209, 471, 611, 674, 704, 720, 936, 1092, 1132, 1133, 1134, 1250, 1269, 1322, 1324, 1346, 1461, 1498, 1525, 1526, 1527
Raised point of order.....	1253, 1312, 1433
Leave of absence granted.....	257
Made chairman of sifting committee.....	841
<b>RULES—</b>	
Rules of Forty-first General Assembly adopted temporarily.....	7
Amendment to offered.....	120
Report of committee on.....	125
Report of joint committee.....	168
Committee report adopted.....	186
Amendments considered.....	186-190
Report of joint committee considered.....	190
Joint rules amended and adopted.....	205
Senate rules reconsidered.....	306
Special rule relating to debate.....	1436
<b>SEATS—</b>	
Assignment and drawing of.....	8
Assignment of seats to press.....	9
Exchange of.....	1583
<b>SECRETARY OF THE SENATE—</b>	
See Beam, Walter H.	

## SHAFF, J. O.—Senator Twenty-second District.

Bills introduced.....S. F. 7, 104, 149, 249, 270, 271, 272, 273, 281,	305
Committee assignments.....	103, 345, 772, 1534, 1590
Petitions presented.....	959, 991, 1058
Amendments offered.....	381, 755, 816, 829, 900, 906, 951,
1041, 1047, 1048, 1049, 1050, 1051, 1054, 1085, 1192, 1198, 1200,	1527
Resolutions offered.....	143, 291, 314, 1566
Motions made.....	8, 58, 61,
124, 131, 174, 222, 223, 310, 334, 335, 336, 345, 381, 537, 590,	
600, 601, 618, 621, 649, 651, 657, 667, 668, 670, 747, 755, 936,	
947, 987, 1039, 1040, 1047, 1048, 1049, 1050, 1054, 1055, 1088,	
1092, 1192, 1193, 1202, 1222, 1236, 1237, 1273, 1274, 1275, 1311,	
1359, 1385, 1415, 1423, 1432, 1436, 1493, 1494, 1547, 1572, 1590,	1593
Leave of absence granted.....	23, 200, 209, 366, 455, 829, 1124
Raised point of order.....	329

## SHANE, FRANK—Senator Thirteenth District.

Bills introduced.....S. F. 76, 77, 140, 178, 194,	244
Committee assignments.....	103, 841, 1277, 1597
Petitions presented.....	91, 147, 304, 388, 584, 612
Amendments offered.....	124, 321, 326, 542, 601, 707,
783, 860, 956, 1002, 1038, 1217, 1218, 1219, 1221, 1258, 1398, 1399,	1554
Motions made.....	21, 24, 106, 109, 129, 235, 236,
237, 248, 260, 318, 321, 328, 329, 354, 375, 395, 432, 453, 454,	
472, 502, 515, 542, 543, 566, 567, 578, 589, 707, 728, 729, 732,	
749, 768, 837, 869, 889, 918, 920, 949, 967, 1002, 1003, 1158,	
1197, 1198, 1205, 1247, 1255, 1258, 1259, 1260, 1266, 1302, 1313,	
1339, 1340, 1397, 1399, 1456, 1484, 1530, 1557, 1575, 1880, 1886,	1597
Raised point of order.....	949, 966
Leave of absence granted.....	58, 837, 1009
Resigned from special bank inquiry committee.....	181

## SHINN, A. J.—Senator Thirty-fourth District.

Bills introduced.....S. F. 94, 153, 283, 344,	368
Committee assignments.....	10, 18, 103, 326, 613, 691, 834, 1597
Petitions presented.....	265, 339, 388, 580, 583, 613, 642, 660, 675, 676, 911, 1082
Amendments offered.....	217, 735, 736, 872,
879, 892, 899, 900, 901, 902, 1008, 1026, 1052, 1094, 1265, 1324,	1479
Resolutions offered.....	197
Motions made.....	9, 18, 91, 136, 174, 175, 207,
221, 292, 325, 334, 336, 365, 381, 618, 619, 708, 709, 710, 829,	
841, 880, 1015, 1016, 1077, 1264, 1265, 1326, 1404, 1405, 1468,	1491
Raised point of order.....	590, 1341, 1550
Leave of absence granted.....	61, 209, 1119, 1143
Presented with bouquet on thirty-eighth wedding anniversary....	806

## SIFTING COMMITTEE—

Resolution for introduced.....	594
Resolution for adopted.....	757
Committee appointed.....	841

## SKROMME, LARS J.—Senator Thirty-first District.

Bills introduced.....S. F. 106, 160, 228, 240, 376, 377, 378,	379
Committee assignments.....	89, 787, 1185
Petitions presented.....	183, 184, 375, 530, 677, 678, 718, 719, 735
Amendments offered.....	123, 130, 189
Resolutions offered.....	382
Motions made.....	89, 383, 617, 618, 651, 786, 1302, 1311, 1488, 1489
Leave of absence granted.....	842, 959, 991

SLEMMONS, GEO. F.—Senator Thirty-third District.

Bills introduced.....	S. F. 81, 87, 134, 176
Committee assignments.....	103, 1185
Petitions presented.....	339, 531, 613, 736
Amendments offered.....	359, 1053, 1113, 1274, 1468
Resolutions offered.....	1185, 1538
Motions made .....	130, 190, 204, 299, 315, 336, 359, 469, 470, 491, 502, 610, 611, 675, 730, 731, 746, 860, 982, 1073, 1124, 1128, 1185, 1210, 1483
Raised point of order.....	205
Leave of absence granted.....	61, 218, 1335, 1344

STANLEY, F. C.—Senator Fourteenth District.

Bills introduced.....	S. F. 135
Committee assignments.....	9, 10, 91, 103, 216, 579, 613, 1595
Petitions presented.....	137, 660, 801
Amendments offered.....	621, 680, 681, 890, 1120, 1141, 1227, 1328, 1553
Resolutions offered.....	91, 613
Motions made .....	216, 369, 370, 454, 538, 613, 681, 1120, 1121, 1257, 1327, 1328, 1329, 1336, 1337, 1338, 1360, 1361, 1402, 1406, 1475, 1476, 1511, 1512, 1552, 1553
Leave of absence granted.....	200, 209, 991
Addressed Senate on death of Senator Haskell.....	1589

STODDARD, BERTEL M.—Senator Thirty-second District.

Bills introduced.....	S. F. 10, 15, 56, 80, 158, 159, 161, 177, 193, 212, 234, 235, 236, 242, 247, 274, 302, 303, 339
Committee assignments.....	7, 12, 103, 233, 282, 841, 1377, 1585
Petitions presented.....	375, 425, 504, 583, 584, 592, 688, 1028, 1058
Amendments offered.....	130, 188, 190, 256, 281, 491, 528, 705, 716, 734, 748, 772, 786, 793, 797, 804, 826, 838, 859, 876, 877, 881, 882, 899, 900, 906, 922, 948, 956, 962, 988, 1064, 1081, 1086, 1093, 1150, 1172, 1181, 1195, 1242, 1248, 1325, 1377, 1398, 1399, 1404, 1540
Resolutions offered.....	281, 314, 1505
Motions made .....	12, 23, 24, 31, 60, 62, 88, 107, 122, 213, 214, 217, 281, 291, 295, 312, 315, 353, 360, 381, 387, 424, 470, 473, 500, 515, 529, 558, 599, 600, 606, 607, 615, 616, 620, 646, 650, 657, 680, 716, 772, 783, 784, 785, 800, 807, 813, 814, 816, 823, 828, 860, 884, 891, 896, 899, 906, 917, 920, 931, 932, 951, 963, 977, 978, 990, 1045, 1046, 1061, 1063, 1064, 1065, 1068, 1071, 1086, 1087, 1093, 1094, 1103, 1121, 1122, 1124, 1136, 1142, 1162, 1169, 1172, 1173, 1179, 1180, 1195, 1196, 1212, 1222, 1228, 1229, 1233, 1234, 1277, 1322, 1323, 1325, 1326, 1327, 1334, 1341, 1357, 1358, 1383, 1387, 1413, 1428, 1429, 1430, 1431, 1496, 1501, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1521, 1522, 1534, 1535, 1537, 1540, 1578, 1579, 1580, 1581, 1582, 1585
Leave of absence granted.....	200, 209, 991, 1244
Raised point of order.....	279

TELLERS—

Appointed by joint convention.....	10
------------------------------------	----

THOMPSON, RALPH U.—Senator Twentieth District.

Sworn in.....	911
Bills introduced.....	S. F. 443
Committee assignments.....	912
Petitions presented.....	937, 1184
Amendments offered.....	1053, 1056, 1143, 1320, 1400
Motions made.....	1397

## TOPPING, CLYDE H.—Senator Ninth District.

Bills introduced.....	S. F. 16, 128, 206,	222
Committee assignments.....	9,	104
Petitions presented.....	817, 830, 911,	1082
Amendments offered.....	490, 622, 650, 672, 673, 1055, 1198,	1303
Motions made.....	9, 203, 357,	358, 369, 473, 474, 874, 875, 1009, 1010, 1118, 1183, 1250, 1305, 1311
Leave of absence granted.....	91, 257, 283, 503,	1311

## VLSTAD, OSCAR—Senator Thirty-seventh District.

Bills introduced.....	S. F. 203, 232, 254, 329,	355
Committee assignments.....	7, 91, 104,	1185
Petitions presented.....	218, 531, 580, 659, 773, 801,	1058
Amendments offered.....	1026, 1061,	1142
Motions made.....	870, 871, 1036, 1065, 1068, 1069, 1075, 1076, 1246,	1506
Leave of absence granted.....	58,	61

## WILSON, DENVER L.—Senator Seventh District.

Bills introduced.....	S. F. 60, 61, 92, 103, 156, 226, 227, 330, 371, and S. J. R.	2
Committee assignments.....	10,	104
Petitions presented.....	265, 425, 455, 580, 611, 612, 677, 719,	991
Amendments offered.....	658, 671, 699, 734, 882, 979, 1012,	1051, 1089, 1217, 1242, 1279, 1342, 1360, 1361, 1373, 1449, 1458,
Resolutions offered.....	10	10
Motions made.....	10,	142, 213, 237, 247, 249, 250, 251, 311, 394, 426, 466, 511, 516,
	525, 526, 568, 608, 789, 836, 947, 981, 1091, 1184, 1386, 1460,	1461
Raised point of order.....	1371,	1456
Leave of absence granted.....	209, 366, 838, 842,	1124
Presented with bouquet on birthday.....	806	806

## WILSON, GEO. A.—Senator Thirtieth District.

Bills introduced.....	S. F. 57, 58,	59, 73, 74, 93, 117, 129, 130, 164, 165, 172, 173, 174, 259, 260,
	275, 287, 288, 292, 307, 311, 327, 332, 333, 334, 370, 388, 390, 393	
Committee assignments.....	10, 104, 396, 573, 691,	1377
Petitions presented.....	137, 413, 425, 455, 530, 584, 642, 718,	959
Amendments offered.....	321, 329, 344, 468, 486, 578, 652, 756, 858,	867, 907, 983, 1038, 1046, 1054, 1150, 1192, 1217, 1221, 1306, 1477,
Resolutions offered.....	129, 267, 281, 282, 409, 573,	644
Motions made.....	190, 202, 205, 223, 368, 374, 396, 412, 444,	445, 460, 462, 463, 464, 497, 498, 507, 508, 509, 510, 521, 522,
	523, 535, 536, 569, 607, 608, 683, 684, 724, 725, 757, 758, 764,	851, 852, 854, 855, 858, 868, 958, 978, 979, 998, 1036, 1063, 1072,
	1081, 1129, 1148, 1149, 1150, 1168, 1212, 1237, 1256, 1260, 1272,	1302, 1315, 1316, 1317, 1318, 1327, 1371, 1427, 1466, 1473, 1476,
	1477, 1482, 1490, 1541, 1542, 1543, 1544, 1545, 1548, 1566, 1571,	1572
Raised point of order.....	1555, 1592, 1594	

## WILSON, SAMUEL F.—Senator Twentieth District.

Committee assignments.....	10,	104
Leave of absence granted.....	23, 58, 61, 91, 142, 210, 218,	283
Death of announced.....	473	473
Committee appointed to attend funeral of and draft resolutions...	437	437
Telegram of condolence to Mrs. Wilson.....	473	473
Recess in honor of.....	520	520
Prayer by Senator Ellis.....	520	520

## WASHINGTON'S BIRTHDAY—

Joint convention for program in observance of.....	486
Proposal from congress for observing 200th anniversary of.....	588