

STATE OF IOWA
1928

Journal of the Senate

OF THE

Forty-second General Assembly

SPECIAL SESSION
CONVENED MARCH 5, 1928
ADJOURNED MARCH 14, 1928

JOHN HAMMILL, Governor
L. V. CARTER, Speaker of the House
HOWARD A. MATHEWS, Speaker Pro Tempore
CLEM F. KIMBALL, President of the Senate

Published by
THE STATE OF IOWA
Des Moines

FORTY-SECOND GENERAL ASSEMBLY SPECIAL SESSION

OFFICERS OF THE SENATE

CLEM F. KIMBALL, President.....	Council Bluffs
FRANK SHANE, President Pro Tempore.....	Ottumwa
WALTER H. BEAM, Secretary.....	Martensdale
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GENEVIEVE BURLING, Engrossing Clerk.....	Waterloo
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ELECTIVE STATE OFFICERS
Official Address—Des Moines, Iowa

Name	Office	Address
John Hammill.....	Governor.....	Britt
Clem F. Kimball.....	Lieutenant Governor.....	Council Bluffs
Ed. M. Smith.....	Secretary of State.....	Winterset
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
Fred P. Woodruff.....	Railroad Commissioner.....	Knoxville
B. M. Richardson.....	Railroad Commissioner.....	Cedar Rapids
Agnes Samuelson.....	Supt. 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
Lawrence De Graff.....	Judge Supreme Court.....	Des Moines
F. F. Faville.....	Judge Supreme Court.....	Ft. Dodge
Henry F. Wagner.....	Judge Supreme Court.....	Sigourney
J. W. Kindig.....	Judge Supreme Court.....	Sioux City

MEMBERS OF THE SENATE

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Baird, W. S.	Council Bluffs	64	Lawyer, Banker	Rep.	19	Pottawattamie	39, 40, 40 Ex., 41, 42
Beatty, Frank M.	Sigourney		Lawyer	Rep.	12	Poweshiek, Keokuk	42
Benson, C. A.	Elkader		Farmer	Rep.	36	Clayton	41, 42
Bergman, A. H.	Newton	54	Farmer, Mnfg., Banker	Rep.	29	Jasper	40, 40 Ex., 41, 42
Booth, Charles D.	Harlan	57	Farmer	Rep.	18	Cass, Shelby	42
Breakenridge, W. J.	Rodman	35	Farmer	Rep.	47	Kossuth, Emmet, Palo Alto, Dickinson, Clay	41, 42
Brookins, A. T.	Bassett	44	Farmer	Rep.	44	Floyd, Chickasaw	40, 40 Ex., 41, 42
Browne, Charles S.	Monmouth	52	Farmer	Rep.	23	Jackson	39, 40, 40 Ex., 41, 42
Brush, S. A.	Chelsea	54	Grain Dealer	Rep.	45	Tama, Benton	42
Campbell, Ed. H.	Battle Creek	45	Lawyer	Rep.	46	Cherokee, Ida, Plymouth	34, 39, 40, 40 Ex., 41, 42
Carden, William	Winfield	51	Life Insurance	Rep.	10	Washington, Henry	29, 30, 31, 42
Cavanaugh, E. E.	Ft. Dodge	46	Attorney	Rep.	27	Webster, Calhoun	41, 42
Clark, F. C.	Cedar Rapids		Attorney	Rep.	26	Linn	38, 39, 40, 40 Ex.
Clark, W. A.	Pleasantville	60	Former County Official	Rep.	15	Marion, Monroe	41, 42
Clearman, Geo. M.	Oxford	57	Farmer	Rep.	25	Johnson, Iowa	41, 42
Cochrane, Wm.	Red Oak			Rep.	8	Mills, Montgomery	
Dotts, A. G.	Corydon	56	Farmer	Rep.	4	Wayne, Lucas	40, 40 Ex., 41, 42
Ellis, Lloyd	Moulton	44	Minister	Dem.	3	Appanoose, Davis	41, 42
Fackler, S. E.	Prescott	60	Merchant and Farmer	Rep.	6	Adams, Taylor	39, 40, 40 Ex., 41, 42
Frailey, Joseph R.	Ft. Madison	51	Lawyer	Rep.	1	Lee	36, 37, 38, 39, 42
Fulton, Charles J.	Fairfield	67	Manufacturer	Rep.	2	Jefferson, Van Buren	33, 34, 39, 40, 40 Ex., 41, 42
Gilchrist, F. C.	Laurens	59	Lawyer	Rep.	50	Buena Vista, Humboldt, Pocahontas	29, 40, 40 Ex., 41, 42
Gunderson, O. E.	Forest City	52	Banker, Farmer	Rep.	41	Mitchell, Worth, Winnebago	41, 42
Hartman, Geo. S.	Fayette	56	Merchant	Rep.	40	Fayette, Allamakee	39, 40, 40 Ex., 41, 42
Johnston, C. F.	Sheffield	61	Lawyer, Banker, Farmer	Rep.	43	Hancock, Cerro Gordo, Franklin	26, 26 Ex., 27, 41, 42
Kern, Charles B.	Norwalk	60	Farmer	Rep.	11	Clarke, Warren	37, 38, 41, 42
Kimberly, D. W.	Davenport	49	Retired Farmer	Rep.	21	Scott	36, 37, 38, 39, 40, 40 Ex., 41, 42
Klemme, Wm. H.	Ridgeway	78	Merchant	Rep.	42	Winneshiek, Howard	25, 26, 27, 42
Lange, Otto F.	Dubuque	58	Insurance	Rep.	35	Dubuque	42
Langfitt, John N.	Greenfield	61	Farmer	Rep.	16	Adair, Madison	37, 38, 41, 42
McFarlane, Arch W.	Waterloo	42	Commercial Salesman	Rep.	38	Black Hawk, Grundy	36, 37, 38, 39, 42
McLeland, Wm. E.	Marshalltown	60	Farmer	Rep.	28	Marshall	41, 42
Merritt, J. G.	Glidden	57	Insurance, Farmer	Rep.	48	Sac, Greene, Carroll	41, 42

Mills, Redfield C.....	Redfield.....	36	Veterinarian.....	Rep.	17	Dallas, Guthrie,	
Moen, T. E.....	Inwood.....			Rep.	49	Audubon.....	41, 42
Ramsey, John M.....	Clarksville.....	56	Editor.....	Rep.	39	Osceola, Sioux, Lyon,	38, 39, 40, 40 Ex.
Rigby, Charles L.....	Stanwood.....	53	Farmer, Banker.....	Rep.	24	O'Brien.....	39, 40, 40 Ex., 41, 42
Roberts, H. Guy.....	Mt. Ayr.....	49	Farmer.....	Rep.	5	Butler, Bremer.....	41, 42
Shaff, Jay O.....	Camanche.....	42	Farmer.....	Rep.	22	Cedar, Jones.....	
Shane, Frank.....	Ottumwa.....	52	Insurance.....	Rep.	13	Ringgold, Union,	
Shinn, A. J.....	Woodbine.....	61	Farmer.....	Rep.	34	Decatur.....	36, 37, 41, 42
Skromme, Lars J.....	Roland.....	48	Farmer.....	Rep.	31	Clinton.....	37, 40, 40 Ex., 41, 42
Slemmons, Geo. F.....	Independence.....	52	Farmer.....	Rep.	33	Wapello.....	34, 40, 40 Ex., 41, 42
Stanley, F. C.....	Oskaloosa.....	46	College Professor.....	Rep.	14	Harrison, Crawford,	
Stoddard, Bertel M.....	Sloan.....	57	Farmer, Grain Dealer.....	Rep.	32	Monona.....	40, 40 Ex., 41, 42
Thompson, Ralph U.....	Muscatine.....	49	Lawyer.....	Ind.-		Boone, Story.....	41, 42
Topping, Clyde H.....	Burlington.....	43	Real Estate.....	Dem.	20	Buchanan, Delaware.....	39, 40, 40]Ex., 41, 42
Ulstad, Oscar.....	Holmes.....	60	Farmer.....	Rep.	9	Mahaska.....	41, 42
Wilson, Denver L.....	Shenandoah.....	58	Attorney.....	Rep.	7	Woodbury.....	38, 39, 40
Wilson, Geo. A.....	Des Moines.....	43	Lawyer.....	Rep.	30		40 Ex., 41, 42
						Muscatine, Louisa.....	42
						Des Moines.....	42
						Hamilton, Hardin,	
						Wright.....	37, 38, 39, 40
							40 Ex., 41, 42
						Fremont, Page.....	42
						Polk.....	42

MEMBERS OF THE HOUSE

MEMBERS OF THE HOUSE

Forty-second General Assembly, Special Session

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 5, 1928.

Pursuant to a call by Governor John Hammill, the Forty-second General Assembly convened in extra session and the Senate was called to order by Lieutenant Governor Clem F. Kimball.

Prayer was offered by Rev. A. W. Armstrong of Perry, Iowa.

TEMPORARY OFFICERS

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

Secretary—Walter H. Beam, Martensdale, Warren County.

Enrolling Clerk—Edythe Ditto, Ankeny, Polk County.

Engrossing Clerk—Genevieve Burling, Waterloo, Black Hawk County.

Journal Clerk—Meryl Hoefle, Des Moines, Polk County.

Journal Clerk—Catherine Hicklin, Wapello, Louisa County.

Bill Clerk—E. R. Haggard, Sioux City, Woodbury County.

Postmistress—Vera Herbert, Des Moines, Polk County.

Sergeant-at-Arms—T. D. Doke, Bloomfield, Davis County.

Assistant Sergeant-at-Arms—J. W. Hackley, Des Moines, Polk County.

Chief Doorkeeper—O. W. Lowery, Des Moines, Polk County.

Assistant Doorkeepers—J. H. Mills, B. A. Stowe, J. E. Fitch, Jack Heffelfinger, Clark Wilson, J. B. Carman, H. J. Miller, W. H. Foster.

Cloak Room Janitor—Clarence Miller.

Wash Room Janitor—Henry Jones.

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

COMMITTEE ON CREDENTIALS

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

The motion prevailed and the President appointed as such committee Senators Bergman, Browne and Carden.

REPORT OF COMMITTEE ON CREDENTIALS

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

MR. PRESIDENT: Your committee on credentials finds the following named Senators are entitled to seats in the Senate of the Forty-second General Assembly, Extra Session:

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—Ralph U. Thompson.

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—Wm. H. Klemme.

Forty-fourth District—A. T. Brookins.

Forty-fifth District—S. A. Brush.

Forty-eighth District—J. G. Merritt.

Fiftieth District—F. C. Gilchrist.

Second District—Chas. J. Fulton.

Third District—Lloyd Ellis.

Fourth District—A. G. Dotts.

Fifth District—H. Guy Roberts.

Sixth District—S. E. Fackler.

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—Geo. Clearman.

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—Geo. 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.

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

Eighth District—Wm. Cochrane.

Twenty-sixth District—C. F. Clark.

Forty-ninth District—T. E. Moen.

A. H. BERGMAN.

CHAS. S. BROWNE.

WILLIAM CARDEN.

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

Ayes, 44.

Baird	Breakenridge	Carden	Fackler
Beatty	Brookins	Cavanaugh	Frailey
Benson	Browne	Clark of Marion	Fulton
Bergman	Brush	Clearman	Gilchrist
Booth	Campbell	Dotts	Gunderson

Hartman	Langfitt	Roberts	Stoddard
Johnston	McFarlane	Shaff	Thompson
Kern	McLeland	Shane	Topping
Kimberly	Merritt	Skromme	Ulstad
Klemme	Mills	Slemmons	Wilson of Page
Lange	Rigby	Stanley	Wilson of Polk

Nays, none.

Absent or not voting, 3.

Ellis Ramsey Shinn

The report was adopted.

GOVERNOR'S CALL

To the Senate and House of Representatives of the Forty-second General Assembly:

Whereas, A substantial majority of the membership of the Senate and House of Representatives of the Forty-second General Assembly have petitioned the Governor to call a Special Session of the legislature of the State of Iowa in 1928 to enact a law providing for the submission of a State bond issue of \$100,000,000.00 for a vote of the people; and,

Whereas, The said legislators have expressed themselves that they deem such action advisable and necessary in order that such bond issue may be voted upon by the people at the General Election in November, 1928, and have declared that an extraordinary session is necessary in order that a comprehensive program for the improvement of the primary road system may be carried on efficiently, economically and in the best interests of the people of the State; and,

Whereas, Said legislators have pledged themselves in good faith that they will oppose and vote against the consideration of any other legislation and that they will endeavor to get such bill adopted and adjourn a special session, should one be called in the shortest possible time and in no event to exceed six days after convening; and,

Whereas, In view of the foregoing situation an extraordinary occasion exists within the contemplation of Section 11, Article IV, of the Constitution: Now

Therefore, I, John Hammill, Governor of Iowa, do hereby convene the Forty-second General Assembly in special session commencing on Monday, March 5, 1928, at 10:00 o'clock in the morning for the purpose of passing an act providing for the submission to the people of the State of Iowa at the general election to be held in November, 1928, the question of the adoption of a law as aforesaid.

In Testimony Whereof, I have hereunto affixed my signature and an impression of the Great Seal of the State of Iowa.

Done at Des Moines, this 2nd day of February, A. D. 1928.

JOHN HAMMILL, *Governor*.

(SEAL) By order of Governor:

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

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: Wm. Cochrane, C. F. Clark, T. E. Moen.

Senator Wilson of Polk moved that the newly elected Senators be assigned to the seats of their predecessors, which motion prevailed.

ELECTION OF PERMANENT OFFICERS

Senator Stoddard placed in nomination the following persons as permanent officers of the Senate and moved their election, at the same per diem as at the regular session:

Secretary—Walter H. Beam, Martensdale, Warren County.

Enrolling Clerk—Edythe Ditto, Ankeny, Polk County.

Engrossing Clerk—Genevieve Burling, Waterloo, Black Hawk County.

Journal Clerk—Meryl Hoefle, Des Moines, Polk County.

Journal Clerk—Catherine Hicklin, Wapello, Louisa County.

Bill Clerk—E. R. Haggard, Sioux City, Woodbury County.

Postmistress—Vera Herbert, Des Moines, Polk County.

Sergeant-at-Arms—T. D. Doke, Bloomfield, Davis County.

Assistant Sergeant-at-Arms—J. W. Hackley, Des Moines, Polk County.

Chief Doorkeeper—W. O. Lowery, Des Moines, Polk County.

Assistant Doorkeepers—J. H. Mills, B. A. Stowe, J. E. Fitch, Jack Heffelfinger, Clark Wilson, J. B. Carman, H. J. Miller, W. H. Foster.

Cloak Room Janitor—Clarence Miller.

Wash Room Janitor—Henry Jones.

Those voting for the above named persons were:

Ayes, 46.

Baird	Clark of Marion	Kimberly	Shaff
Beatty	Cochrane	Klemme	Shane
Benson	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Brookins	Fraily	McLeland	Stoddard
Browne	Fulton	Merritt	Thompson
Brush	Gilchrist	Mills	Topping
Campbell	Gunderson	Moen	Ulstad
Carden	Hartman	Rigby	Wilson of Page
Cavanaugh	Johnston	Roberts	Wilson of Polk
Clark of Linn	Kern		

Nays, none.

Absent or not voting, 4.

Bergman

Clearman

Ramsey

Shinn

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

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was duly organized and ready to receive messages.

Senator Brookins offered the following motion and moved its adoption:

MR. PRESIDENT: I move that the Secretary of the Senate be and he hereby is instructed to direct an inquiry to John Hammill, Governor of Iowa, requesting the names of the members of the Senate who have petitioned that this extra session of the legislature be called.

A. T. BROOKINS.

Senator Shaff moved that the motion be laid on the table.

Senator Shane invoked rule 8.

Senator Stoddard raised the point of order that rule 8 could not be invoked as the Senate had no rules as yet.

The President held the point well taken.

On the question "Shall the motion by Senator Brookins be laid on the table?" the vote was:

Ayes, 20.

Baird	Clark of Marion	Lange	Shane
Benson	Ellis	McFarlane	Stanley
Bergman	Frailey	Ramsey	Stoddard
Brush	Johnston	Rigby	Topping
Carden	Kimberly	Shaff	Wilson of Page

Nays, 27.

Beatty	Cochrane	Kern	Roberts
Booth	Dotts	Klemme	Skromme
Breakenridge	Fackler	Langfitt	Slemmons
Brookins	Fulton	McLeland	Thompson
Browne	Gilchrist	Merritt	Ulstad
Campbell	Gunderson	Mills	Wilson of Polk
Cavanaugh	Hartman	Moen	

Absent or not voting, 3.

Clark of Linn	Clearman	Shinn
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The motion to table was lost.

Senator Shaff offered the following substitute motion and moved its adoption:

"I move that the secretary call the roll and the Senators who signed the petition answer 'aye;' those who did not sign it answer 'no' and those who care to pass their vote do so."

Senator Frailey raised the point of order that both of these motions were out of order as the Senate had no authority or power to demand the correspondence of the Governor of this State.

Senator Stoddard raised the point of order that the whole discussion was out of order.

The President held the points of order not well taken.

Senator Frailey moved the previous question.

Senator Benson raised the point of order that Senator Frailey could not move the previous question as he had spoken on the motion.

The President held the point not well taken.

Senator Shaff withdrew his motion.

Senator Shaff offered the following amendment to the motion and moved its adoption:

Amend by adding the words: "Any senator who gave his signature to the Governor in confidence, that that confidence be not broken."

Senator Thompson raised the point of order that the amendment was out of order because it killed the purpose of the motion.

The President held the point not well taken.

The motion for the previous question prevailed.

The amendment by Senator Shaff was adopted.

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

Ayes, 37.

Baird	Cavanaugh	Hartman	Ramsey
Beatty	Clark of Linn	Johnston	Rigby
Booth	Cochrane	Kern	Roberts
Breakenridge	Dotts	Kimberly	Skromme
Brookins	Ellis	Klemme	Slemmons
Browne	Fackler	McFarlane	Stanley
Brush	Fulton	McLeland	Stoddard
Campbell	Gilchrist	Merritt	Thompson
Carden	Gunderson	Moen	Ulstad
			Wilson of Polk

Nays, 9.

Benson
Bergman

Clark of Marion
Frailey
Lange

Langfitt
Mills

Shane
Wilson of Page

Absent or not voting, 4.

Clearman

Shaff

Shinn

Topping

The motion prevailed.

COMMITTEE TO NOTIFY THE HOUSE

Senator Shane 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 Shane, Campbell and Frailey.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator McFarlane 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 McFarlane, Klemme and Wilson of Polk.

REPORT OF SPECIAL COMMITTEE

Senator McFarlane reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed their duty and that the Governor reported that he was ready to receive communications and was desirous at all times to cooperate with and work in harmony with the Senate during the special session.

Senator Slemmons moved that the rules of the Forty-second General Assembly be made the rules of the extra session.

Senator Frailey offered the following amendment to the motion and moved its adoption:

Amend the rules of the 42nd General Assembly by adding thereto the following:

No bill shall be introduced in or considered by the Senate during the special session of the Forty-second General Assembly except the proposed road bond bill and measures germane thereto, and such appropriation

bills as are necessary and incident to the special session, and any other legislation that may be considered by unanimous consent of the Senate.

By unanimous consent on request of Senator Frailey the words "unanimous consent" were stricken and the words "two-thirds vote" was inserted in lieu thereof.

The amendment was adopted.

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

Ayes, 35.

Baird	Carden	Johnston	Rigby
Beatty	Clark of Linn	Kimberly	Shaff
Benson	Clark of Marion	Lange	Shane
Bergman	Clearman	Langfitt	Slemmons
Booth	Cochrane	McFarlane	Stanley
Breakenridge	Dotts	Merritt	Stoddard
Brookins	Ellis	Mills	Topping
Brush	Fackler	Moen	Wilson of Page
Cavanaugh	Frailey	Ramsey	Wilson of Polk

Nays, 10.

Campbell	Gilchrist	Klemme	Skromme
Fulton	Hartman	McLeland	Thompson
		Roberts	Ulstad

Absent or not voting, 4.

Browne	Gunderson	Kern	Shinn
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The motion prevailed.

INTRODUCTION OF BILLS

By Senator Stoddard, Senate Joint Resolution No. 1, a joint resolution relating to the selection of employees for the Special Session of the Forty-second General Assembly.

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

That the following named persons be employed for the positions indicated for the special session at the same rate per diem as the regular session:

Janitors—L. E. Fatland, Wm. Grund, M. H. Jordan, Jim Connelly.

Elevator Tenders—Frank Stephenson, Frank Shaeffer.

Messenger and Mail Carrier—John Christina.

Read first and second time.

THIRD READING OF BILLS

On motion of Senator Stoddard, the rules were suspended and Senate Joint Resolution No. 1, a joint resolution relating to the

selection of employees for the Special Session of the Forty-second General Assembly, 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, 46.

Baird	Clark of Marion	Kern	Shaff
Beatty	Clearman	Kimberly	Shane
Benson	Cochrane	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	Langfitt	Stanley
Breakenridge	Fackler	McLeland	Stoddard
Brookins	Fulton	Merritt	Thompson
Browne	Gilchrist	Mills	Topping
Brush	Gunderson	Moen	Ulstad
Carden	Hartman	Ramsey	Wilson of Page
Cavanaugh	Johnston	Rigby	Wilson of Polk
Clark of Linn		Roberts	

Nays, none.

Absent or not voting, 4.

Campbell	Frailey	McFarlane	Shinn
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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.

COMMITTEES APPOINTED

The President appointed all Senators as members of the same committees as in the regular session, and appointed the newly-elected Senators to places on committees held by their predecessors.

SENATE CONCURRENT RESOLUTION NO. 1

Senator Ellis offered the following resolution and moved its adoption:

Be It Resolved, by the Senate the House concurring, That when this

extra session adjourns sine die, it adjourns at 12 o'clock noon, Saturday, March 10, 1928.

Senator Ellis asked unanimous consent to consider the resolution at once.

Senator Fulton raised the point of order that the resolution should be laid over under rule 44.

The President held the point of order well taken and the resolution was laid over under the rule.

Senator Stoddard moved that the following persons be employed as stenographers and clerks for the special session at the same per diem as at the regular session: and to be under the direction of the Secretary of the Senate, to be assigned to duty with any Senator on request:

Lieutenant Governor's Clerk—Laura Schulze.

General Clerks—Mae McClean, Hilda Moran, May Meyers, Edith Norris, Emma Malm, Sadie Lowry, Raymond H. Croft, Isadore McClaskey, Cecelia Lynch, Helene Griffin, Ferris M. Colberg.

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

Ayes, 37.

Baird	Clark of Linn	Klemme	Roberts
Benson	Clark of Marion	Lange	Shane
Bergman	Cochrane	Langfitt	Slemmons
Booth	Clearman	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Brookins	Fulton	Merritt	Topping
Brush	Gilchrist	Mills	Ulstad
Campbell	Gunderson	Moen	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk
Cavanaugh			

Nays, 1.

Ramséy

Absent or not voting, 12.

Beatty	Ellis	Kern	Shinn
Browne	Fackler	Kimberly	Skromme
Dotts	Johnston	Shaff	Thompson

The motion prevailed.

The foregoing stenographers and clerks were duly sworn.

COMMITTEE ON MILEAGE

Senator Benson moved that a committee of three be appointed as a committee on mileage.

The motion prevailed and the President appointed as such committee Senators Benson, Topping and Ellis.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to inform your Honorable Body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 1, providing for a joint convention of the General Assembly at 1:30 this afternoon.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE RESOLUTION CONSIDERED

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

CONCURRENT RESOLUTION NO. 1

Resolved by the House, the Senate concurring, That a joint convention of the two houses be held this afternoon at 1:30 and that the Governor be invited to deliver his message to the General Assembly at that time.

Be It Further Resolved, That the Lieutenant Governor and the Speaker of the House extend this invitation to the Governor.

By unanimous consent the resolution was taken up and considered.

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

Ayes, 42.

Baird	Clark of Linn	Kern	Rigby
Beatty	Clark of Marion	Kimberly	Roberts
Benson	Clearman	Klemme	Shaff
Booth	Cochrane	Lange	Shane
Breakenridge	Ellis	Langfitt	Skromme
Brookins	Fackler	McFarlane	Slemmons
Browne	Frailey	McLeland	Stanley
Brush	Fulton	Merritt	Stoddard
Campbell	Gilchrist	Mills	Topping
Carden	Gunderson	Moen	Wilson of Page
Cavanaugh	Johnston		

Nays, none.

Absent or not voting, 8.

Bergman	Hartman	Shinn	Ulstad
Dotts	Ramsey	Thompson	Wilson of Polk

The resolution having received a constitutional majority was declared to have passed the Senate.

On motion of Senator Shaff the Senate recessed until 1:25 p. m. today.

AFTERNOON SESSION

The Senate reconvened.

ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Klemme moved that the Secretary assign seats to representatives of the press, which motion prevailed.

The Secretary assigned the following seats:

Register—C. C. Clifton, Seat No. 51.

Associated Press—I. C. Kartock, Seat No. 52.

Tribune—J. C. Green, Seat No. 53.

United Press—H. R. Gross, Seat No. 54.

Special Correspondent—J. W. Jarnigan, Seat No. 55.

International News—Amy Byram, Seat No. 55.

Homestead—L. W. Cook, 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.

APPOINTMENT OF PAGES

The President of the Senate announced the appointment of the following persons, pursuant to the provisions of the rules, as pages of the Senate:

Russell Lewis—Telephone Page.

Curtis Hartman—Page to Lieutenant Governor.

Willis McCarty.

Arlo Roberts.

Harry Levine.

The foregoing pages were duly sworn.

Senator Klemme moved that each Senator of this special session occupy the same seat he occupied during the regular session of the Forty-second General Assembly, which motion prevailed.

COMMITTEE FROM THE HOUSE

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

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

JOINT SESSION

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

The roll was then called and the following members responded:

Those present were, 145.

Aiken of Ida	Forsling	Kennedy, J. P.	Rigby
Akin of Carroll	Fulton	Kennedy, W. S.	Roberts of Adair
Allen	Gilmore	Kent	Roberts of
Anderson	Greene	Kimberly	Ringgold
Bair	Grimwood	King	Rust
Baird	Griswold	Klemme	Rutledge
Barnes	Gunderson	Kline	Ryder
Bauer	Hager	Knudson	Saunders
Beatty	Hagglund	Knutson	Shaff
Bergman	Hale	Krouse	Shane
Berry	Hammer	Lange	Simmer
Booth	Haney	Langfitt	Skromme
Bixler	Hansen	Laughlin	Slemmons
Blackford	Hanson	Lichty	Smith
Breakenridge	Harrison	McCaulley	Springer
Brookins	Hattendorf	McFarlane	Stanley
Browne	Hayes	McIlrath	Stepanek
Brush	Heald	McIntosh	Stoddard
Buchmiller	Held	McLeland	Thomas
Bush	Helgason	McMillan	Thompson of
Carden	Hempel	Martin	Fayette
Cavanaugh	Hill	Mathews	Thompson of
Charlton	Hines	Maxfield	Muscatine
Christophel	Hollingsworth	Merritt	Topping
Clark of Marion	Hollis	Miller	Torgeson
Clark of Linn	Hopkins	Mills	Troup
Clearman	Hubbard	Moen	Truax
Cochran	Huff	Nagle	Ulstad
Cole of Delaware	Hunt	Nelson	Vaughn
Cole of Harrison	Ickis	Oliver	Venard
Copeland	Istad	Ontjes	Wagner
Craig	Johnson of	Patterson	Walrod
Crozier	Dickinson	Pattison	Wamstad
Dotts	Johnson of	Prichard	Wilson of
Eckles	Keokuk	Quirk	Fremont
Eden	Johnson of	Ratliff	Wilson of Polk
Elliot	Marion	Reimers	Wilson of Tama
Fleming	Johnston	Rice	Wolfe

Those absent were, 13.

Benson	Fackler	Hartman	Ramsey
Blythe	Frailay	Kern	Shinn
Campbell	Gilchrist	Lovrien	Mr. Speaker
Ellis			

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

Senator Merritt of Carroll 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 Merritt of Carroll on the part of the Senate, and Representatives Bauer of Washington, and Pattison of Jefferson, 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 John H. Hammill, who delivered the following message:

GOVERNOR HAMMILL'S MESSAGE

To the Senate and House of Representatives of the Extra and Special Session of the Forty-second General Assembly:

A substantial majority of the membership of the Senate and House of Representatives of the Forty-second General Assembly have petitioned the Governor to call a special session of the legislature of the State of Iowa in 1928 to enact a law providing for the submission of a state bond issue for \$100,000,000 for a vote of the people. This \$100,000,000 bond issue is not in addition to the county bonds already authorized for road improvement but contemplates the absorption of more than \$66,000,000 of county bonds so as a matter of fact the increased obligation of the state in addition to retiring county bonds amounts to only about \$34,000,000. A majority of both houses have expressed themselves that they deem such action advisable and necessary in order that such bond issue may be voted upon by the people at the general election in November, 1928, and have declared that an extraordinary session is necessary in order that a comprehensive program for the improvement of the primary road system may be carried on efficiently, economically and in the best interests of the people of the state; and have pledged themselves in good faith that they will oppose and vote against the consideration of any other legislation and that they will endeavor to get such bill adopted and adjourn this session in the shortest possible time, in no event to exceed six days after convening.

Section 11, Article IV, of the Constitution of Iowa, provides that the Governor may on extraordinary occasions convene the General Assembly by proclamation, and shall state to both houses when assembled the purpose for which they shall have been convened.

Pursuant to such authority granted and relying upon the petitions which have been filed with me, I have deemed it wise to convene you as a legislature in extra and special session for the purpose of submitting to you for your consideration and action, a law providing for the submission of a state bond issue for \$100,000,000 for a vote of the people.

Good roads are a sound business investment. Their building should never be a political question but a question to be considered solely on the ground of sound economics. The trend of our road policies of the past fifteen years, in so far as our main arteries of traffic are concerned, has been quite definitely toward making the state the unit in highway matters. In the beginning all highway matters were distinctly local. Even the counties had little or nothing to say about roads. All highways were under purely local township control. The first of the series of modern highway enactments in this state, passed some fifteen years ago, had as its two principal features (a) the selection and designation of a county road system, wholly removed from local township control or financing and placed wholly under the jurisdiction of the county; and (b) the vesting in the state of certain functions in connection with all highways.

The second major highway enactment in our transition from a purely local viewpoint to our present statute, passed some nine years ago, set up the primary road system and funds for the construction and maintenance thereof, and while still retaining the feature of county participation, placed in the hands of the state a considerably enlarged responsibility in connection with said system of highways. The state and the county were made interlocking agencies. Neither could move to any definite accomplishment without the sanction and approval of the other. Funds were allotted among the counties, and the counties were authorized to vote bonds in anticipation of these funds.

The third enactment in the development of this policy, while still retaining the interlocking feature of county and state control and supervision with respect to the major portion of our primary road funds, went a distinct step further towards the state as a unit, in that certain substantial funds were set aside under the exclusive jurisdiction of the state. The state was authorized to initiate projects, to enter into contracts for the construction of primary roads, and was given exclusive jurisdiction over the maintenance of the primary roads.

In our fourth and most recent enactment in the development of our highway policies, the state is given exclusive jurisdiction over the primary roads and the primary road funds, and is made solely responsible for the administration of these funds and of our primary road activities. The allotment of funds among the counties has been done away with, so that in so far as the administration and control of the primary road funds are concerned, we have completely set up the state as a unit. However, that feature of the law which permitted counties to vote bonds in anticipation of the primary road fund has been retained.

In the meantime, public sentiment with reference to highway financing has been definitely crystallizing in favor of the bond issue policy. When our first law was passed some nine years ago, authorizing the counties to issue bonds in anticipation of primary road funds for primary road improvements, a few of the more populous counties availed themselves of this opportunity to secure the improvement of their highways in the shortest possible time. As the funds for the payment of the bonds became more definite and assured, and as the demands for highway improvements

increased, counties in ever-increasing numbers have adopted this bond issue plan, until at the present time sixty-one counties have authorized the issuance of bonds for primary road improvements, aggregating a total of more than sixty-six million dollars. We are thus definitely and irrevocably committed by the people themselves to the bond issue plan of financing primary road improvements. Nearly two-thirds of the counties have voted this plan. These counties having thus availed themselves of the opportunity to hasten the improvement of the primary roads within their borders, we are in no position to deny the same privilege to the other counties of the state. Every county in the state eventually will have authorized county bond issues for primary road improvements. Ultimately under the county plan, we will have voted and issued at least as many bonds as will be required to provide a comprehensive program if placed on the state basis. These county bond issues will not hasten the ultimate completion of the primary road system. We can hasten the completion of the primary road system by some ten years or more and without the issuance of a greater amount of bonds, if we adopt the state bond issue plan in lieu of and as a substitute for the county bond issue policy already adopted by a vote of the people.

And so I have called you together for the consideration of a comprehensive financing plan for our primary road system through the medium of a state bond issue in lieu of the multitude of county bond issues. Careful estimates prepared by the State Highway Commission show that a state road bond issue of one hundred million dollars can be financed wholly out of the proceeds of motor license fees and gasoline tax now going to the primary roads, and that there would be a surplus of some \$3,700,000 annually, over and above the funds required to meet all bond obligations and other fixed charges. The whole purpose and intent behind the suggestion of a state bond issue is that the obligation shall be wholly paid out of motor license fees and gasoline tax and without the levying of any tax on the property of the state. The state bond issue should be in lieu of and not in addition to the primary road bonds voted by the several counties. The total amount of state and county primary road bonds outstanding at one time should not exceed one hundred million dollars. The county bonds now authorized and not issued should by the provisions of your bill be cancelled, in the event that the proposed state bond issue is adopted by the electorate in November. The bill should further provide that in event the electorate approves the one hundred million dollar bond issue, that shall be the total amount of bonds to be issued for road improvement and as bonds mature and are paid, the amount so paid should to that extent reduce the amount of the state bond issue. You should make ample provision in the bill for the safeguarding of these cardinal features.

I would recommend that you adopt a bill providing for the issuance of one hundred million dollars of state road bonds and submit the same to a vote of the people at the general election in November of this year. Such a bond issue, together with current primary road funds available therefor, will be sufficient within the next six years, to retire all primary road bonds issued by the counties and to give us a completed primary road system

consisting of about 4,933 miles of pavement and 1,732 miles of gravel. It will provide for an orderly, connected, comprehensive, businesslike improvement of our primary road system instead of the present haphazard, disconnected improvement under the county bond issue plan. There need be no levying of any property tax to accomplish this purpose. The submission of such a bond issue merely gives the people of the state an opportunity to do in a comprehensive way for the whole state, what the people of nearly two-thirds of the counties have already done for their individual counties.

Means of transportation must keep pace with the growth and development of our state and the demands of our people. You cannot stop the wheels of progress. Our people think for themselves and elect legislatures not to think for them but to act for them. Our people have always cherished the ballot as a means of expressing their wish and their desire on public questions. They regard this right as sacred and personal.

I have undertaken in the foregoing statement to furnish the exact status of our road development in the state so that the situation may be thoroughly understood and fearlessly confronted. The proposition which will be introduced at this special session of the legislature simply submits to popular vote the issuance of bonds of long deferred maturity, the money to be realized therefrom to be devoted to the comprehensive improvement of the highways of the state. The bill provides, contemplates and sets out a plan to say openly and directly whether or not the obligation contemplated shall be incurred for the purpose of road construction. No one can question but what this procedure is in harmony with the principles which underlie our institutions. We must not abandon the idea that our people may be safely trusted. The proposition will survive, if a majority approve it; it will fail, if a majority condemn it. I want you to keep in mind that ours is still a democratic government in which the policy is determined with the consent of the governed and that its consent or refusal can be ascertained only by the action of the electorate freely and intelligently expressed.

I have confidence in the stability, character and patriotism of the people of Iowa. I feel that their judgment is sound and that they can be depended upon to discuss and determine this question intelligently and to the best interests of all concerned. It is a question in which every one of us is vitally interested. This special session is called in order that you as legislators may have an opportunity to submit to the voters of this state the question of a state-wide program of road improvement. It is the people's problem. Let them rule.

Respectfully submitted,

JOHN HAMMILL, *Governor.*

Roberts of Ringgold moved that the joint session be dissolved.

Motion prevailed.

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

On motion of Snator Shaff the Senate recessed until 3 p. m.

The Senate reconvened.

INTRODUCTION OF BILLS

Senate File No. 1, by Committee on Highways, a bill for an act to provide a comprehensive program for improvement of the primary road system of the State of Iowa; to authorize the State of Iowa to become indebted in the amount of \$100,000,000 in connection therewith; to provide for the issuance and sale of bonds of said State in evidence of said indebtedness; to budget the primary road fund so as to maintain and aid in the payment of the cost of said primary road improvements and to permit the payment therefrom of principal and interest of said bonds and bonds issued by any county in said State payable from said fund; to appropriate primary road funds for the payment of the principal and interest of said state road bonds; to provide for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of said state road bonds; and to provide for the submission of this act to the people to be voted upon at the general election to be held in the year nineteen hundred twenty-eight.

Read first and second times and placed on the calendar.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee on mileage respectfully reports that the members of the Senate of the extra session of the Forty-second General Assembly are entitled to mileage as follows:

	Miles	Amount
Lt. Gov. Kimball	142	\$14.20
Baird	142	14.20
Beatty	87	8.70
Benson	320	32.00
Bergman	35	3.50
Booth	115	11.50
Breakenridge	190	19.00
Brookins	162	16.20
Browne	202	20.20
Brush	102	10.20
Campbell	162	16.20

Carden	137	13.70
Cavanaugh	86	8.60
Clark of Linn	142	14.20
Clark of Marion	30	3.00
Clearman	100	10.00
Cochrane	125	12.50
Dotts	75	7.50
Ellis	100	10.00
Fackler	103	10.30
Frailey	217	21.70
Fulton	117	11.70
Gilchrist	120	12.00
Gunderson	155	15.50
Hartman	240	24.00
Johnston	102	10.20
Kern	10	1.00
Kimberly	175	17.50
Klemme	278	27.80
Lange	208	20.80
Langfitt	112	11.20
McFarlane	106	10.60
McLeland	66	6.60
Merritt	96	9.60
Mills	31	3.10
Moen	230	23.00
Ramsey	145	14.50
Rigby	175	17.50
Roberts	123	12.30
Shaff	235	23.50
Shane	91	9.10
Shinn	166	16.60
Skromme	57	5.70
Slemmons	141	14.10
Stanley	62	6.20
Stoddard	214	21.40
Thompson	170	17.00
Topping	168	16.80
Ulstad	99	9.90
Wilson of Page	172	17.20
Wilson of Polk	5	.50

C. A. BENSON, *Chairman.*

CLYDE H. TOPPING.

LLOYD ELLIS.

SENATE CONCURRENT RESOLUTION NO. 2

Senator Fulton offered the following resolution:

Whereas, The Governor of Iowa "may on extraordinary occasions convene the General Assembly"; and

Whereas, He has convened the General Assembly, stating that petitions for such action and pledges of legislators respecting legislation given him have created an "extraordinary occasion"; and

Whereas, "The powers of the government of Iowa" are "divided into three separate departments—the legislative, the executive, and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any function appertaining to either of the others, except in cases" "expressly directed or permitted" by the constitution; and

Whereas, "The legislative authority" of the state is "vested in" the General Assembly; and

Whereas, "Members of the General Assembly" before entering upon the duties of their respective offices must swear or affirm that they will support "the Constitution of the State of Iowa" and "will faithfully discharge the duties of senator (or representative, as the case may be)"; and

Whereas, Every member of the Forty-second General Assembly has taken and subscribed to this oath or affirmation, therefore,

Be It Resolved by the Senate, the House concurring, That what is "extraordinary" about this extra session is not the "occasion," but the fact that a majority of the members of the General Assembly were required to petition for the call and to give pledges that they would enact certain legislation and would vote against all other legislation regardless of importance or necessity; and so

Be It Further Resolved, That the Governor be respectfully requested to explain how the exaction of these pledges is not an exercise of a "function appertaining to the legislative department alone" in that it is designed to coerce the Members of the General Assembly in their legislative capacity and in that it nullifies their constitutional oath "faithfully to discharge their duties."

The resolution was laid over under the rules.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, desire a call of the Senate for the consideration of Senate File No. 1:

A. H. BERGMAN
LLOYD ELLIS
WM. CARDEN
B. M. STODDARD
D. L. WILSON
C. B. KERN
J. O. SHAFF
G. S. HARTMAN
J. G. MERRITT
J. R. FRAILEY

R. C. MILLS
GEO. F. SLEMMONS
OSCAR ULSTAD
WM. H. KLEMME
C. S. BROWNE
C. T. RIGBY
CHAS. D. BOOTH
W. S. BAIRD
H. GUY ROBERTS
FRANK SHANE

W. J. BREAKENRIDGE
S. E. FACKLER
O. E. GUNDERSON
W. A. CLARK
OTTO F. LANGE
W. E. MCLELAND
C. A. BENSON
F. M. BEATTY
ARCH W. MCFARLANE

F. C. STANLEY
WM. COCHRANE
C. F. CLARK
S. A. BRUSH
GEO. A. WILSON
CLYDE H. TOPPING
GEO. CLEARMAN
A. G. DOTT
C. F. JOHNSTON

AMENDMENT FILED

I move to amend Section 3 of Senate File No. 1 by striking out lines 8, 9, 10, 11, and to the period in line 12, and inserting in lieu thereof the following:

"In no event shall the total amount of state bonds issued hereunder and outstanding, plus the total amount of primary road bonds issued by the counties of the state and outstanding, and plus bonds issued by the counties to refund primary road bonds and outstanding, exceed in any one year the sum of One Hundred Million Dollars (\$100,000,000)."

DENVER L. WILSON.

Senator Gilchrist moved that when the Senate adjourns on Tuesday it be to reconvene on Thursday morning at 9 a. m.

The motion prevailed.

On motion of Senator McFarlane the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 6, 1928.

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

Prayer was offered by Senator Lloyd Ellis, of Appanoose County.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shinn for the day on account of illness on request of Senator Fackler.

SENATE CONCURRENT RESOLUTION NO. 3

Senator Fulton offered the following resolution:

Whereas, It is uncertain whether the General Assembly was convened to be in session at the time of holding the Republican State Convention, or the Republican State Convention was called to meet during the extra session of the General Assembly, therefore,

Be It Resolved by the Senate, the House concurring, That the Governor and the Republican State Central Committee be given a vote of thanks for affording the members of the General Assembly an opportunity to attend the Republican State Convention at the expense of the state.

The resolution was laid over under the rules.

SENATE CONCURRENT RESOLUTION NO. 4

Senator Slemmons offered the following resolution and moved its adoption:

Be It Resolved by the Senate, the House concurring, That the joint rules of the Forty-second General Assembly be made the joint rules of the special session.

By unanimous consent on request of Senator Slemmons the rules were suspended and the resolution was taken up and considered.

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

Ayes, 42.

Baird	Clearman	Kern	Shane
Benson	Cochrane	Kimberly	Skromme
Bergman	Dotts	Klemme	Slemmons
Booth	Ellis	Lange	Stanley
Breakenridge	Fackler	McLeland	Stoddard
Brush	Frailey	Merritt	Thompson
Campbell	Fulton	Mills	Topping
Carden	Gilchrist	Moen	Ulstad
Cavanaugh	Gunderson	Rigby	Wilson of Page
Clark of Linn	Hartman	Shaff	Wilson of Polk
Clark of Marion	Johnston		

Nays, none.

Absent or not voting, 8.

Beatty	Browne	McFarlane	Roberts
Brookins	Langfitt	Ramsey	Shinn

The resolution was adopted.

REPORT OF COMMITTEE ON MILEAGE CONSIDERED

Senator Benson called up for consideration the report of the committee on mileage, as found on page 21 of the Senate Journal, and moved its adoption.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking the figures "120" and "12.00" from Senator Gilchrist's mileage and inserting in lieu thereof the figures "156" and "15.60".

The amendment was adopted.

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

Ayes, 43.

Baird	Clark of Linn	Hartman	Rigby
Benson	Clark of Marion	Johnston	Shane
Bergman	Clearman	Kern	Slemmons
Booth	Cochrane	Kimberly	Stanley
Breakenridge	Dotts	Klemme	Stoddard
Brookins	Ellis	Lange	Thompson
Browne	Fackler	McFarlane	Topping
Brush	Frailey	McLeland	Ulstad
Campbell	Fulton	Merritt	Wilson of Page
Carden	Gilchrist	Mills	Wilson of Polk
Cavanaugh	Gunderson	Moen	

Nays, none.

Absent or not voting, 7.

Beatty
Langfitt

Ramsey
Roberts

Shaff
Shinn

Skromme

The report was adopted.

The Journal of March 5th was corrected and approved.

There being a call of the Senate on Senate File No. 1, the roll was called to ascertain if the call was complete.

The roll call revealed the presence of the following Senators:

Baird	Clark of Marion	Kern	Shaff
Beatty	Clearman	Kimberly	Shane
Benson	Cochrane	Klemme	Skromme
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	Moen	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark of Linn	Johnston	Roberts	

Senator Bergman appeared in the Senate chamber.

Senator Frailey moved that Senator Ramsey be excused from the call until 1:30 p. m.

The motion prevailed and the call was declared complete.

THIRD READING OF BILLS

On motion of Senator Shaff, Senate File No. 1, a bill for an act to provide a comprehensive program for improvement of the primary road system of the State of Iowa; to authorize the State of Iowa to become indebted in the amount of \$100,000,000 in connection therewith; to provide for the issuance and sale of bonds of said State in evidence of said indebtedness; to budget the primary road fund so as to maintain and aid in the payment of the cost of said primary road improvements and to permit the payment therefrom of principal and interest of said bonds and bonds issued by any county in said State payable from said fund; to appropriate primary road funds for the payment of the principal and interest of said state road bonds; to provide for the imposition, levy and collection of a direct annual tax sufficient

to pay the principal and interest of said state road bonds; and to provide for the submission of this act to the people to be voted upon at the general election to be held in the year nineteen hundred twenty-eight, a committee bill, was taken up and considered.

Senator Slemmons offered the following amendment and moved its adoption:

Amend line 38 of section 1 by inserting the word "Hazelton" between the word "Independence" and the word "and" and by inserting a comma (,) after the word "Independence".

The amendment was lost.

Senator Ramsey appeared in the Senate chamber.

Senator Roberts offered the following amendment and moved its adoption:

Amend by striking line 47 of section 1 and inserting in lieu thereof the following:

"Primary road number 16 from the Missouri line by way of Redding and Mt. Ayr to Winterset."

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

Ayes, 20.

Brookins	Fulton	Klemme	Skromme
Browne	Gilchrist	McLeland	Slemmons
Campbell	Gunderson	Merritt	Thompson
Dotts	Hartman	Moen	Ulstad
Fackler	Kern	Roberts	Wilson of Polk

Nays, 29.

Baird	Cavanaugh	Johnston	Rigby
Beatty	Clark of Linn	Kimberly	Shaff
Benson	Clark of Marion	Lange	Shane
Bergman	Clearman	Langfitt	Stanley
Booth	Cochrane	McFarlane	Stoddard
Breakenridge	Ellis	Mills	Topping
Brush	Frailey	Ramsey	Wilson of Page
Carden			

Absent or not voting, 1.

Shinn

The amendment was lost.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend section 1 by inserting the words "Primary Road Number 44 from Primary Road Number 10 to Rolfe" between lines 76 and 77.

The amendment was lost.

Senator Browne offered the following amendment and moved its adoption:

Amend section one, line 117, by striking out the word "Maquoketa" and inserting in lieu thereof the word "Sabula".

The amendment was lost.

Senator Kern offered the following amendment and moved its adoption:

Amend section one (1) by adding to line seventy-four (74) the following:

"Also from the town of Woodburn, primary 104 to the junction with Primary Road Number thirty-four (34) east of Osceola".

Senator Frailey moved the previous question, which motion prevailed.

The amendment was lost.

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

AFTERNOON SESSION

The Senate reconvened.

SENATE CONCURRENT RESOLUTION NO. 5

Senator Johnston offered the following resolution and moved its adoption:

Resolution providing for furnishing of code and book of annotations to members of the General Assembly.

Be It Resolved by the Senate, the House concurring, The Superintendent of Printing is hereby authorized and directed to furnish to each member of the General Assembly, including the officers thereof, and also to the representatives of the press, one copy each of the Code of 1927, Annotations to the Code, Supplement to the book of Annotations and the Session laws of the Forty-second General Assembly.

By unanimous consent the resolution was taken up and considered.

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

Ayes, 37.

Baird	Clark of Marion	Johnston	Ramsey
Beatty	Clearman	Kern	Rigby
Benson	Cochrane	Kimberly	Skromme
Bergman	Dotts	Klemme	Slemmons
Booth	Fackler	Lange	Stanley
Browne	Frailey	McFarlane	Thompson
Brush	Gilchrist	McLeland	Topping
Campbell	Gunderson	Merritt	Wilson of Page
Carden	Hartman	Mills	Wilson of Polk
Clark of Linn			

Nays, 1.

Moen

Absent or not voting, 12.

Breakenridge	Ellis	Roberts	Shinn
Brookins	Fulton	Shaff	Stoddard
Cavanaugh	Langfitt	Shane	Ulstad

The resolution was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Joint Resolution No. 1, a bill for an act relating to the selection of employees for the Special Session of the Forty-second General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 1.

The roll call revealed the presence of the following Senators:

Baird	Clark of Marion	Kern	Roberts
Beatty	Clearman	Kimberly	Shaff
Benson	Cochrane	Klemme	Shane
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McFarlane	Stanley
Browne	Frailey	McLeland	Thompson
Brush	Fulton	Merritt	Topping
Cambell	Gilchrist	Mills	Ulstad
Carden	Gunderson	Moen	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark of Linn	Johnston		

Senator Frailey moved that Senators Brookins, Ramsey and Stoddard be excused until 2:15 p. m., which motion prevailed, and the call was declared complete.

Senator Ramsey appeared in the Senate chamber.

Senator Kern offered the following amendment and moved its adoption:

Amend section one (1) by adding to line seventy-four (74) the following:

"Also from the town of Murray Primary 152 to the junction with Primary Road Number thirty-four (34) west of Osceola".

Senator Frailey moved the previous question, which motion prevailed.

The amendment was lost.

Senator Campbell offered the following amendment and moved its adoption:

Amend section 1 by inserting after line 74 the following:

"Primary road number 35 from Odebolt by way of Arthur, Ida Grove, Battle Creek and Danbury".

The amendment was lost.

Senator Cavanaugh offered the following amendment and moved its adoption:

Amend section 1 by inserting a paragraph between lines 127 and 128 as follows:

"Primary road No. 47 from Gowrie to the intersection with Primary road 17 at Lohrville".

Senator Frailey moved the previous question, which motion prevailed.

The amendment was lost.

Senator Klemme offered the following amendment and moved its adoption:

Amend section 1 by striking out line 38 and inserting in lieu thereof the following:

"Independence, Oelwein, and West Union to Calmar to intersect with Primary Road No. 55".

Senator Frailey moved the previous question, which motion prevailed.

The amendment was lost.

Senators Brookins and Stoddard appeared in the Senate chamber.

Senator Gunderson offered the following amendment and moved its adoption:

Amend section one (1) by striking lines 45 and 46 and substituting in lieu thereof the following:

"Primary Road No. 15, from Ames by way of Blairsburg, Belmond, and Forest City to a point on the Minnesota line north of Lake Mills".

Senator Frailey moved the previous question, which motion prevailed.

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

Ayes, 18.

Breakenridge	Fackler	McLeland	Skromme
Brookins	Fulton	Merritt	Slemmons
Browne	Gilchrist	Moen	Thompson
Campbell	Gunderson	Roberts	Ulstad
Dotts	Hartman		

Nays, 30.

Baird	Clark of Marion	Klemme	Shaff
Beatty	Clearman	Lange	Shane
Benson	Cochrane	Langfitt	Stanley
Bergman	Ellis	McFarlane	Stoddard
Booth	Frailey	Mills	Topping
Brush	Johnston	Ramsey	Wilson of Page
Carden	Kern	Rigby	Wilson of Polk
Clark of Linn	Kimberly		

Absent or not voting, 2.

Cavanaugh Shinn

The amendment was lost.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking from line 143 of section 1 the word and figures "of 80%."

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

Ayes, 20.

Baird	Campbell	Fulton	Skromme
Beatty	Cavanaugh	Gilchrist	Stanley
Breakenridge	Clark of Marion	Gunderson	Stoddard
Brookins	Dotts	Hartman	Thompson
Brush	Fackler	Roberts	Ulstad

Nays, 26.

Benson	Cochrane	McFarlane	Rigby
Bergman	Frailey	McLeland	Shaff
Booth	Johnston	Merritt	Shane
Browne	Kimberly	Mills	Slemmons
Carden	Klemme	Moen	Topping
Clark of Linn	Lange	Ramsey	Wilson of Page
Clearman	Langfitt		

Absent or not voting, 4.

Ellis	Kern	Shinn	Wilson of Polk
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The amendment was lost.

Senator Wilson of Page withdrew his amendment previously filed, as found on page 24 of the Senate Journal.

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

Amend section 3 by striking out lines 8, 9, 10, 11 and to the period in line 12, and inserting in lieu thereof the following:

"In no event shall the total amount of state bonds issued hereunder and outstanding, plus the total amount of outstanding County Primary Road Bonds, plus the total amount of outstanding bonds issued to refund County Primary Road bonds, at any one time exceed the sum of One Hundred Million Dollars".

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

Amend by striking the period after the word "dollars" in line seven of section three and by striking lines 8, 9, 10, 11 and 12 to the end of the sentence and inserting in lieu thereof the following: "including the outstanding primary road bonds issued by the various counties of the State at the time of taking effect of this act".

Also amend by renumbering lines of section three to conform with amendment.

Senator Lange moved the previous question on the substitute and the amendment, which motion was lost.

On the question "Shall the substitution be made?" the vote was:

Ayes, 16.

Breakenridge	Dotts	Gunderson	Skromme
Brookins	Fackler	Hartman	Slemmons
Campbell	Fulton	McLeland	Thompson
Cavanaugh	Gilchrist	Moen	Ulstad

Nays, 33.

Baird	Clark of Marion	Klemme	Roberts
Beatty	Clearman	Lange	Shaff
Benson	Cochrane	Langfitt	Shane
Bergman	Ellis	McFarlane	Stanley
Booth	Frailey	Merritt	Stoddard
Browne	Johnston	Mills	Topping
Brush	Kern	Ramsey	Wilson of Page
Carden	Kimberly	Rigby	Wilson of Polk
Clark of Linn			

Absent or not voting, 1.

Shinn

The substitute was lost.

Senator Fulton offered the following amendment to the amendment and moved its adoption:

Amend by striking out the words "bonds issued to refund" and inserting in lieu thereof the word "refunded".

The amendment to the amendment was lost.

The amendment by Senator Wilson of Page was adopted.

Senator Roberts offered the following amendment and moved its adoption:

Amend section 3 by striking from lines 15 and 16 the words "and for expenses incurred in carrying out the provisions of this act".

The amendment was lost.

Senator Frailey offered the following amendment and moved its adoption.

Amend section six by striking out lines 14, 15, 16, 17 and 18, and inserting in lieu thereof the following words and figures:

"Three million dollars (\$3,000,000) in each of the years 1935 to 1937, both inclusive;

"Four million dollars (\$4,000,000) in each of the years 1938 to 1941, both inclusive;

"Five million dollars (\$5,000,000) in each of the years 1942 to 1946, both inclusive;

"Six million dollars (\$6,000,000) in each of the years 1947 to 1952, both inclusive;

"Seven million dollars (\$7,000,000) in each of the years 1953 to 1954."

By unanimous consent on request of Senator Frailey the word "to" in the last line of the amendment was stricken out and the word "and" inserted in lieu thereof.

By unanimous consent Senator Ellis was excused from the call of the Senate temporarily.

Senator Frailey moved the previous question, which motion prevailed.

The amendment was adopted.

Action on Senate File No. 1 was deferred.

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:

Senate Joint Resolution No. 1, relating to the selection of employees for the special session of the Forty-second General Assembly.

DENVER L. WILSON,
Chairman Senate Committee.

FRED R. BLYTHE,
Chairman House Committee.

Report adopted.

Senator Gilchrist moved that the rules be suspended and that he and Senator Clark of Linn be allowed to introduce three bills, which motion prevailed.

Senator Stoddard moved that the rules be suspended and that the bills be placed on the calendar, which motion prevailed.

INTRODUCTION OF BILLS

Senate File No. 2, by Senators Clark of Linn and Gilchrist, a bill for an act to amend, revise and codify sections eleven thousand six hundred three (11603), eleven thousand six hundred four (11604), and eleven thousand six hundred five (11605) of the Code, 1927, relating to the lien of judgments of the State and Federal Courts.

Read first and second times and placed on the calendar.

Senate File No. 3, by Senators Clark of Linn and Gilchrist, a bill for an act to legalize defective acknowledgments by notaries public filed for record prior to March 10, 1928.

Read first and second times and placed on the calendar.

Senate File No. 4, by Senators Clark of Linn and Gilchrist, a bill for an act to amend Section ten thousand one hundred three (10103) of the Code, 1927, relative to the form of acknowledgments by notaries public.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 1.

Senator Breakenridge offered the following amendments and moved their adoption:

Amend by striking from section 8 the word "and" appearing in line 13; also amend by striking the period after the word "fund" in line 19 and inserting in lieu thereof a comma and the following: "and third, there shall be set aside three million dollars per year to be apportioned to the various counties of the state upon the area basis for the improvement by surfacing with gravel of the county road systems of the various counties of the state, provided that in case any county has completed or does complete the surfacing by graveling of its county road systems, any portion or all of the funds apportioned to that county by the above provisions may be used for the maintenance of the county roads of said county.

Also amend said section by renumbering lines thereof as may be necessary by the insertion of the amendment.

Also amend the title of the bill by striking the word "and" at the beginning of line 13 and by changing the period following the word "twenty-eight" in line 15 to a semicolon and adding the following: "and to provide

a fund for the improvement of the county road systems of the various counties of the state."

Senator Breakenridge moved that further action on the amendment be deferred, which motion prevailed.

Senator Fulton offered the following amendment and moved its adoption:

Amend by striking from section 8, lines 28, 29 and 30 and substituting the following:

"interest and principal of county primary road bonds and the amount required for the payment of the maturing interest and principal of refunded county primary road bonds,".

The amendment was lost.

Senator Browne moved that the Senate adjourn until 9 a. m. Thursday.

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

Ayes, 23.

Beatty	Dotts	Langfitt	Slemmons
Benson	Gilchrist	McLeland	Stanley
Breakenridge	Gunderson	Merritt	Thompson
Brookins	Hartman	Mills	Ulstad
Browne	Kern	Roberts	Wilson of Polk
Brush	Kimberly	Skromme	

Nays, 25.

Baird	Clark of Marion	Fulton	Ramsey
Bergman	Clearman	Johnston	Rigby
Booth	Cochrane	Klemme	Shane
Campbell	Ellis	Lange	Stoddard
Carden	Fackler	McFarlane	Topping
Cavanaugh	Frailey	Moen	Wilson of Page
Clark of Linn			

Absent or not voting, 2.

Shaff Shinn

The motion was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend section 10 by striking line 5 and the word "and" in line 6 and inserting in lieu thereof the words "county primary road bonds".

The amendment was lost.

Senator Fackler offered the following amendment and moved its adoption:

Amend section 16, line 1 by inserting between the words "authorization" and "voted" the words "heretofore or hereafter".

The amendment was lost.

Senator Frailey offered the following amendment and moved its adoption:

Amend section 14 by striking out of line four the word "unlawful" and inserting in lieu thereof the word "unconstitutional".

The amendment was adopted.

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

Amend section 4 by inserting before the period following the word "Iowa" in line 9, the following:

"or at any other place designated by the Executive Council".

The amendment was adopted.

Senator Roberts offered the following amendment and moved its adoption:

Amend section 6 by inserting between the words "the" and "rate" in line 7 the word "maximum".

By unanimous consent, Senator Roberts withdrew the amendment.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 1 by striking from the bill all of section 14 and inserting in lieu thereof the following:

"The principal and interest of the state bonds issued under the provisions of this act shall be paid from the primary road fund, derived from the proceeds of motor vehicle license fees and gasoline tax and if the Supreme Court of Iowa or any Federal Court having jurisdiction shall decide that the principal and interest of the state bonds authorized by this act and proposed to be issued cannot be so paid then and in that case the whole act shall be invalid and no state bonds shall be issued thereunder."

F. C. GILCHRIST.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 8, 1928.

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

Prayer was offered by Rev. L. W. Hauter, pastor of the First Presbyterian church of Oelwein, Iowa.

SENATE CONCURRENT RESOLUTION NO. 6

Senator Fulton offered the following resolution:

Whereas, It appears from the report of the State Board of Education that the golf coach at the State University receives a salary of \$1,400 a year, and that the salaries in its department of physical education, which is an euphemistic expression for "training in sports," total more than \$50,000 annually, all paid out of state funds; and

Whereas, Some mild forms of sport of equal social and cultural value might well be included, therefore,

Be It Resolved by the Senate, the House concurring, That the State Board of Education should add to the University's Sport Staff coaches for ping pong and tiddlewinks and professors of poker and bridge whist.

The resolution was laid over under the rules.

There being a call of the Senate on Senate File No. 1, the roll was called, and revealed the presence of the following Senators:

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

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stanley until 10:30 a. m. on request of Senator Fackler; Senator Shinn for the day on account of illness, on request of Senator Fackler.

Senator Frailey appeared in the Senate chamber and the call was declared complete.

MESSAGES FROM 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. 4, a bill for an act providing for furnishing of code and book of annotations to members 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. 2, a bill for an act relative to the form of certificates of acknowledgment.

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 legalize defective acknowledgments filed for record prior to March 10, 1928, and fixing the time within which actions may be brought to enforce rights thereunder.

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 relating to the lien of judgments of the State and Federal Courts.

A. C. GUSTAFSON, *Chief Clerk.*

BILLS SIGNED BY THE PRESIDENT

The president of the senate announced that, as president of the senate, he had signed in the presence of the senate, Senate Joint Resolution No. 1.

BILLS SENT TO THE GOVERNOR

Senator Wilson of Page from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have this day sent to the governor for his approval, Senate Joint Resolution No. 1, relating to the selection of employees for the special session of the Forty-second General Assembly.

D. L. WILSON, *Chairman.*

Passed on file.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File No. 1.

Senator Stanley appeared in the Senate chamber.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by striking from the bill all of section 14 and inserting in lieu thereof the following:

"The principal and interest of the state bonds issued under the provisions of this act shall be paid from the primary road fund, derived from the proceeds of motor vehicle license fees and gasoline tax and if the Supreme Court of Iowa or any Federal Court having jurisdiction shall decide that the principal and interest of the state bonds authorized by this act and proposed to be issued cannot be so paid then and in that case the whole act shall be invalid and no state bonds shall be issued thereunder."

Senator Topping moved the previous question on the amendment, which motion prevailed.

Senator Browne moved that Senator Gilchrist's time be extended ten minutes, which motion prevailed.

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

Ayes, 21.

Booth
Breakenridge
Brookins
Browne
Campbell
Cavanaugh

Dotts
Fackler
Fulton
Gilchrist
Gunderson

Hartman
Klemme
McLeland
Mills
Moen

Roberts
Skromme
Slemmons
Thompson
Ulstaad

Nays, 28.

Baird
Beatty
Benson
Bergman
Brush
Carden
Clark of Linn

Clark of Marion
Clearman
Cochrane
Ellis
Frailey
Johnston
Kern

Kimberly
Lange
Langfitt
McFarlane
Merritt
Ramsey
Rigby

Shaff
Shane
Stanley
Stoddard
Topping
Wilson of Page
Wilson of Polk

Absent or not voting, 1.

Shinn

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend section 13, line 3, by adding after the word "tax", "and accredited to the primary road fund".

President Pro Tem Frank Shane took the chair at 11:35 a. m.

President Kimball resumed the chair at 11:55 a. m.

Senator Lange moved the previous question, which motion prevailed.

By unanimous consent on request of Senator Shaff the word "and" was stricken from the amendment.

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

Ayes, 29.

Baird	Clark of Marion	Lange	Shaff
Beatty	Clearman	Langfitt	Shane
Benson	Cochrane	McFarlane	Stanley
Bergman	Ellis	Merritt	Stoddard
Booth	Frailey	Mills	Topping
Brush	Johnston	Ramsey	Wilson of Page
Carden	Kimberly	Rigby	Wilson of Polk
Clark of Linn			

Nays, 20.

Breakenridge	Dotts	Hartman	Roberts
Brookins	Fackler	Kern	Skromme
Browne	Fulton	Klemme	Slemmons
Campbell	Gilchrist	McLeland	Thompson
Cavanaugh	Gunderson	Moen	Ulstad

Absent or not voting, 1.

Shinn

The amendment was adopted.

SENATE CONCURRENT RESOLUTION NO. 7

Senator Brookins offered the following resolution:

Whereas, The Governor of Iowa in his message to the Senate, as found in the Senate Journal of March 5, 1928, page 19, states:

First: "And so I have called you together for the consideration of a comprehensive financing plan for our primary road system through the medium of a state bond issue in lieu of the multitude of county bond issues."

Second. "The state bond issue should be in lieu of and not in addition to the primary road bonds voted by the several counties."

Third. "You should make ample provision in the bill for the safeguarding of these cardinal features."

Whereas, The Des Moines Register, under date of February 28, 1928, page 3, printed the following:

SHAFF CHARGES BONDS' ENEMIES COVER UP ISSUE

Says Session Is Over \$35,000,000 Addition

Clinton, Iowa, February 27, 1928.

Charges that the opposition to the proposed \$100,000,000 road bond issue has been attempting to "cloud the issue" and "muddy the waters" were made today in a signed statement issued by State Senator J. O. Shaff, chairman of the legislature's joint highway commission.

"The bond issue," he said, "is really a \$35,000,000 additional issue. While it is proposed to authorize the state to issue \$100,000,000 of primary road bonds, it should be remembered that some sixty counties have already authorized the issuance of approximately \$65,000,000 worth of bonds, so that whether the state bond issue is successful or not, the primary road fund will be obligated to this extent.

The road bill, if enacted, will provide that the total or maximum amount of primary road bonds, including both state and county bonds, cannot exceed \$100,000,000. "Hence, approximately \$65,000,000 of \$100,000,000 will be used as refunding bonds to take up the county primary road bonds as they mature or are called, or issued in place of county primary road bonds authorized but not yet issued. The primary road fund is sufficient to take care of proposed issue."

Whereas, All of the above statements have been printed in many, if not all, of the newspapers of the State of Iowa, therefore,

Be It Resolved by the Senate, the House concurring, That in order to keep within the limitation of the State road bond indebtedness (\$100,000,000), which is in lieu of and not in addition to the county primary road bonds (Senate Bill No. 1, by the Committee on Highways), will necessarily have to be amended.

Be It Further Resolved, That it is necessary to keep within these limitations if the Republicans of Iowa believe in the speeches offered and resolutions adopted at the State Republican Convention of March 8, 1928, held at Des Moines, Iowa. The passage of any special road bond issue at this time will tend to defeat the very purpose of the McNary-Haugen bill, or like legislation in congress.

A. T. BROOKINS.

The resolution was laid over under the rules.

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

AFTERNOON SESSION

The Senate reconvened.

HOUSE MESSAGES CONSIDERED

House File No. 2, a bill for an act to amend section ten thousand one hundred three (10103) of the Code, 1927, relative to the form of certificates of acknowledgment.

Read first and second time.

House File No. 3, a bill for an act to legalize defective acknowledgments filed for record prior to March 10, 1928, and fixing the time within which actions may be brought to enforce rights thereunder.

Read first and second time.

House File No. 4, a bill for an act to amend, revise, and codify sections eleven thousand six hundred three (11603), eleven thousand six hundred four (11604), and eleven thousand six hundred five (11605) of the Code, 1927, relating to the lien of judgments of the State and Federal Courts.

Read first and second time.

Senator Clark of Linn moved that the foregoing bills be placed on the calendar without reference to a committee, which motion prevailed.

THIRD READING OF BILLS

The Senate resumed the consideration of Senate File No. 1.

The roll call revealed all Senators present except Senator Shinn, excused, and the call was declared complete.

Senator Shaff offered the following amendment and moved its adoption:

Amend section 16 by changing the period at the end thereof to a comma, and adding the following: "and no county primary road bonds shall be issued thereafter."

The amendment was adopted.

Senator Rigby offered the following amendment and moved its adoption.

Amend section 17 by striking the period (.) in line three (3) thereof and inserting the following: .

“, and shall not be diverted to the State Sinking Fund under the provisions of Chapter 55-A1 of the Code of 1927.”

The amendment was adopted.

The following amendment, submitted by Senators Stoddard and Beatty, was considered:

Amend section one (1) by striking the period at the end of line one hundred and forty-six (146) and substituting a comma (,) therefor, and by adding thereafter the following:

“but current primary road funds shall not be used for paving roads herein designated for gravel when their use therefor will result in postponing the completion of the paving of road hereinbefore specified for paving beyond six years after the taking effect of this Act”.

Senator Browne raised the point of order that this same subject was acted upon by Senator Stoddard's amendment, previously lost, and covered the same facts and the same subject matter and came to the same point.

Senator Fackler raised the point of order that the point of order was not debatable.

The President held the point raised by Senator Fackler not well taken.

Senator Frailey raised the point of order that the point of order was not debatable.

The President held the point raised by Senator Frailey not well taken.

The President held the point raised by Senator Browne not well taken.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 42.

Baird
Beatty
Benson

Bergman
Booth
Breakenridge

Brush
Campbell
Carden

Cavanaugh
Clark of Linn
Clark of Marion

Clearman	Kern	Mills	Skromme
Cochrane	Kimberly	Moen	Slemmons
Ellis	Klemme	Ramsey	Stanley
Fackler	Lange	Rigby	Stoddard
Frailey	Langfitt	Roberts	Topping
Fulton	McFarlane	Shaff	Wilson of Page
Gunderson	McLeland	Shane	Wilson of Polk
Johnston	Merritt		

Nays, 2.

Browne Thompson

Absent or not voting, 6.

Brookins	Gilchrist	Shinn	Ulstad
Dotts	Hartman		

The amendment was adopted.

The amendments offered by Senator Breakenridge, as found on page 36 of the Senate Journal, were taken up and considered.

Senator Clark of Linn raised the point of order that the amendments were not germane to the bill.

The President held the point of order not well taken.

Senator Frailey moved the previous question.

Senator Shaff raised the point of order that Senator Frailey could not move the previous question as he had spoken on the amendment.

The President held the point not well taken.

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

Ayes, 21.

Baird	Clark of Linn	Frailey	Ramsey
Benson	Clark of Marion	Johnston	Shaff
Booth	Clearman	Kimberly	Shane
Brush	Cochrane	Lange	Stanley
Carden	Ellis	McFarlane	Topping
Cavanaugh			

Nays, 27.

Beatty	Fulton	McLeland	Slemmons
Breakenridge	Gilchrist	Merritt	Stoddard
Brookins	Gunderson	Mills	Thompson
Browne	Hartman	Moen	Ulstad
Campbell	Kern	Rigby	Wilson of Page
Dotts	Klemme	Roberts	Wilson of Polk
Fackler	Langfitt	Skromme	

Absent or not voting, 2.

Bergman Shinn

The motion was lost.

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

Ayes, 20.

Booth	Cavanaugh	Gunderson	Moen
Breakenridge	Dotts	Hartman	Skromme
Brookins	Fackler	Klemme	Slemmons
Browne	Fulton	McLeland	Thompson
Campbell	Gilchrist	Merritt	Ulstad

Nays, 29.

Baird	Clearman	Lange	Shaff
Beatty	Cochrane	Langfitt	Shane
Benson	Ellis	McFarlane	Stanley
Bergman	Frailey	Mills	Stoddard
Brush	Johnston	Ramsey	Topping
Carden	Kern	Rigby	Wilson of Page
Clark of Linn	Kimberly	Roberts	Wilson of Polk
Clark of Marion			

Absent or not voting, 1.

Shinn

The amendment was lost.

Senator Shaff moved that the bill be read a third time now, which motion prevailed.

Senator Frailey raised the point of order that no questions could be asked after the bill had passed to its third reading.

The President held the point well taken.

Senator Stoddard moved that Senator Gilchrist be given time to discuss the bill.

Senator Frailey raised the point of order that Senator Stoddard's motion was out of order.

The President held the point well taken.

Senator Stoddard moved that the vote by which the bill passed to its third reading be reconsidered.

Senator Frailey moved to amend the motion by adding, "and if any member of the Senate desires to make an argument on this bill, the argument shall be limited to ten minutes."

Senator Gilchrist raised the point of order that a motion to reconsider was not debatable or amendable.

Senator Frailey withdrew his amendment to the motion.

The motion prevailed and the vote by which the bill passed to its third reading was reconsidered.

Senator Frailey moved that remarks be limited to ten minutes.

Senator Frailey withdrew the motion.

By unanimous consent Senator Frailey was excused temporarily from the call of the Senate.

By unanimous consent Senator Beatty was excused temporarily from the call of the Senate.

Senator Frailey returned to the Senate chamber.

Senator Beatty returned to the Senate chamber.

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, 32.

Baird	Clark of Marion	Kimberly	Roberts
Beatty	Clearman	Klemme	Shaff
Benson	Cochrane	Lange	Shane
Bergman	Dotts	Langfitt	Stanley
Browne	Ellis	McFarlane	Stoddard
Brush	Frailey	Mills	Topping
Carden	Johnston	Ramsey	Wilson of Page
Clark of Linn	Kern	Rigby	Wilson of Polk

Nays, 17.

Booth	Fackler	Hartman	Skromme
Breakenridge	Fulton	McLeland	Slemmons
Brookins	Gilchrist	Merritt	Thompson
Campbell	Gunderson	Moen	Ulstad
Cavanaugh			

Absent or not voting, 1.

Shinn

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

I vote "yes" on Senate File No. 1 to have this bill go before the people in the general election in November and let them settle it. I would not vote for the bill if it did not have to go to the people.

WM. H. KLEMME.

EXPLANATION OF VOTE

I voted "no" on the bond bill because it is not "substantially" the same as the bill which the General Assembly was convened to consider and which the governor reported "a substantial majority" of the members were pledged to pass; because it does not relieve the counties of their primary road bonds; because the county primary road bonds are excluded from, and not included in the state one hundred million dollar bond issue; because there will be issued not less, perhaps more, than forty-three million dollars of county primary road bonds and one hundred million dollars of state bonds, making a total of at least one hundred forty-three million; and because section 14 does not prevent the issuance of bonds before the constitutionality of the act is determined and does not render them invalid if they are issued even though the provision for the payment of the bonds and the interest on them from the primary road fund is finally determined to be unconstitutional.

C. J. FULTON.

INTRODUCTION OF BILLS

Senate File No. 5, by Senator Baird, a bill for an act to provide for the publication of the Acts and the Journals of the Extra Session of the Forty-second General Assembly.

Read first and second times and placed on the calendar.

Senator Stoddard moved that the rules be suspended and that he be allowed to introduce a bill, which motion prevailed.

Senate File No. 6, by Senator Stoddard, a bill for an act to amend sections four thousand seven hundred fifty-five-b five (4755-b 5) and four thousand seven hundred fifty-five-b thirty-eight (4755-b 38), of the Code, 1927, relating to refunds from the primary road fund to counties for right of way and for bridges and culverts or for either of said purposes.

Read first and second times and placed on the calendar.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 6 by numbering "section three" of the bill as "section four", and by inserting immediately following section two of the bill, the following:

"Sec. 3. In making refunds for culverts, no part of any primary road funds heretofore received by a county for use on secondary roads shall be deducted from such refund."

W. J. BREAKENRIDGE.

The Journal of March 7th was corrected and approved.

On motion of Senator Lange the Senate adjourned until 9 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 9, 1928.

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

Prayer was offered by Rev. Walter J. Stewart, pastor of the United Presbyterian Church, of Oskaloosa, Iowa.

RESOLUTION

Senator Fulton offered the following resolution:

Whereas, There is a vacancy on the Board of Control, and

Whereas, The General Assembly is in session, and

Whereas, The law requires that the appointment of every member of this Board shall be confirmed by the Senate, therefore

Be It Resolved by the Senate, That the Governor be requested to make such appointment that the Senate may exercise its statutory right.

The resolution was laid over under the rules.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 1928, he had approved the following bill:

Senate Joint Resolution No. 1, relating to the selection of employees for the special session of the 42nd General Assembly.

On motion of Senator Browne the Senate took a recess.

The Senate reconvened.

INTRODUCTION OF BILLS

Senate File No. 7, by Senator Baird, a bill for an act to exempt from taxation lands used for air ports and furnished by subscription or other than by a corporation or person for pecuniary profit.

Read first and second times and placed on the calendar.

Senate File No. 8, by Committee on Appropriations, a bill for an act to appropriate a fund for the expenses of the National Champion Drum Corps of the United Spanish War Veterans of America; The National Champion Fancy Drill Team of the United Spanish War Veterans Auxiliary of the United States of America, in attending a national convention of the United Spanish War Veterans of America and Auxiliary, to be held in Havana, Cuba, in October, 1928.

Read first and second times and placed on the calendar.

Senate File No. 9, by Senator Browne, a bill for an act to levy an additional license fee on gasoline sold in the state of Iowa to provide additional county road funds.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Gilchrist House File No. 4, a bill for an act to revise and codify sections eleven thousand six hundred three (11603), eleven thousand six hundred four (11604), and eleven thousand six hundred five (11605) of the Code, 1927, relating to the lien of judgments of the State and Federal Courts, was substituted for Senate File No. 2, taken up and considered.

Senator Gilchrist offered the following amendments and moved their adoption:

Amend section 1 by striking from line 5 the word "land" and inserting in lieu thereof the words "real estate".

Also amend section 1 by striking from line 11 the word "land" and inserting in lieu thereof the words "real estate".

Also amend section 1 by inserting at the end of line 14 the words "the district court of".

Also amend section 1 by striking from line 15 the word "land" and inserting in lieu thereof the words "real estate".

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

Ayes, 40.

Baird
Beatty
Bergman
Booth

Breakenridge
Browne
Brush
Campbell

Clark of Linn
Clark of Marion
Clearman
Cochrane

Dotts
Fackler
Fulton
Gilchrist

Gunderson	Langfitt	Rigby	Stoddard
Hartman	McLeland	Roberts	Thompson
Johnston	Merritt	Shaff	Topping
Kern	Mills	Shane	Ulstad
Klemme	Moen	Skromme	Wilson of Page
Lange	Ramsey	Slemmons	Wilson of Polk

Nays, none.

Absent or not voting, 10.

Benson	Cavanaugh	Kimberly	Shinn
Brookins	Ellis	McFarlane	Stanley
Carden	Frailey		

The amendments were adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking all of section 2 and inserting in lieu thereof the following:

"Sec. 2. Publication clause. This act is deemed of immediate importance and shall take effect from and after its publication in the Pioneer, a newspaper published in Cascade, Iowa, and the Laurens Sun, a newspaper published in Laurens, Iowa."

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

Ayes, 41.

Baird	Clearman	Klemme	Shaff
Beatty	Cochrane	Lange	Shane
Benson	Dotts	Langfitt	Skromme
Bergman	Ellis	McLeland	Slemmons
Booth	Fackler	Merritt	Stoddard
Breakenridge	Fulton	Mills	Thompson
Browne	Gilchrist	Moen	Topping
Brush	Gunderson	Ramsey	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Clark of Linn	Johnston	Roberts	Wilson of Polk
Clark of Marion			

Nays, 1.

Kern

Absent or not voting, 8.

Brookins	Cavanaugh	Kimberly	Shinn
Carden	Frailey	McFarlane	Stanley

The amendment was adopted.

Senator Gilchrist moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 39.

Baird	Clark of Marion	Kern	Shane
Benson	Clearman	Klemme	Skromme
Bergman	Cochrane	Lange	Slemmons
Booth	Dotts	McFarlane	Stoddard
Breakenridge	Fackler	McLeland	Thompson
Browne	Fulton	Mills	Topping
Brush	Gilchrist	Moen	Ulstad
Campbell	Gunderson	Ramsey	Wilson of Page
Cavanaugh	Hartman	Rigby	Wilson of Polk
Clark of Linn	Johnston	Roberts	

Nays, none.

Absent or not voting, 11.

Beatty	Ellis	Langfitt	Shinn
Brookins	Frailey	Merritt	Stanley
Carden	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 Clark of Linn, House File No. 2, a bill for an act to amend section ten thousand one hundred three (10103) of the Code, 1927, relative to the form of acknowledgments by notaries public, with report of committee recommending amendment and passage, was substituted for Senate File No. 4, taken up and considered.

The following amendment, offered by Senators Clark of Linn and Gilchrist was considered:

Amend by striking out everything after the quotation mark (") in line 9 thereof and inserting in lieu thereof the following:

"No certificate of acknowledgment shall be held to be defective on account of the failure to show the official title of the officer making the certificate if such title appears either in the body of such certificate or in connection therewith, or with the signature thereto."

Sec. 2. This act being deemed of immediate importance, shall be in full force and effect from and after the passage and publication in the Evening Gazette & Republican, a newspaper published at Cedar Rapids, Iowa, and the Laurens Sun, a newspaper published at Laurens, Iowa.

The amendment was adopted.

Senator Clark of Linn 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	Roberts
Benson	Cochrane	Lange	Shaff
Bergman	Dotts	Langfitt	Shane
Booth	Ellis	McFarlane	Skromme
Breakenridge	Fackler	McLeland	Slemmons
Browne	Fulton	Merritt	Stoddard
Brush	Gilchrist	Mills	Thompson
Campbell	Hartman	Moen	Topping
Cavanaugh	Johnston	Ramsey	Wilson of Page
Clark of Linn	Kern	Rigby	Wilson of Polk
Clark of Marion			

Nays, none.

Absent or not voting, 9.

Beatty	Frailey	Kimberly	Stanley
Brookins	Gunderson	Shinn	Ulstaad
Carden			

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

Senator Clark of Linn moved that the 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 March 8th was corrected and approved.

Senator Klemme moved that the Senate adjourn until 1 p. m., which motion was lost.

THIRD READING OF BILLS

On motion of Senator Clark of Linn, House File No. 3, a bill for an act to legalize defective acknowledgments filed for record prior to March 10, 1928, and fixing the time within which actions

may be brought to enforce rights thereunder, was substituted for Senate File No. 3, taken up and considered.

The following amendment, offered by Senators Clark of Linn and Gilchrist, was considered.

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. Any instrument in writing to which is attached a defective certificate of acknowledgment, which was, prior to the taking effect of this act, filed, recorded or spread upon the records in the office of the recorder of the proper county, together with the recording and the record thereof, is legalized and declared as valid, legal and binding, as if such instrument had been properly acknowledged and had had a proper certificate of acknowledgment thereto attached and had been legally recorded.

Sec. 2. Any person affected by the provisions of section one (1) hereof, failing to bring an action in a court of competent jurisdiction within thirty (30) days from the taking effect of this act, to protect any claim or right he might have, shall be barred hereafter from enforcing any such claim or right.

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 Evening Gazette & Republican, a newspaper published at Cedar Rapids, Iowa, and the Laurens Sun, a newspaper published at Laurens, Iowa.

Senator Shane offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding thereto the following:

"Sec. 3. Nothing in this act shall affect pending litigation."

Also amend by renumbering section 3 as section 4.

The amendment to the amendment was adopted.

The amendment was adopted.

Senator Clark of Linn 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
Benson
Booth
Breakenridge
Browne

Brush
Campbell
Cavanaugh
Clark of Linn
Clark of Marion

Clearman
Cochrane
Dotts
Ellis
Fackler

Fulton
Gilchrist
Hartman
Johnston
Kern

Klemme
Lange
Langfitt
McFarlane

Merritt
Mills
Ramsey
Rigby

Roberts
Shaff
Shane
Slemmons

Stoddard
Thompson
Wilson of Page
Wilson of Polk

Nays, none.

Absent or not voting, 14.

Beatty
Bergman
Brookins
Carden

Frailey
Gunderson
Kimberly
McLeland

Moen
Shinn
Skromme

Stanley
Topping
Ulstad

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

Senator Clark of Linn offered the following amendment to the title and moved its adoption:

Amend by inserting after the word "defective" the words "certificate of".

Also amend the title by striking out the word and figures "March 10, 1928" and inserting in lieu thereof the words "the taking effect of this Act".

The amendments to the title were adopted and the title as amended was agreed to.

Senator Clark of Linn 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 Shane the Senate adjourned until 2 p. m.

AFTERNOON SESSION

The Senate reconvened.

THIRD READING OF BILLS

On motion of Senator Baird, Senate File No. 5, a bill for an act to provide for the publication of the Acts and the Journals of the Extra Session of the Forty-second General Assembly, was taken up and considered.

Senator Baird offered the following amendment and moved its adoption:

Amend section 6 by striking the words "two (2) newspapers, as provided by law" and inserting in lieu thereof the words "Neola Reporter-Gazette and the Fairfield Ledger".

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, 43.

Baird	Cavanaugh	Johnston	Shane
Beatty	Clark of Linn	Kern	Skromme
Benson	Clark of Marion	Kimberly	Slemmons
Bergman	Clearman	Klemme	Stanley
Booth	Cochrane	Lange	Stoddard
Breakenridge	Dotts	McFarlane	Thompson
Brookins	Fackler	McLeland	Topping
Browne	Fulton	Merritt	Ulstad
Brush	Gilchrist	Mills	Wilson of Page
Campbell	Gunderson	Roberts	Wilson of Polk
Carden	Hartman	Shaff	

Nays, none.

Absent or not voting, 7.

Ellis	Langfitt	Ramsey	Shinn
Frailey	Moen	Rigby	

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.

CALL OF THE SENATE

We the undersigned senators request a call of the Senate on Senate File No. 6, and amendments to it:

W. J. BREAKENRIDGE
GEO. F. SLEMMONS
B. M. STODDARD
J. O. SHAFF
A. H. BERGMAN
ED H. CAMPBELL
GEO. A. WILSON

ARCH W. MCFARLANE
C. F. JOHNSTON
F. C. STANLEY
E. E. CAVANAUGH
W. S. BAIRD
C. L. RIGBY
C. J. FULTON

There being a call of the Senate on Senate File No. 6 the roll was called and revealed the presence of the following Senators:

Baird	Clark of Marion	Kern	Shaff
Beatty	Clearman	Kimberly	Shane
Benson	Cochrane	Klemme	Skromme
Bergman	Dotts	Lange	Slemmons
Booth	Ellis	McFarlane	Stanley
Breakenridge	Fackler	McLeland	Stoddard
Brookins	Frailey	Merritt	Thompson
Browne	Fulton	Mills	Topping
Brush	Gilchrist	Moen	Ulstad
Carden	Gunderson	Rigby	Wilson of Page
Cavanaugh	Hartman	Roberts	Wilson of Polk
Clark of Linn	Johnston		

Senator Campbell appeared in the Senate chamber.

On motion of Senator Stoddard, Senators Ramsey and Langfitt were excused from the call temporarily.

THIRD READING OF BILLS

On motion of Senator Stoddard, Senate File No. 6, a bill for an act to amend sections four thousand seven hundred fifty-five-b five (4755-b 5) and four thousand seven hundred fifty-five-b thirty-eight (4755-b 38), of the Code, 1927, relating to refunds from the primary road fund to counties for right of way and for bridges and culverts or for either of said purposes, was taken up and considered.

By unanimous consent Senator Breakenridge withdrew an amendment previously filed, found on page 50 of the Senate Journal.

Senator Breakenridge offered the following amendment and moved its adoption:

Amend by striking out section 1 of the bill and by inserting in lieu thereof the following:

Section 1. Section five (5) of Chapter one hundred one (101), Acts of the Forty-second (42nd) General Assembly, as amended by the first nine (9) lines of section one (1) of Chapter one hundred three (103), Acts of the Forty-second (42nd) General Assembly, is amended, revised, and codified to read as follows:

"Where additional right-of-way has been acquired or where bridges or culverts 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 nineteen (19), nineteen hundred nineteen (1919), said

county shall be reimbursed for said right of way and said bridges or culverts out of the primary road fund in five (5) annual payments. The first payment shall be made January first (1st), nineteen hundred twenty-eight (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 nor to bear an interest rate to exceed five per cent (5%). 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 of the county bridge fund.

Payments already made under the section for which this section is a substitute shall be readjusted by the Highway Commission to conform herewith. This act shall not be deemed to repeal lines ten (10) to twenty-three (23), inclusive, of section one (1) of chapter one hundred three (103), Acts of the Forty-second (42nd) General Assembly."

Senator Langfitt appeared in the Senate chamber.

Senator Shaff asked that Mr. White, chief engineer of the Highway Commission, be invited to the rostrum to answer any questions directed to him.

Mr. White was invited to the rostrum.

On motion of Senator Browne the Senate went into a committee of the whole.

On motion of Senator Stoddard, President Kimball was made chairman of the committee of the whole.

Senator Ramsey appeared in the Senate chamber and the call was declared complete.

Senator Stoddard moved that the committee of the whole rise, which motion prevailed.

Senator Topping offered the following amendment to the pending amendment, and moved its adoption:

Amend by striking out of line 8 of section 1 the words and figures "nineteen hundred and twenty-eight (1928)" and inserting in lieu thereof the words and figures "nineteen hundred and thirty-five (1935)".

Senator Mills moved the previous question.

Senator Slemmons raised the point of order that the Senator had already spoken on the question.

The President held the point of order not well taken.

The motion prevailed and the previous question was ordered.

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

Ayes, 21.

Baird	Clark of Marion	Kimberly	Rigby
Benson	Clearman	Lange	Shaff
Bergman	Cochrane	Langfitt	Shane
Booth	Ellis	McFarlane	Stanley
Carden	Frailey	Ramsey	Topping
Clark of Linn			

Nays, 26.

Breakenridge	Fackler	Klemme	Skromme
Brookins	Fulton	McLeland	Slemmons
Browne	Gilchrist	Merritt	Stoddard
Brush	Gunderson	Mills	Thompson
Campbell	Hartman	Moen	Ulstad
Cavanaugh	Johnston	Roberts	Wilson of Page
Dotts	Kern		

Absent or not voting, 3.

Beatty	Shinn	Wilson of Polk
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The amendment to the amendment was lost.

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

Ayes, 39.

Baird	Clearman	Klemme	Shaff
Benson	Cochrane	Langfitt	Shane
Bergman	Dotts	McFarlane	Skromme
Booth	Ellis	McLeland	Slemmons
Breakenridge	Fackler	Merritt	Stanley
Brookins	Fulton	Mills	Stoddard
Brush	Gilchrist	Moen	Thompson
Campbell	Gunderson	Ramsey	Ulstad
Carden	Hartman	Rigby	Wilson of Polk
Cavanaugh	Johnston	Roberts	

Nays, 8.

Clark of Linn	Frailey	Kimberly	Topping
Clark of Marion	Kern	Lange	Wilson of Page

Absent or not voting, 3.

Beatty	Browne	Shinn
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The amendment was adopted.

Senator Topping offered the following amendment and moved its adoption:

Amend by striking out all of section 3 and inserting in lieu thereof the following:

"Sec. 3. It is provided, however, that no such culvert refund shall be made before the year 1935".

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, 40.

Baird	Cavanaugh	Klemme	Shaff
Benson	Cochrane	Langfitt	Shane
Bergman	Dotts	McFarlane	Skromme
Booth	Ellis	McLeland	Slemmons
Breakenridge	Fackler	Merritt	Stanley
Brookins	Fulton	Mills	Stoddard
Browne	Gilchrist	Moen	Thompson
Brush	Gunderson	Ramsey	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Carden	Johnston	Roberts	Wilson of Polk

Nays, 9.

Beatty	Clearman	Kern	Lange
Clark of Linn	Frailey	Kimberly	Topping
Clark of Marion			

Absent or not voting, 1.

Shinn

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

Senator Breakenridge offered the following amendment to the title and moved its adoption:

Amend by striking out all of the title and inserting the following in lieu thereof:

"A BILL FOR

An act to amend, revise and codify section five (5) of chapter one hundred one (101), Acts of the Forty-second (42nd) General Assembly, as amended by the first nine (9) lines of section one (1) of chapter one

hundred three (103), Acts of the Forty-second (42nd) General Assembly; and to amend section forty-seven hundred fifty-five-b thirty-eight (4755-b38) of the Code of 1927, relating to refunds from the primary road fund to counties for rights-of-way and for bridges and culverts, or for either of said purposes."

The amendment was adopted and the title as amended was agreed to.

Senator Breakenridge 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 was lost.

Senator Lange moved that the Senate adjourn until 10:00 a. m. Saturday.

Senator Lange raised the point of order that a motion to adjourn was not debatable.

The President held the point well taken.

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

Ayes, 9.

Clark of Linn	Frailey	Lange	Topping
Clark of Marion	Kimberly	Ramsey	Wilson of Polk
Clearman			

Nays, 33.

Baird	Carden	Hartman	Rigby
Benson	Cochrane	Johnston	Roberts
Bergman	Dotts	Klemme	Shane
Booth	Ellis	McFarlane	Skromme
Breakenridge	Fackler	McLeland	Slemmons
Brookins	Fulton	Merritt	Stanley
Browne	Gilchrist	Mills	Stoddard
Brush	Gunderson	Moen	Thompson
Campbell			

Absent or not voting, 8.

Beatty	Kern	Shaff	Ulstad
Cavanaugh	Langfitt	Shinn	Wilson of Page

The motion to adjourn was lost.

On motion of Senator Baird the rules were suspended and Senate File No. 7, a bill for an act to exempt from taxation lands used for air ports and furnished by subscription or other than by

a corporation or person for pecuniary profit, was taken up and considered.

Senator Gilchrist offered the following amendment and moved its adoption:

Amend by inserting after the word "used" in the last line the words "without charge".

Senator Lange offered the following amendment as a substitute amendment and moved its adoption:

Amend by striking the period at the end of the last line and adding the following:

"only and without charge".

Senator Gilchrist withdrew his amendment.

The amendment offered by Senator Lange was adopted.

Senator Clark of Linn moved that the Senate adjourn until 10:00 a. m. Saturday.

The motion was lost.

S. F. NO. 7 MADE SPECIAL ORDER

On motion of Senator Baird, Senate File No. 7 was made a special order for 10 a. m. Saturday.

INTRODUCTION OF BILL

Senate File No. 10, by Committee on Appropriations, a bill for an act fixing the compensation of the officers and employees of the Extra Session of the Forty-second General Assembly and making an appropriation to pay the expenses of the said extra session.

Read first and second times.

THIRD READING OF BILLS

On motion of Senator Stoddard the rules were suspended and Senate File No. 10, a bill for an act fixing the compensation of the officers and employees of the Extra Session of the Forty-second General Assembly and making an appropriation to pay the ex-

penses of the said extra session, a committee bill, 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, 45.

Baird	Clark of Marion	Kimberly	Shane
Beatty	Clearman	Klemme	Skromme
Benson	Cochrane	Langfitt	Slemmons
Bergman	Dotts	McFarlane	Stanley
Booth	Ellis	McLeland	Stoddard
Breakenridge	Fackler	Merritt	Thompson
Brookins	Frailey	Mills	Topping
Browne	Fulton	Moen	Ulstad
Brush	Gilchrist	Ramsey	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk
Cavanaugh	Johnston	Shaff	
Clark of Linn	Kern		

Nays, none.

Absent or not voting, 5.

Campbell	Lange	Roberts	Shinn
Gunderson			

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

Senator Stoddard moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stoddard, the rules were suspended and Senate File No. 8, an act to appropriate a fund for the expenses of the National Champion Drum Corps of the United Spanish War Veterans of America; the National Champion Fancy Drill Team of the United Spanish War Veterans Auxiliary of the United States of America, in attending a national convention of the United Spanish War Veterans of America and Auxiliary, to be held in Havana, Cuba, in October, 1928, a committee bill, was taken up and considered.

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking the period (.) following the figures "1928" in line 11 of section 1, and adding the words: " , provided, however, that the members of the drill team and drum corps sent under this appropriation shall be actual members of the United Spanish War Veterans of America or the women's auxiliary thereto."

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, 43.

Baird	Cavanaugh	Johnston	Shaff
Beatty	Clark of Marion	Kern	Shane
Benson	Clearman	Kimberly	Skromme
Bergman	Cochrane	Klemme	Slemmons
Booth	Dotts	Langfitt	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Fackler	McLeland	Thompson
Browne	Frailey	Merritt	Ulstad
Brush	Fulton	Mills	Wilson of Page
Campbell	Gilchrist	Ramsey	Wilson of Polk
Carden	Hartman	Rigby	

Nays, none.

Absent or not voting, 7.

Clark of Linn	Lange	Roberts	Topping
Gunderson	Moen	Shinn	

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.

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. 3, an act providing for the joint rules of the Special Session of the Forty-second General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

CALL OF THE SENATE

We, the undersigned senators, now ask a call of the Senate during the consideration of Senate File No. 9 known as the one cent gas tax bill for secondary highways.

F. C. GILCHRIST
C. S. BROWNE
D. L. WILSON
OSCAR ULSTAD
R. C. MILLS
LARS J. SKROMME
WM. CARDEN
J. G. MERRITT
G. S. HARTMAN
CHAS. D. BOOTH

H. GUY ROBERTS
ED H. CAMPBELL
A. T. BROOKINS
W. J. BREAKENRIDGE
A. G. DOTTS
C. B. KERN
FRANK SHANE
S. E. FACKLER
O. E. GUNDERSON
W. E. MCLELAND

CALL OF THE SENATE

A call of the Senate is hereby demanded for the purpose of raising a point of order on the ruling of the Chair that Senate File No. 9 is now upon the calendar and before the Senate for consideration.

J. R. FRAILEY
WM. CARDEN
W. S. BAIRD
E. E. CAVANAUGH
J. O. SHAFF
ARCH W. MCFARLANE
D. W. KIMBERLY

C. A. BENSON
CLYDE H. TOPPING
C. F. CLARK
OTTO F. LANGE
GEO. A. WILSON
C. F. JOHNSTON
GEO. CLEARMAN

RESOLUTION

Senator Browne offered the following resolution:

Whereas, The attorney general is required by statute "to give his opinion in writing upon all questions of law submitted to him by the General Assembly, or by either house thereof",

Therefore, Be It Resolved by the Senate, That the attorney general be requested to render the Senate an opinion upon the constitutionality of the one hundred million dollar bond bill as passed by the Senate; and upon the necessity of annually collecting the direct tax imposed thereby in case he holds the act to be constitutional.

The resolution was laid over under the rules.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File No. 9 by striking out all of section three and inserting in lieu thereof the following:

"Sec. 3. The proceeds of the additional license fee herein provided shall be credited to the county road fund and 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 day of each month, and such funds shall be used only for permanent grading, draining and bridging of county roads and for the surfacing of county roads, and to pay the principal and interest of county road bonds."

F. M. BEATTY.

Senator Benson moved that the Senate adjourn until 10:00 a. m. Saturday, which motion prevailed.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 10, 1928.

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

Prayer was offered by Rev. E. G. Williams, pastor of the Westminster Presbyterian Church, of Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Shinn indefinitely on account of illness, on request of Senator Fackler.

MESSAGES FROM 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. 2, a bill for an act to amend section ten thousand one hundred three (10103) of the Code, 1927, relative to the form of certificates of acknowledgment.

Also: That the House has concurred in Senate Amendments to House File No. 3, a bill for an act to legalize defective acknowledgments filed for record prior to March 10, 1928, and fixing the time within which actions may be brought to enforce rights thereunder.

Also: That the House has concurred in Senate Amendments to House File No. 4, a bill for an act to amend, revise, and codify sections eleven thousand six hundred three (11603), eleven thousand six hundred four (11604), and eleven thousand six hundred five (11605) of the Code, 1927, relating to the lien of judgments of the State and Federal Courts.

A. C. GUSTAFSON, *Chief Clerk.*

RESOLUTION CONSIDERED

Senator Browne called up for consideration the following resolution and moved its adoption:

Whereas, The attorney general is required by statute "to give his opin-

ion in writing upon all questions of law submitted to him by the General Assembly, or by either house thereof",

Therefore, Be It Resolved by the Senate, That the attorney general be requested to render the Senate an opinion upon the constitutionality of the one hundred million dollar bond bill as passed by the Senate; and upon the necessity of annually collecting the direct tax imposed thereby in case he holds the act to be constitutional.

Senator Frailey raised the point of order that the attorney general is not an officer of this body and has nothing to do with giving an opinion as to the constitutionality of any bills pending; that this bill is not a statute and the attorney general can not give an opinion on a measure that is being amended at this moment in the other legislative body of this General Assembly, and that the resolution is therefore out of order.

The President held the point well taken.

Senator Gilchrist asked unanimous consent to have submitted to the attorney general the question as to whether the constitution of the State of Iowa will permit the passage, or whether the constitution of this state permits and does not contravene the passage, of the proposed bill, Senate File No. 1.

Unanimous consent was refused.

Senator Gilchrist then moved that the rules be suspended and that the question be submitted to the attorney general as to whether the constitution would permit the passage of the bill.

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

Ayes, 20.

Booth
Breakenridge
Brookins
Browne
Campbell

Cavanaugh
Dotts
Fackler
Fulton
Gilchrist

Gunderson
Hartman
McLeland
Merritt
Moen

Skromme
Slemmons
Thompson
Ulstad
Wilson of Polk

Nays, 23.

Benson	Clearman	Klemme	Shane
Bergman	Cochrane	Lange	Stanley
Brush	Ellis	Langfitt	Stoddard
Carden	Frailey	McFarlane	Topping
Clark of Linn	Johnston	Rigby	Wilson of Page
Clark of Marion	Kimberly	Shaff	

Absent or not voting, 7.

Baird	Kern	Ramsey	Shinn
Beatty	Mills	Roberts	

The motion was lost.

EXPLANATION OF VOTE •

We voted "No" on the question of requiring the Attorney General to file an opinion on the constitutionality of the proposed bond bill:

1st. Because we feel that it is an attempt on the part of the opponents of the bill to embarrass the passage of the bill.

2nd. Because we are not aware that any Senator has been refused an opportunity to direct any and all questions on the bill that have been made to the Attorney General or his assistants.

3rd. We have been shown every courtesy, and all queries which we have made of the Attorney General have been answered entirely to our satisfaction.

4th. The filing of an opinion on this bill in the making by the Attorney General, either upholding or condemning its constitutionality, is placing the Attorney General in a position which may be extremely embarrassing, because the bill does not become a law, nor can it become a law, until ratified by the voters at the general election next November.

J. O. SHAFF
J. R. FRAILEY
LLOYD ELLIS
C. L. RIGBY

On motion of Senator Mills the following remarks by Senators Cavanaugh and Stoddard were ordered printed in the Journal:

MR. PRESIDENT: Yesterday during the period for the introduction of a certain bill before this body the statement was made in the presence of these senators assembled, and a concourse of visitors, that the appropriation made in the last session for payment of the expenses of the American Legion Drill Team and the Band and Auxiliary in its personnel, was only fifty per cent in good standing in their organization.

Since this declaration was made I have taken occasion to verify the statement that I am about to make.

That I have discovered and ascertained that in the membership of the Auxiliary Drill team every one of them were bona fide members thereof, and that in the Drill Team of the Fort Dodge Post all of them were members thereof with one exception, and he was admitted to the American Legion Post Band under a special privilege because of his interest therein, and because of his being an expert drummer who has given to the drummers of that drill team practically all of its instruction.

The statement was made that such information was hearsay, and I take this occasion to say that any statement of that kind was without merit and was not as the facts warrant.

E. E. CAVANAUGH.

MR. PRESIDENT: Inasmuch as reference was made yesterday on the floor of the Senate to the membership in the American Legion of the organizations that went to Paris under the appropriation made by the Forty-second General Assembly, I wish to make the following statement:

In a telephone conversation this morning to the manager of the National Champion American Legion Band of Monohan Post, Sioux City, he informs me every member of that band who went to Paris was at that time a bona fide member of the American Legion, and further, that in each of the three previous contests in which the Monohan Post Band was declared national champion, every member of said band was at that time a member of the American Legion in good standing.

B. M. STODDARD.

THIRD READING OF BILLS

On motion of Senator Baird, Senate File No. 7, a bill for an act to exempt from taxation lands used for air ports and furnished by subscription or other than by a corporation or person for pecuniary profit, was taken up and considered.

Senator Lange offered the following amendment and moved its adoption:

Amend by adding after the word "land", in line one (1) of section one (1), the following:

"not less than fifty (50) acres nor more than one hundred and sixty (160) acres in area".

The amendment was adopted.

Senator Lange offered the following amendment and moved its adoption:

Amend by striking out the words following the word "gift" in line 2 up to and including the word "profit" and the comma following in line 3.

The amendment was adopted.

Senator Lange offered the following amendments and moved their adoption:

Amend by inserting before the word "taxes" in line 4 the word "all".

Also amend by striking from line 4 the words "both local and state" and inserting in lieu thereof the words "except special assessments".

The amendments were adopted.

Senator Clark of Linn offered the following amendment and moved its adoption:

Amend by striking out the word and figures "fifty (50)" and inserting in lieu thereof the word and figures "forty (40)".

The amendment was adopted.

Senator Benson offered the following amendment and moved its adoption:

Amend by striking out all of the enacting clause.

Senator Mills moved the previous question on the amendment, which motion prevailed.

On the question "Shall the amendment be adopted and the enacting clause stricken?" the vote was:

Ayes, 13.

Benson	Clark of Marion	Gunderson	Mills
Brush	Ellis	Langfitt	Slemmons
Campbell	Frailey	McLeland	Stanley
Carden			

Nays, 26.

Baird	Dotts	McFarlane	Shane
Bergman	Fulton	Merritt	Stoddard
Booth	Hartman	Moen	Thompson
Breakenridge	Kern	Rigby	Ulstad
Browne	Kimberly	Roberts	Wilson of Page
Cavanaugh	Klemme	Shaff	Wilson of Polk
Cochrane	Lange		

Absent or not voting, 11.

Beatty	Clearman	Johnston	Skromme
Brookins	Fackler	Ramsey	Topping
Clark of Linn	Gilchrist	Shinn	

The amendment was lost.

President Pro Tem Shane took the chair at 11:08 p. m.

The bill was read for information.

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

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

Ayes, 28.

Baird	Cavanaugh	Kern	Roberts
Beatty	Clark of Linn	Kimberly	Shane
Bergman	Cochrane	Klemme	Stoddard
Booth	Dotts	Lange	Thompson
Breakenridge	Fulton	McFarlane	Ulstad
Browne	Hartman	Merritt	Wilson of Page
Campbell	Johnston	Rigby	Wilson of Polk

Nays, 14.

Benson	Frailey	Mills	Slemmons
Brush	Gunderson	Moen	Stanley
Clark of Marion	Langfitt	Skromme	Topping
Ellis	McLeland		

Absent or not voting, 8.

Brookins	Clearman	Gilchrist	Shaff
Carden	Fackler	Ramsey	Shinn

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

By unanimous consent on request of Senator Baird the title was amended by striking out all after the word "ports" in line one and inserting in lieu thereof the words "only and without charge."

The title as amended 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.

There being a call of the Senate filed on the consideration of Senate File No. 9, the roll was called and revealed the presence of the following Senators:

Baird	Booth	Brush	Clark of Linn
Beatty	Breakenridge	Campbell	Clark of Marion
Benson	Brookins	Carden	Clearman
Bergman	Browne	Cavanaugh	Cochrane

Dotts	Johnston	Merritt	Slemmons
Ellis	Kern	Mills	Stanley
Fackler	Kimberly	Moen	Stoddard
Frailey	Klemme	Rigby	Thompson
Fulton	Lange	Roberts	Topping
Gilchrist	Langfitt	Shaff	Ulstad
Gunderson	McFarlane	Shane	Wilson of Page
Hartman	McLeland	Skromme	Wilson of Polk

Senator Ramsey was excused temporarily from the call of the Senate.

Senator Lange raised the point of order that the bill was not germane to the road bond bill and was placed on the calendar irregularly.

President Pro Tem Shane held the point of order well taken.

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

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Pro Tem Frank Shane presiding.

EXPRESSION OF APPRECIATION

The following telegram was received from Senator Shinn:

Please accept my sincere thanks for the beautiful flowers received from you as a token of your friendship and esteem.

Very cordially,

A. J. SHINN.

By unanimous consent, on request of Senator Clark of Linn, two thousand extra copies each of House Files Nos. 2, 3 and 4 were ordered printed and ten each sent to each Senator.

The Senate being still under call, the roll was called and revealed the presence of the following Senators:

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

Senator Dotts appeared in the Senate chamber.

Senator Ramsey appeared in the Senate chamber.

Senator Browne moved that the rules be suspended for the introduction and consideration of a bill for an act to levy an additional license fee on gasoline sold in the state of Iowa to provide additional county road funds.

Senator Browne invoked Rule 8.

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

Ayes, 25.

Beatty	Dotts	Kern	Roberts
Booth	Fackler	McLeland	Skromme
Breakenridge	Fulton	Merritt	Slemmons
Brookins	Gilchrist	Mills	Thompson
Browne	Gunderson	Moen	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Cavanaugh			

Nays, 24.

Baird	Clark of Marion	Kimberly	Shaff
Benson	Clearman	Klemme	Shane
Bergman	Cochrane	Lange	Stanley
Brush	Ellis	Langfitt	Stoddard
Carden	Frailey	McFarlane	Topping
Clark of Linn	Johnston	Ramsey	Wilson of Polk

Absent or not voting, 1.

Shinn

The motion, not having received the necessary two-thirds vote, was lost.

EXPLANATION OF VOTE

I desire to file the following explanation of my vote on the Browne motion to consider the proposed gas tax bill:

I have favored the increased tax, but not until such time as a revision of the secondary road laws is made guaranteeing a judicial and economic expenditure of such funds and providing for a well organized secondary road system.

LLOYD ELLIS.

RESOLUTION

Senator Mills offered the following resolution:

In view of the fact that there has been introduced a bill in the United States Senate by Senator Blease of South Carolina, wherein there would

be a statue of Robert E. Lee and Gen. U. S. Grant placed on pedestals one on each side of the entrance to the Army War College in the city of Washington, District of Columbia,

Therefore, Be It Resolved by This Senate in Special Session, That we do condemn any steps taken to recognize Robert E. Lee as other than a traitor to the country that made him; and further be it

Resolved, That we the members of this Senate feel that the members of Congress and United States Senators from Iowa would be derelict of duty if they do not work against and vote against any measure tending toward the recognition, by act of Congress, of any confederate leader in the war of the rebellion.

The resolution was laid over under the rules:

On motion of Senator McFarlane the Senate adjourned until 4 p. m. today.

The Senate reconvened, President Kimball presiding.

EXCHANGE OF SEATS

By unanimous consent Senator Gilchrist exchanged Seat No. 22 for Seat No. 26.

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. 2, 3 and 4.

D. L. WILSON,
Chairman Senate Committee.

FRED R. BLYTHE,
Chairman House Committee.

Report adopted.

Senator Benson moved that the Senate adjourn until 1:30 p. m. Monday.

Senator Shaff moved to amend the motion by making the time 5 p. m. today.

The amendment was lost.

Senator Lange moved to amend the motion by making the time 8 p. m. tonight.

The amendment was lost.

Senator Wilson of Page moved to amend the motion by making the time 9 a. m. Monday.

Senator McFarlane moved to amend the motion by making the time 7:30 p. m. tonight.

Senator Gilchrist raised the point of order that Senator McFarlane's amendment was out of order as it was an amendment to an amendment to a motion to adjourn.

The President held the point of order not well taken.

Senator Cavanaugh moved as a substitute motion that the Senate adjourn until 5:30 p. m. today.

Senator Lange moved to amend the substitute motion by making the time 7:30 p. m. tonight.

The President held the amendment out of order.

The substitution was made.

On the question "Shall the motion prevail and the Senate adjourn until 5:30 p. m. today?" the vote was:

Ayes, 35.

Baird	Clark of Marion	Kimberly	Shaff
Beatty	Cochrane	Klemme	Shane
Benson	Dotts	Lange	Skromme
Bergman	Ellis	Langfitt	Slemmons
Booth	Fackler	McFarlane	Stanley
Breakenridge	Frailey	McLeland	Stoddard
Carden	Fulton	Mills	Thompson
Cavanaugh	Gilchrist	Moen	Wilson of Page
Clark of Linn	Johnston	Rigby	

Nays, 1.

Brush

Absent or not voting, 14.

Brookins	Gunderson	Ramsey	Topping
Browne	Hartman	Roberts	Ulstad
Campbell	Kern	Shinn	Wilson of Polk
Clearman	Merritt		

The motion prevailed and the Senate adjourned until 5:30 p. m.

The Senate reconvened.

The Journal of March 9th was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 12, 1928.

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

Prayer was offered by Hon. E. A. Grimwood, member of the House of Representatives.

CALL OF THE SENATE FILED

We, the undersigned, desire a call of the Senate on House amendments to Senate File No. 1.

ARCH W. McFARLANE
GEO. A. WILSON
CLYDE H. TOPPING
J. G. MERRITT
F. C. STANLEY
C. F. CLARK
J. O. SHAFF
FRANK SHANE

WM. H. KLEMME
D. W. KIMBERLY
OTTO F. LANGE
GEO. CLEARMAN
C. A. BENSON
W. S. BAIRD
B. M. STODDARD
A. H. BERGMAN

RESOLUTION CONSIDERED

Senator Mills called up for consideration the resolution found on page 76 of the Senate Journal and moved its adoption.

Senator Lange moved that the resolution be laid on the table.

On the question "Shall the resolution be laid on the table?" the vote was:

Ayes, 29.

Baird
Benson
Bergman
Booth
Browne
Brush
Campbell
Carden

Clark of Linn
Clark or Marion
Cochrane
Dotts
Gilchrist
Hartman
Johnston

Kern
Kimberly
Klemme
Lange
McFarlane
Moen
Rigby

Roberts
Shane
Stanley
Stoddard
Thompson
Topping
Wilson of Polk

Nays, 3.

Mills

Skromme

Ulstad

Absent or not voting, 18.

Beatty	Ellis	Gunderson	Ramsey
Breakenridge	Fackler	Langfitt	Shaff
Brookins	Frailey	McLeland	Shinn
Cavanaugh	Fulton	Merritt	Slemmons
Clearman			Wilson of Page

The motion prevailed and the resolution was laid on the table.

EXCHANGE OF SEATS

By unanimous consent, Senator Cochran^{*} exchanged Seat No. 41 for Seat No. 22.

On motion of Senator Shane the Senate took a recess until the final vote on Senate File No. 1 was taken in the House.

The Senate reconvened, 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 House was asked:

Senate File No. 5, a bill for an act to provide for the publication of the Acts and the Journals of the Extra Session of the Forty-second 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. 10, a bill for an act fixing the compensation of the officers and employees of the extra session of the Forty-second General Assembly and making an appropriation to pay the expenses of the said extra session.

A. C. GUSTAFSON, *Chief Clerk.*

The roll was called to ascertain the presence of a quorum.

The roll call revealed the presence of a quorum.

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 following amendments:

Amend by adding thereto a new section as follows:

There is hereby appropriated out of any funds in the Treasury, not otherwise appropriated, an amount sufficient to repair, reconstruct and remodel the voting machine in the House of Representatives in accordance with the provision of the Acts of the Forty-first General Assembly. Said work shall be under the direction of the Director of the Budget and the Chief Clerk of the House of Representatives with the assistance of the electrician, and the said Chief Clerk shall receive the same per diem as during the session of the General Assembly for such time as is actually necessary to such supervision, together with his actual and necessary expense in connection therewith. The Auditor of State is hereby authorized and directed to issue warrants for the cost of such repair and expense necessary in connection therewith upon the requisition of the Director of the Budget and the Chief Clerk of the House.

Amend the title by adding thereto the following: "and for the repair of the voting machine in the House Chamber".

The President appointed the following Senators as a special committee to interview the Governor as to the House amendment: Senators Lange, Langfitt and McFarlane.

The special committee returned to the Senate chamber.

Senator McFarlane raised the point of order that the Senate had recessed until the final vote on Senate File No. 1 in the House and was, therefore, not regularly in session.

The President held the point of order well taken and the Senate recessed.

The Senate reconvened.

Senator Clark of Linn asked unanimous consent to request the House to ask the Governor to send back House File No. 3 for correction of the title, which consent was granted.

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

Senator Ellis raised the point of order that the Senate was not regularly in session.

The President held the point of order well taken and the Senate recessed.

AMENDMENT FILED

I move to amend by striking out entirely the House amendment to Senate File No. 10 all of the contents thereof and substituting in lieu thereof the following: "there is hereby appropriated out of any funds in the treas-

ury, not otherwise appropriated, an amount sufficient to repair, remodel and reconstruct the voting machine in the House of Representatives. Said work and expenditure shall be under the direction of the Executive Council of the State of Iowa."

J. R. FRAILEY.

The Senate reconvened.

The Journal of March 10th was corrected and approved.

On motion of Senator Rigby the Senate adjourned until 9 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 13, 1928.

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

Prayer was offered by Rev. Theodore Morning, pastor of the Central Presbyterian Church, of Des Moines.

EXCHANGE OF SEATS

By unanimous consent Senator Lange exchanged seat No. 37 for seat No. 19.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 2, 3 and 4.

There being a call of the Senate filed on the reconsideration of Senate File No. 6, and on the consideration of the House amendments to Senate File No. 1, the roll was called.

The roll call revealed the presence of the following Senators:

Baird	Clark of Linn	Kern	Roberts
Beatty	Clark of Marion	Kimberly	Shaff
Benson	Clearman	Klemme	Shane
Bergman	Cochrane	Lange	Skromme
Booth	Dotts	Langfitt	Slemmons
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Fackler	Merritt	Thompson
Browne	Fulton	Mills	Topping
Brush	Gilchrist	Moen	Ulstad
Campbell	Hartman	Ramsey	Wilson of Page
Carden	Johnston	Rigby	

On request of Senator Rigby, Senator Cavanaugh was excused from the call.

On request of Senator Fackler, Senator Gunderson was excused from the call of the Senate on account of illness.

MOTIONS TO RECONSIDER WITHDRAWN

By unanimous consent, Senator Shaff withdrew his motion to reconsider the vote by which Senate File No. 6 passed the Senate.

By unanimous consent, Senator Breakenridge withdrew his motion to reconsider the vote by which Senate File No. 6 passed the Senate.

Senator Wilson of Polk appeared in the Senate chamber.

Senator McLeland appeared in the Senate chamber.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File No. 1, a bill for an act to provide a comprehensive program for improvement of the primary road system of the State of Iowa; to authorize the State of Iowa to become indebted in the amount of \$100,000,-000 in connection therewith; to provide for the issuance and sale of bonds of said State in evidence of said indebtedness; to budget the primary road fund so as to maintain and aid in the payment of the cost of said primary road improvements and to permit the payment therefrom of principal and interest of said bonds and bonds issued by any county in said State payable from said fund; to appropriate primary road funds for the payment of the principal and interest of said state road bonds; to provide for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of said state road bonds; and to provide for the submission of this act to the people to be voted upon at the general election to be held in the year nineteen hundred twenty-eight.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Gilchrist moved that Senators Frailey and Stanley be excused from the call temporarily.

Senator Frailey appeared in the Senate chamber.

Senator Wilson of Page moved as a substitute that Senator Stanley be excused from the call of the Senate until the Senate comes to a vote on the House amendments to Senate File No. 1, and that the Senate proceed with other business.

The substitution was made.

The motion prevailed.

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, as found on page 81 of the Senate Journal.

By unanimous consent, Senator Frailey withdrew his amendment to the House amendment, as found on page 82 of the Senate Journal.

Senator Stanley appeared in the Senate chamber and the call was declared to be complete.

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

Ayes, none.

Nays, 46.

Baird	Clark of Marion	Kimberly	Roberts
Beatty	Clearman	Klemme	Shane
Benson	Cochrane	Lange	Skromme
Bergman	Dotts	Langfitt	Slemmons
Booth	Ellis	McFarlane	Stanley
Breakenridge	Fackler	McLeland	Stoddard
Brookins	Frailey	Merritt	Thompson
Browne	Fulton	Mills	Topping
Brush	Gilchrist	Moen	Ulstad
Campbell	Hartman	Ramsey	Wilson of Page
Carden	Johnston	Rigby	Wilson of Polk
Clark of Linn	Kern		

Absent or not voting, 4.

Cavanaugh	Gunderson	Shaff	Shinn
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The House amendments, having failed to receive a constitutional majority, were declared to have failed to be adopted and concurred in by the Senate.

HOUSE AMENDMENTS CONSIDERED

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

Amend Senate File No. 1, section 3, by striking out lines 8, 9, 10, 11 and to the period in line 12, and inserting in lieu thereof the following:

"The total amount of outstanding state bonds issued hereunder plus the total amount of outstanding county primary road bonds, plus the total amount of outstanding bonds issued to refund county primary road bonds shall not at any time exceed the sum of one hundred million dollars."

Amend Senate File No. 1, section 4, by striking from line 4 the words "and one-half".

Amend Senate File No. 1 by adding at the end of section 7 the following as section 7-A:

"The state may purchase or condemn any corporate or private personal property, including cement or other manufactured or processed commodities that may be needed for the construction, maintenance or repair of the highways of the state, and where condemnation proceedings are instituted they shall be conducted under the provisions of chapters three hundred sixty-five (365) and three hundred sixty-six (366) of the code, 1924."

Amend Senate File No. 1, section 8, line 23, by striking the period following the figures 1927, and adding thereto the following:

"As amended by Acts of the special session of the Forty-second General Assembly."

Amend Senate File No. 1 as follows:

(1) Amend section thirteen (13) by striking the word "tax" from line three (3), and inserting in lieu thereof the words "license fees".

(2) Amend section thirteen (13) by striking from line four (4) thereof the words "and tax".

(3) Amend section fourteen (14) by striking from line three (3) the word "tax", and substituting in lieu thereof the words "license fees".

Amend Senate File No. 1, section 14 by inserting after the number of the section the following:

"If this Act is adopted by the people, the State Department of Justice shall upon the adoption by the Executive Council of the first resolution authorizing the issuance of bonds hereunder immediately bring an action testing the validity of this Act, and in that event the Executive Council shall proceed no further toward the issuance of bonds hereunder until the validity of this Act shall have been determined."

Amend Senate File No. 1, section 14, by striking from line one of said section the word "if" and substituting therefor the word "should;" also by striking from said line one the word "shall".

Amend Senate File No. 1 by striking therefrom all of section 16 and inserting in lieu thereof the following:

"Sec. 16. The authorization voted now or hereafter by any county to issue bonds for primary road work shall, upon the taking effect of this Act, become null and void as to any of such bonds not actually issued and sold; and no county primary road bonds shall be authorized or issued thereafter."

Amend the title to Senate File No. 1 as follows:

Amend by inserting after the word "maintain" in line seven (7) of the title the following: "the primary roads".

Senator Gilchrist offered the following amendment to the House amendment to section 3 and moved its adoption:

Amend by striking the period (.) at the end thereof and adding: "nor shall expenditures in excess of one hundred million dollars be considered as having been authorized by this act."

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

Ayes, 13.

Breakenridge	Fackler	McLeland	Slemmons
Brookins	Gilchrist	Moen	Thompson
Campbell	Hartman	Skromme	Ulstad
Dotts			

Nays, 34.

Baird	Clark of Marion	Klemme	Roberts
Beatty	Clearman	Lange	Shaff
Benson	Cochrane	Langfitt	Shane
Bergman	Ellis	McFarlane	Stanley
Booth	Frailey	Merritt	Stoddard
Browne	Fulton	Mills	Topping
Brush	Johnston	Ramsey	Wilson of Page
Carden	Kern	Rigby	Wilson of Polk
Clark of Linn	Kimberly		

Absent or not voting, 3.

Cavanaugh	Gunderson	Shinn
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The amendment to the amendment was lost.

On the question "Shall the Senate concur in the House amendment to section 3?" the vote was:

Ayes, 46.

Baird	Clark of Marion	Klemme	Shaff
Beatty	Clearman	Lange	Shane
Benson	Cochrane	Langfitt	Skromme
Bergman	Dotts	McFarlane	Slemmons
Booth	Ellis	McLeland	Stanley
Breakenridge	Fackler	Merritt	Stoddard
Brookins	Frailey	Mills	Thompson
Browne	Fulton	Moen	Topping
Brush	Hartman	Ramsey	Ulstad
Campbell	Johnston	Rigby	Wilson of Page
Carden	Kern	Roberts	Wilson of Polk
Clark of Linn	Kimberly		

Nays, none.

Absent or not voting, 4.

Cavanaugh	Gunderson	Gilchrist	Shinn
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The House amendment to section 3, having received a constitutional majority, was declared to have been adopted and concurred in by the Senate.

Senator Clark of Linn offered the following amendment to the amendment to section 4 and moved its adoption:

Amend the House amendment to line four (4) of section four (4) so that the same shall read as follows:

"Amend Senate File No. 1, section 4, by striking from line 4 the words "and one-half" and substituting in lieu thereof the words "and one-fourth".

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

Ayes, 19.

Benson	Gilchrist	Mills	Stanley
Booth	Johnston	Ramsey	Topping
Clark of Linn	Lange	Rigby	Wilson of Page
Clark of Marion	McFarlane	Shaff	Wilson of Polk
Fulton	Merritt	Shane	

Nays, 28.

Baird	Campbell	Frailey	Moen
Beatty	Carden	Hartman	Roberts
Bergman	Clearman	Kern	Skromme
Breakenridge	Cochrane	Kimberly	Slemmons
Brookins	Dotts	Klemme	Stoddard
Browne	Ellis	Langfitt	Thompson
Brush	Fackler	McLeland	Ulstad

Absent or not voting, 3.

Cavanaugh	Gunderson	Shinn
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The amendment to the amendment was lost.

On the question "Shall the Senate concur in the House amendment to section 4?" the vote was:

Ayes, 42.

Baird	Clark of Marion	Kern	Roberts
Beatty	Clearman	Kimberly	Shaff
Benson	Cochrane	Klemme	Shane
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McLeland	Stanley
Brookins	Frailey	Mills	Stoddard
Browne	Fulton	Moen	Thompson
Brush	Gilchrist	Ramsey	Ulstad
Campbell	Hartman	Rigby	Wilson of Page
Carden	Johnston		

Nays, 5.

Clark of Linn	Merritt	Topping	Wilson of Polk
McFarlane			

Absent or not voting, 3.

Cavanaugh	Gunderson	Shinn
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The House amendment to section 4, having received a constitutional majority, was declared to have been adopted and concurred in by the Senate.

Senator Ellis moved the previous question on the pending amendment, which motion prevailed.

On the question "Shall the Senate concur in the House amendment to section 7?" the vote was:

Ayes, 17.

Breakenridge	Fackler	Klemme	Skromme
Brookins	Fulton	McLeland	Slemmons
Browne	Gilchrist	Moen	Thompson
Campbell	Hartman	Roberts	Ulstad
Dotts			

Nays, 30.

Beatty	Clark of Marion	Lange	Shaff
Baird	Clearman	Langfitt	Shane
Benson	Cochrane	McFarlane	Stanley
Bergman	Ellis	Merritt	Stoddard
Booth	Frailey	Mills	Topping
Brush	Johnston	Ramsey	Wilson of Page
Carden	Kern	Rigby	Wilson of Polk
Clark of Linn	Kimberly		

Absent or not voting, 3.

Cavanaugh	Gunderson	Shinn
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The House amendment to section 7, having failed to receive a constitutional majority, was declared to have failed to be adopted and concurred in by the Senate.

Senator Clark of Linn offered the following amendment to the House amendment to section 8 and moved its adoption:

Amend the House amendment, section 8, line 23, by striking out the word "special" and inserting in lieu thereof the word "extra".

Senator Shaff offered the following amendment to the House amendment as a substitute for the amendment offered by Senator Clark of Linn and moved its adoption:

Amend the House amendment by inserting the word "extra" in parentheses after the word "special".

Senator Shaff withdrew his substitute amendment.

On the question "Shall the amendment offered by Senator Clark of Linn be adopted?" the vote was:

Ayes, 21.

Baird	Clark of Marion	Johnston	Ramsey
Benson	Clearman	Kimberly	Shaff
Bergman	Cochrane	Lange	Shane
Breakenridge	Dotts	Langfitt	Stoddard
Carden	Hartman	McFarlane	Topping
Clark of Linn			

Nays, 21.

Beatty	Fulton	Moen	Stanley
Booth	Gilchrist	Rigby	Thompson
Browne	Klemme	Roberts	Ulstad
Brush	Merritt	Skromme	Wilson of Page
Ellis	Mills	Slemmons	Wilson of Polk
Fackler			

Absent or not voting, 8.

Brookins	Cavanaugh	Gunderson	McLeland
Campbell	Frailey	Kern	Shinn

The amendment to the amendment was lost.

On the question "Shall the Senate concur in the House amendment to section 8?" the vote was:

Ayes, 44.

Baird	Clark of Marion	Kern	Roberts
Beatty	Clearman	Kimberly	Shaff
Benson	Cochrane	Klemme	Shane
Bergman	Dotts	Lange	Skromme
Booth	Ellis	Langfitt	Slemmons
Breakenridge	Fackler	McLeland	Stanley
Brookins	Frailey	Merritt	Stoddard
Browne	Fulton	Mills	Thompson
Brush	Gilchrist	Moen	Topping
Campbell	Hartman	Ramsey	Wilson of Page
Carden	Johnston	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Cavanaugh	Gunderson	Shinn	Ulstad
Clark of Linn	McFarlane		

The House amendment to section 8, having received a constitutional majority, was declared to have been adopted and concurred in by the Senate.

On the question "Shall the Senate concur in the House amendments to section 13 and the first amendment to section 14?" the vote was:

Ayes, 45.

Baird	Clark of Marion	Kern	Roberts
Beatty	Clearman	Kimberly	Shaff
Benson	Cochrane	Klemme	Shane
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	Hartman	Moen	Wilson of Page
Carden	Johnston	Rigby	Wilson of Polk
Clark of Linn			

Nays, 1.

Thompson

Absent or not voting, 4.

Cavanaugh	Gunderson	Ramsey	Shinn
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The House amendments, having received a constitutional majority, were declared to have been adopted and concurred in by the Senate.

Senator Gilchrist offered the following amendment to the second House amendment to section 14 and moved its adoption:

Amend by adding to such amendment after the word "determined", being the last word thereof, the following:

"And in the event that the issuance of bonds hereunder is decided to be legal and constitutional and such decision does not fix or decide the question as to the legality of paying such bonds out of the primary road funds, and does not fix or decide the question as to whether they must be paid out of a direct tax upon the property of the people of the state, and does not fix or decide the question as to whether a direct tax must be collected in order to pay said bonds, then the Department of Justice shall immediately after the issuance of the first state bonds hereunder bring, or

cause to be brought, an action to determine whether a direct levy of taxes upon the property of the people of the state is required by this act to be made or collected in order to comply with the provisions of the law and of the constitution. And the executive council shall not issue any bonds hereunder in excess of \$100,000.00 until after it has been decided to be legal and constitutional that such bonds shall be paid out of the primary road funds in case such funds are found to be sufficient therefor, instead of out of the proceeds of direct taxation upon the property of the people of the state."

Senator Gunderson appeared in the Senate chamber.

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

Ayes, 18.

Breakenridge	Fackler	McLeland	Skromme
Brookins	Fulton	Merritt	Slemmons
Browne	Gilchrist	Moen	Thompson
Campbell	Gunderson	Roberts	Ulstad
Dotts	Hartman		

Nays, 30

Baird	Clark of Marion	Klemme	Shaff
Beatty	Clearman	Lange	Shane
Benson	Cochrane	Langfitt	Stanley
Bergman	Ellis	McFarlane	Stoddard
Booth	Frailey	Mills	Topping
Brush	Johnston	Ramsey	Wilson of Page
Carden	Kern	Rigby	Wilson of Polk
Clark of Linn	Kimberly		

Absent or not voting, 2.

Cavanaugh Shinn

The amendment to the amendment was lost.

On the question "Shall the Senate concur in the second House amendment to section 14?" the vote was:

Ayes, 44.

Baird	Clearman	Kimberly	Roberts
Benson	Cochrane	Klemme	Shaff
Bergman	Dotts	Lange	Shane
Booth	Ellis	Langfitt	Skromme
Breakenridge	Fackler	McFarlane	Slemmons
Brookins	Frailey	McLeland	Stanley
Browne	Fulton	Merritt	Stoddard
Brush	Gilchrist	Mills	Thompson
Campbell	Hartman	Moen	Topping
Carden	Johnston	Ramsey	Ulstad
Clark of Marion	Kern	Rigby	Wilson of Page

Nays, 1.

Clark of Linn

Absent or not voting, 5.

Beatty
Cavanaugh

Gunderson

Shinn

Wilson of Polk

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

On the question "Shall the Senate concur in the third House amendment to section 14?" the vote was:

Ayes, 44.

Baird	Clark of Linn	Johnston	Shaff
Beatty	Clark of Marion	Kimberly	Shane
Benson	Clearman	Klemme	Skromme
Bergman	Cochrane	Lange	Slemmons
Booth	Dotts	McFarlane	Stanley
Breakenridge	Ellis	McLeland	Stoddard
Brookins	Fackler	Merritt	Thompson
Browne	Frailey	Mills	Topping
Brush	Fulton	Moen	Ulstad
Campbell	Gilchrist	Ramsey	Wilson of Page
Carden	Hartman	Rigby	Wilson of Polk

Nays, none.

Absent or not voting, 6.

Cavanaugh
Gunderson

Kern
Langfitt

Roberts

Shinn

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

Senator Shaff offered the following amendment to the House amendment to section 16 and moved its adoption:

Amend the House amendment to section 16 by substituting the following:

"Sec. 16. The authorization voted by any county to issue bonds for primary road work shall become null and void, as to any such bonds not actually issued and sold, immediately upon the issuance of any state primary road bonds authorized under the provisions of this Act, and no county primary road bonds shall be issued thereafter. Any county primary road bonds issued after this act takes effect shall cancel the authorization, under this act, for the issuance of an equal amount of state primary road bonds, and said county primary road bonds, issued after

this act takes effect, shall mature and be payable at the times specified herein for the payment of an equal amount of the earliest maturing state primary road bonds."

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

Ayes, 38.

Baird	Clark of Linn	Kimberly	Ramsey
Beatty	Clark of Marion	Klemme	Rigby
Benson	Clearman	Lange	Shaff
Bergman	Cochrane	Langfitt	Shane
Booth	Dotts	McFarlane	Stanley
Breakenridge	Ellis	McLeland	Stoddard
Browne	Frailey	Merritt	Topping
Brush	Hartman	Mills	Wilson of Page
Campbell	Johnston	Moen	Wilson of Polk
Carden	Kern		

Nays, 6.

Fackler	Skromme	Thompson	Ulstad
Roberts	Slemmons		

Absent or not voting, 6.

Brookins	Fulton	Gunderson	Shinn
Cavanaugh	Gilchrist		

The amendment to the amendment was adopted.

On the question "Shall the Senate concur in the House amendment to section 16 as amended?" the vote was:

Ayes, 41.

Baird	Clark of Marion	Klemme	Roberts
Beatty	Clearman	Lange	Shaff
Benson	Cochrane	Langfitt	Shane
Bergman	Dotts	McFarlane	Slemmons
Booth	Ellis	McLeland	Stanley
Breakenridge	Frailey	Merritt	Stoddard
Brookins	Hartman	Mills	Topping
Brush	Johnston	Moen	Ulstad
Campbell	Kern	Ramsey	Wilson of Page
Carden	Kimberly	Rigby	Wilson of Polk
Clark of Linn			

Nays, 6.

Browne	Fulton	Skromme	Thompson
Fackler	Gilchrist		

Absent or not voting, 3.

Cavanaugh	Gunderson	Shinn
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The House amendment as amended, having received a constitutional majority, was declared to have been adopted and concurred in by the Senate.

On the question "Shall the Senate concur in the amendment to the title?" the vote was:

Ayes, 46.

Baird	Clark of Marion	Klemme	Shaff
Beatty	Clearman	Lange	Shane
Benson	Cochrane	Langfitt	Skromme
Bergman	Dotts	McFarlane	Slemmons
Booth	Ellis	McLeland	Stanley
Breakenridge	Fackler	Merritt	Stoddard
Brookins	Frailey	Mills	Thompson
Browne	Fulton	Moen	Topping
Brush	Hartman	Ramsey	Ulstad
Campbell	Johnston	Rigby	Wilson of Page
Carden	Kern	Roberts	Wilson of Polk
Clark of Linn	Kimberly		

Nays, 1.

Gilchrist

Absent or not voting, 3.

Cavanaugh Gunderson Shinn

The House amendment to the title, 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 amended and concurred in certain House amendments and refused to concur in certain House amendments and concurred in certain House amendments to Senate File No. 1 be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File No. 6, a bill for an act relating to refunds from the primary road fund to counties for rights-of-way and for bridges and culverts, or for either of said purposes.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS CONSIDERED

Senator Stoddard called up for consideration Senate File No. 6, amended by the House, and moved that the Senate concur in the following amendments:

Amend line twelve (12) of section one (1) by striking the words and figures "five (5)" and inserting in lieu thereof the words and figures "seven (7)".

Also amend line twelve (12) of section one (1) by inserting after the period in said line the following: "Provided, however, in counties where the total refund does not exceed the sum of five thousand dollars (\$5,000), the entire refund shall be made at the time of the first annual payment".

On the question "Shall the Senate concur in the first amendment?" the vote was:

Ayes, 40.

Baird	Clark of Linn	Klemme	Shaff
Beatty	Clark of Marion	Lange	Shane
Benson	Cochrane	Langfitt	Skromme
Bergman	Ellis	McFarlane	Slemmons
Booth	Fackler	McLeland	Stanley
Breakenridge	Frailey	Merritt	Stoddard
Brookins	Fulton	Mills	Topping
Browne	Hartman	Moen	Ulstad
Campbell	Johnston	Ramsey	Wilson of Page
Carden	Kimberly	Rigby	Wilson of Polk

Nays, 4.

Brush	Clearman	Dotts	Kern
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Absent or not voting, 6.

Cavanaugh	Gunderson	Shinn	Thompson
Gilchrist	Roberts		

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

On the question "Shall the Senate concur in the second amendment?" the vote was:

Ayes, 31.

Baird	Booth	Brush	Fackler
Beatty	Breakenridge	Carden	Fulton
Benson	Brookins	Clearman	Hartman
Bergman	Browne	Cochrane	Johnston

Klemme
Lange
Langfitt
McLeland

Meritt
Mills
Ramsey
Roberts

Shaff
Shane
Slemmons
Stanley

Stoddard
Topping
Wilson of Page

Nays, 8.

Clark of Linn
Clark of Marion

Dotts
Glichrist

Kern
Kimberly

McFarlane
Thompson

Absent or not voting, 11.

Campbell
Cavanaugh
Ellis

Frailey
Gunderson
Moen

Rigby
Shinn
Skromme

Ulstad
Wilson of Polk

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

Senator Stoddard moved that the vote by which the amendments were concurred in be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Bergman moved that the Senate adjourn until 1:30 p. m.

Senator Wilson of Page moved to amend the motion by making the hour 1:00 p. m.

The amendment was adopted.

The motion prevailed and the Senate adjourned until 1:00 p. m.

AFTERNOON SESSION

The Senate met pursuant to adjournment, President Kimball presiding.

EXCHANGE OF SEATS

By unanimous consent Senator Beatty exchanged seat No. 1 for seat No. 35.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House to return herewith, as requested, House File No. 3, a bill for an Act to legalize defective certificate of acknowledgments filed for record prior to the taking effect of this Act, and fixing the time within which actions may be brought to enforce rights thereunder.

A. C. GUSTAFSON, *Chief Clerk.*

AMENDMENT TO TITLE OF H. F. No. 3 CONSIDERED

Senator Clark of Linn moved that the vote by which the following amendment to the title of House File No. 3 was adopted be reconsidered:

Amend by inserting after the word "defective" the words "certificate of".

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

Ayes, 38.

Beatty	Cochrane	Langfitt	Shaff
Benson	Dotts	McFarlane	Shane
Bergman	Fackler	McLeland	Slemmons
Booth	Fulton	Merritt	Stanley
Breakenridge	Gilchrist	Mills	Stoddard
Brookins	Johnston	Moen	Thompson
Brush	Kern	Ramsey	Topping
Carden	Kimberly	Rigby	Ulstad
Clark of Linn	Klemme	Roberts	Wilson of Page
Clearman	Lange		

Nays, none.

Absent or not voting, 12.

Baird	Cavanaugh	Frailey	Shinn
Browne	Clark of Marion	Gunderson	Skromme
Campbell	Ellis	Hartman	Wilson of Polk

The motion prevailed.

Senator Clark of Linn offered the following amendment to the amendment and moved its adoption:

Amend by striking out the words "amend by inserting after the word 'defective' the words 'certificate of'." and inserting in lieu thereof the following: "Amend by striking out of line 1 of the title the word 'acknowledgments' and inserting in lieu thereof the words 'certificates of acknowledgment'."

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

Ayes, 40.

Benson	Carden	Fulton	Lange
Bergman	Clark of Linn	Gilchrist	Langfitt
Booth	Clearman	Hartman	McFarlane
Breakenridge	Cochrane	Johnston	McLeland
Brookins	Dotts	Kern	Merritt
Brush	Ellis	Kimberly	Mills
Campbell	Fackler	Klemme	Moen

Ramsey
Rigby
Roberts

Shaff
Shane
Skromme

Slemmons
Stanley
Stoddard

Thompson
Topping
Wilson of Page

Nays, none.

Absent or not voting, 10.

Baird
Beatty
Browne

Cavanaugh
Clark of Marion
Frailey

Gunderson
Shinn

Ulstad
Wilson of Polk

The amendment to the amendment was adopted.

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

Ayes, 35.

Baird
Beatty
Benson
Booth
Browne
Brush
Campbell
Carden
Clark of Linn

Clark of Marion
Clearman
Cochrane
Dotts
Ellis
Fackler
Fulton
Hartman
Johnston

Kern
Kimberly
Klemme
Lange
Langfitt
McFarlane
McLeland
Merritt
Mills

Moen
Shaff
Slemmons
Stanley
Stoddard
Thompson
Topping
Wilson of Page

Nays, none.

Absent or not voting, 15.

Bergman
Breakenridge
Brookins
Cavanaugh

Frailey
Gilchrist
Gunderson
Ramsey

Rigby
Roberts
Shane
Shinn

Skromme
Ulstad
Wilson of Polk

The amendment as amended was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Wilson of Polk for the remainder of the day, on account of illness on request of Senator McFarlane.

SENATE CONCURRENT RESOLUTION NO. 8 CONSIDERED

Senator Shaff offered the following resolution:

Resolved by the Senate, the House concurring, That the State Printing Board is hereby directed to cause to be printed five hundred thousand (500,000) copies of Senate File 1, with explanatory notes prepared by the Highway Commission, for the use of the public. The expense therefor to be defrayed from funds at the disposal of the State Highway Commission.

By unanimous consent the rules were suspended and the resolution taken up for consideration.

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

Ayes, 35.

Johnston	Clark of Linn	Kimberly	Ramsey
Baird	Clark of Marion	Klemme	Roberts
Beatty	Clearman	Lange	Shaff
Benson	Cochrane	Langfitt	Slemmons
Booth	Dotts	McFarlane	Stanley
Brookins	Ellis	McLeland	Thompson
Browne	Fackler	Merritt	Topping
Brush	Hartman	Mills	Wilson of Page
Carden	Kern	Moen	

Nays, 1.

Campbell

Absent or not voting, 14.

Bergman	Fulton	Shane	Stoddard
Breakenridge	Gilchrist	Shinn	Ulstad
Cavanaugh	Gunderson	Skromme	Wilson of Polk
Frailey	Rigby		

The resolution, having received a constitutional majority, was declared to have passed the Senate.

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.

RESOLUTION CONSIDERED

Senator Merritt offered the following resolution:

Whereas, The Highway Commission of the State of Iowa was established fifteen years ago and for fourteen years of the intervening time the Hon. J. W. Holden of Scranton served as a member of the Commission, and

Whereas, Although the Commission and road legislation have been the subject of many a bitter battle in the General Assembly, the issue on at least two occasions being determined by tie votes yet no word of personal criticism has ever attached to Mr. Holden's name, and

Whereas, Although millions of dollars of the people's money have been expended under Mr. Holden's direction, yet not one penny has ever gone to his personal gain, and

Whereas, Throughout all these years of faithful, efficient service, Mr. Holden's name has ever been the symbol of honest, sturdy, conscientious

and capable administration of the trusts reposed in him by the people of the state of Iowa, and

Whereas, His sunny disposition, his genial smile, his optimism and his knowledge of men have done much to advance the cause of goods roads in this state.

Now, Therefore, Be It Resolved, By the Senate of the Forty-second General Assembly of the State of Iowa, convened in Extra Session, that we hereby extend our sincere appreciation of his services to Jim Holden, a son of Iowa, born and reared on an Iowa farm, educated in the school of experience, a citizen who has helped build Iowa, a public official of whose record we are justly proud.

By unanimous consent the rules were suspended and the resolution taken up and considered.

The resolution was adopted.

Senator Merritt moved that the Secretary of the Senate be instructed to forward a copy of the resolution to Hon. J. W. Holden, at Seranton, Iowa, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 1 CONSIDERED

Senator Ellis called up the following resolution for consideration and moved its adoption:

Be It Resolved by the Senate, the House concurring, That when this extra session adjourns sine die, it adjourns at 12 o'clock noon, Saturday, March 10, 1928.

Senator Ellis offered the following amendment and moved its adoption:

Amend by striking the words "12 o'clock noon, Saturday, March 10, 1928", and inserting in lieu thereof the words "5 o'clock p. m., Tuesday, March 13, 1928."

The amendment was adopted.

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

Ayes, 27.

Baird	Clark of Marion	Kimberly	Rigby
Beatty	Cochrane	Klemme	Roberts
Benson	Ellis	Langfitt	Shaff
Booth	Fackler	McFarlane	Stoddard
Brush	Hartman	Mills	Thompson
Carden	Johnston	Moen	Topping
Clark of Linn		Ramsey	Wilson of Page

Nays, 1.

Browne

Absent or not voting, 22.

Bergman	Dotts	Lange	Skromme
Breakenridge	Frailey	McLeland	Slemmons
Brookins	Fulton	Merritt	Stanley
Campbell	Gilchrist	Shane	Ulstad
Cavanaugh	Gunderson	Shinn	Wilson of Polk
Clearman	Kern		

The resolution, having received a constitutional majority, was declared to have passed the Senate.

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.

On motion of Senator Shaff the Senate recessed to the call of the gavel.

The Senate reconvened.

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:

Senate Files Nos. 5 and 6.

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 House was asked:

Senate File No. 8, a bill for an act to appropriate a fund for the expenses of the National Champion Drum Corps of the United Spanish War Veterans of America; The National Champion Fancy Drill Team of the United Spanish War Veterans Auxiliary of the United States of America, in attending a national convention of the United Spanish War

Veterans of America and Auxiliary, to be held in Havana, Cuba, in October, 1928.

Also, I am directed by the House to return herewith, without action, Senate File No. 7, a bill for an act to exempt from taxation lands used for air ports only and without charge.

Also: That the House recedes from its amendment adding section 7-A to Senate File No. 1, also that the House concurs in Senate amendment to House amendment to section 16 of Senate File No. 1, a bill for an act to provide a comprehensive program for improvement of the primary road system of the State of Iowa; to authorize the State of Iowa to become indebted in the amount of. \$100,000,000.00 in connection therewith; to provide for the issuance and sale of bonds of said State in evidence of said indebtedness; to budget the primary road fund so as to maintain the primary roads and aid in the payment of the cost of said primary road improvements and to permit the payment therefrom of principal and interest of said bonds and bonds issued by any county in said State payable from said fund; to appropriate primary road funds for the payment of the principal and interest of said state road bonds; to provide for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of said state road bonds; and to provide for the submission of this act to the people to be voted upon at the general election to be held in the year nineteen hundred twenty-eight.

Also: That the House recedes from its amendment to Senate File No. 10, a bill for an act fixing the compensation of the officers and employees of the extra session of the Forty-second General Assembly and making an appropriation to pay the expenses of the said extra session.

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

House Joint Resolution No. 1, providing for the appointment of a commission to secure information relative to the maintenance and construction of secondary roads and to make an appropriation for the expense of said commission.

Also: That the House has concurred in Senate Amendment to the title of the following bill in which the concurrence of the House was asked:

House File No. 3, a bill for an act to legalize defective certificates of acknowledgment by notaries public filed for record prior to the taking effect of this Act.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 1, a joint resolution providing for the appointment of a commission to secure information relative to the maintenance and construction of secondary roads and to make an appropriation for the expense of said commission.

Read first and second times.

THIRD READING OF BILLS

On motion of Senator Campbell, the rules were suspended and House Joint Resolution No. 1, providing for the appointment of a commission to secure information relative to the maintenance and construction of secondary roads, and to make an appropriation for the expense of said commission, was taken up and considered.

The resolution 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, 31.

Baird	Campbell	Johnston	Ramsey
Beatty	Carden	Kimberly	Shaff
Benson	Clark of Marion	Klemme	Shane
Bergman	Clearman	Lange	Slemmons
Booth	Dotts	Langfitt	Stanley
Breakenridge	Ellis	McFarlane	Stoddard
Brookins	Fackler	McLeland	Topping
Browne	Hartman	Merritt	

Nays, 2.

Kern Thompson

Absent or not voting, 17.

Brush	Fulton	Moen	Skromme
Cavanaugh	Gilchrist	Rigby	Ulstad
Clark of Linn	Gunderson	Roberts	Wilson of Page
Cochrane	Mills	Shinn	Wilson of Polk
Frailey			

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.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File No. 5, a bill for an act relating to the purchase or condemnation of road building materials.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Topping raised the point of order that House File No. 5 could not be considered without suspending the rule.

The President held the point well taken.

Senator Breakenridge moved that the rules be suspended and House File No. 5 be considered.

Senator Breakenridge invoked Rule 8.

On the question "Shall the rule be suspended and House File No. 5 be considered?" the vote was:

Ayes, 23.

Baird	Campbell	Langfitt	Rigby
Beatty	Carden	McFarlane	Roberts
Booth	Dotts	McLeland	Slemmons
Breakenridge	Fackler	Merritt	Stanley
Brookins	Fulton	Moen	Thompson
Browne	Hartman	Ramsey	

Nays, 13.

Benson	Ellis	Kimberly	Shaff
Bergman	Johnston	Klemme	Shane
Clark of Marion	Kern	Lange	Topping
Clearman			

Absent or not voting, 14.

The motion was lost, a suspension of rules requiring a two-thirds vote.

Brush	Frailey	Shinn	Ulstad
Cavanaugh	Gilchrist	Skromme	Wilson of Page
Clark of Linn	Gunderson	Stoddard	Wilson of Polk
Cochrane	Mills		

SENATE CONCURRENT RESOLUTION NO. 9

Senator Campbell offered the following resolution:

Resolution memorializing the Congress of the United States to pass at this session agricultural surplus control legislation.

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

Section 1. That the Senate of the 42nd General Assembly of Iowa convened in extra session, the House concurring, hereby memorialize the

Congress of the United States to pass at this session effective agricultural surplus control legislation as embodied in the McNary Bill in the Senate and the Haugen Bill in the House each containing the equalization fee.

Sec. 2. That a copy of this resolution shall be transmitted by wire to the President of the United States Senate and to the Speaker of the House of Representatives of the United States, and to the Chairman of the Agricultural Committees of each House of Congress.

By unanimous consent the resolution was taken up and considered:

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

Ayes, 30.

Baird	Clark of Marion	Klemme	Rigby
Beatty	Clearman	Lange	Roberts
Booth	Dotts	Langfitt	Shane
Breakenridge	Ellis	McFarlane	Slemmons
Brookins	Fackler	McLeland	Stanley
Browne	Hartman	Moen	Stoddard
Campbell	Johnston	Ramsey	Thompson
Carden	Kern		

Nays, none.

Absent or not voting, 20.

Benson	Cochrane	Kimberly	Skromme
Bergman	Frailey	Merritt	Topping
Brush	Fulton	Mills	Ulstad
Cavanaugh	Gilchrist	Shaff	Wilson of Page
Clark of Linn	Gunderson	Shinn	Wilson of Polk

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.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 5 and 6.

Senator Clark presented to Senator Ellis on behalf of the members of the Senate a contribution of \$50.00 toward the Christian

Church at Moulton, Iowa, of which Senator Ellis is the pastor, which church is to be dedicated next Sunday, March 18, 1928.

MR. PRESIDENT AND MEMBERS OF THE SENATE: It is with a sense of profound gratitude that I rise at this time to express my personal appreciation to the members of this body for the contribution that has been made to the building fund of the church at Moulton, of which I am the pastor; but few of you, I suspect, realize the tremendous responsibility that comes to one who seeks to lead a people at a church building enterprise.

The assembling of funds necessary, together with the maintaining of the spirit of harmony and good fellowship within the ranks of a congregation, is a task that challenges the patience of any man. The labors of this session have been doubly irksome to me because of the realization of the fact that my absence from home at this time might prove detrimental to the work in which I am engaged. However, I pledged the governor of this state and a majority of the members of this legislature that I would be in attendance here until the work for which we were called together was over.

I realize that presentation of this gift comes not alone from your interest in the gift of God, but also as a recognition of your personal esteem for me. Therefore, I want to convey my thanks as well as the thanks and appreciation of my people for this gift and the good wishes that go with it.

LLOYD ELLIS.

CALL OF THE SENATE

We, the undersigned, ask that a call of the Senate be made on consideration of committee reports for Wednesday, March 14, 1928:

J. O. SHAFF
CLYDE H. TOPPING
ARCH W. MCFARLANE
C. A. BENSON
C. L. RIGBY
J. M. LANGFITT
J. G. MERRITT
B. M. STODDARD

F. M. BEATTY
W. A. CLARK
FRANK SHANE
J. M. RAMSEY
D. W. KIMBERLY
OTTO F. LANGE
LLOYD ELLIS

By unanimous consent, on request of Senator Rigby, Senator Wilson of Page was excused on account of illness.

On motion of Senator Bergman the Senate adjourned until 9-30 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1928.

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

Prayer was offered by Rev. C. E. Lundgren, pastor of the First Lutheran Church, of Chariton, Iowa.

The roll was called to ascertain the presence of a quorum.

The roll call revealed the presence of a quorum.

INTRODUCTION OF BILL

By unanimous consent the rules were suspended to allow the introduction of the following bill:

SENATE FILE NO. 11, BY SENATOR BENSON

A BILL FOR

An Act to appropriate a fund for the expenses of the committee of twenty-two (22) organized and created under call of Honorable John Hammill, Governor of Iowa, to carry on the endeavor to procure agricultural relief and equality.

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

Section 1. Appropriation. There is hereby appropriated to the chairman and treasurer of the committee of twenty-two (22), organized and created at Des Moines, Iowa, under call of the Honorable John Hammill, Governor of Iowa, for the purpose of procuring agricultural relief and equality, out of funds not otherwise appropriated the sum of five thousand dollars (\$5,000.00), or so much thereof as may be deemed necessary to pay the expenses of said committee in carrying on their work and endeavor to procure agricultural equality and relief. All unexpended balances shall revert to the state. An itemized report of all expenditures shall be made to the Governor of the State of Iowa by the chairman and treasurer of said committee, showing the expenses incurred by it, and said report shall be placed on file with the Secretary of State.

Sec. 2. This act being deemed of immediate importance shall be in force from and after its publication in the Elkader Register, a newspaper

published in Elkader, Iowa, and the Des Moines Register, a newspaper published in Des Moines, Iowa.

Read first and second times.

THIRD READING OF BILLS

On motion of Senator Benson, the rules were suspended and Senate File No. 11, a bill for an act to appropriate a fund for the expenses of the committee of twenty-two (22) organized and created under call of Honorable John Hammill, Governor of Iowa, to carry on the endeavor to procure agricultural relief and equality, was taken up and considered.

Senator McFarlane moved that the rules be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Benson invoked Rule 8.

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

Ayes, 27.

Benson	Clearman	McFarlane	Shane
Bergman	Fackler	McLeland	Slemmons
Booth	Hartman	Merritt	Stoddard
Brookins	Kimberly	Ramsey	Topping
Campbell	Klemme	Rigby	Ulstad
Clark of Linn	Lange	Roberts	Wilson of Polk
Clark of Marion	Langfitt	Shaff	

Nays, 4.

Browne	Dotts	Kern	Thompson
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Absent or not voting, 19.

Baird	Cavanaugh	Gilchrist	Shinn
Beatty	Cochrane	Gunderson	Skromme
Breakenridge	Ellis	Johnston	Stanley
Brush	Frailay	Mills	Wilson of Page
Carden	Fulton	Moen	

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 CONCURRENT RESOLUTION NO. 10 CONSIDERED

Senator Benson offered the following resolution:

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

Section 1. That the Senate of the 42nd General Assembly of Iowa convened in extra session, the House concurring, hereby memorialize the Congress of the United States to pass such legislation and make such appropriations as is necessary to continue to carry on most efficiently and effectively the work of the combating of the European Corn Borer, and preventing and checking its spread throughout the agricultural areas of the United States.

It is particularly urged that the appropriation for that purpose be not decreased so as to retard the fight upon this bill.

Sec. 2. That a copy of this resolution shall be transmitted by wire to the President of the United States Senate and to the Speaker of the House of Representatives of the United States, and to the Chairman of the Agricultural Committees of each House of Congress.

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

Senator Benson invoked Rule 8.

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

Ayes, 27.

Beatty	Clark of Marion	Langfitt	Shane
Benson	Clearman	McFarlane	Slemmons
Bergman	Dotts	McLeland	Stoddard
Booth	Fackler	Merritt	Topping
Brookins	Kern	Ramsey	Ulstad
Browne	Klemme	Rigby	Wilson of Polk
Campbell	Lange	Shaff	

Nays, 1.

Thompson

Absent or not voting, 22.

Baird	Cochrane	Hartman	Roberts
Breakenridge	Ellis	Johnston	Shinn
Brush	Frailey	Kimberly	Skromme
Carden	Fulton	Mills	Stanley
Cavanaugh	Gilchrist	Moen	Wilson of Page
Clark of Linn	Gunderson		

The resolution having received a constitutional majority was declared to have passed the Senate.

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.

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 File No. 1, a bill for an act to provide a comprehensive program for improvement of the primary road system of the State of Iowa; to authorize the State of Iowa to become indebted in the amount of \$100,000,000 in connection therewith; to provide for the issuance and sale of bonds of said State in evidence of said indebtedness; to budget the primary road fund so as to maintain the primary roads and aid in the payment of the cost of said primary road improvements and to permit the payment therefrom of principal and interest of said bonds and bonds issued by any county in said State payable from said fund; to appropriate primary road funds for the payment of the principal and interest of said state road bonds; to provide for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of said state road bonds; and to provide for the submission of this act to the people to be voted upon at the general election to be held in the year nineteen hundred twenty-eight.

WM. H. KLEMME,
Vice-Chairman Senate Committee.

FRED R. BLYTHE,
Chairman House Committee.

Report adopted.

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 File No. 3, and House Joint Resolution No. 1.

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, Senate Files Nos. 1 and 8 and House File No. 3.

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 report they have on this 14th day of March, 1928, sent to the governor for his approval, Senate File No. 1, a bill for an act to provide a comprehensive program for improvement of the primary road system of the state of Iowa; to authorize the state of Iowa to become indebted in the amount of \$100,000,000 in connection therewith; to provide for the issuance and sale of bonds of said state in evidence of said indebtedness; to budget the primary road fund so as to maintain the primary roads and aid in the payment of the cost of said primary road improvements and to permit the payment therefrom of principal and interest of said bonds and bonds issued by any county in said state payable from said fund; to appropriate primary road funds for the payment of the principal and interest of said state road bonds; to provide for the imposition, levy and collection of a direct annual tax sufficient to pay the principal and interest of said state road bonds; and to provide for the submission of this Act to the people to be voted upon at the general election to be held in the year nineteen hundred twenty-eight.

WM. H. KLEMME, *Vice-Chairman.*

Passed on file.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted Senate Concurrent Resolution No. 9, memorializing Congress to pass agricultural surplus control legislation.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator McFarlane, Senators Kimberly, Campbell and Topping were excused.

By unanimous consent Senator Clark of Linn was excused.

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 report they have on this 14th day of March, 1928, sent to the governor for his approval, Senate File No. 5, a bill for an act to provide for the publication of the Acts and the Journals of the Extra Session of the 42nd General Assembly.

Also:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 14th day of March, 1928, sent to the governor for his approval, Senate File No. 6, a bill for an act to amend, revise, and codify Section Five (5) of Chapter One Hundred One (101), Acts of the Forty-second (42nd) General Assembly, as amended by the first nine (9) lines of Section One (1) of Chapter One Hundred Three (103), Acts of the Forty-second (42nd) General Assembly; and to amend Section Forty-seven Hundred Fifty-five-b thirty-eight (4755-b-38) of the Code of 1927, relating to refunds from the primary road fund to counties for rights-of-way and for bridges and culverts, or for either of said purposes.

Also:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 14th day of March, 1928, sent to the governor for his approval, Senate File No. 8, a bill for an act to appropriate a fund for the expenses of the National Champion Drum Corps of the United Spanish War Veterans of America; the National Champion Fancy Drill Team of the United Spanish War Veterans Auxiliary of the United States of America, in attending a national convention of the United Spanish War Veterans of America and Auxiliary, to be held in Havana, Cuba, in October, 1928.

WM. H. KLEMME, *Vice-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 House was asked:

Senate File No. 11, a bill for an act to appropriate a fund for the expenses of the committee of twenty-two (22) organized and created under call of Honorable John Hammill, Governor of Iowa, to carry on the endeavor to procure agricultural relief and equality.

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

Senate Concurrent Resolution No. 10, a resolution to memorialize the Congress of the United States to pass such legislation and make such appropriations as is necessary to continue to carry on most efficiently and effectively the work of the combating of the European Corn Borer,

and preventing and checking its spread throughout the agricultural areas of the United States.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Shane, the Senate adjourned until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened, President Kimball presiding.

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. 10 and 11.

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, Senate Files Nos. 10 and 11, and House Joint Resolution No. 1.

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 report they have on this 14th day of March, 1928, sent to the governor for his approval, Senate File No. 10, a bill for an act fixing the compensation of the officers and employees of the extra session of the Forty-second General Assembly and making an appropriation to pay the expenses of the said extra session.

Also:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 14th day of March, 1928, sent to the governor for his approval, Senate File No. 11, a bill for an act to appropriate a fund for the expenses of the committee of twenty-two (22) organized and created under call of Honorable John Hammill, Governor of Iowa, to carry on the endeavor to procure agricultural relief and equality.

WM. H. KLEMME, *Vice-Chairman.*

Passed on file.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended by substitution Senate Concurrent Resolution No. 1, relating to final adjournment.

A. C. GUSTAFSON, *Chief Clerk.*

By unanimous consent, on request of Senator McFarlane, the rules were suspended and Senate Concurrent Resolution No. 1 as amended by the House was taken up and considered.

Be It Resolved by the Senate, the House concurring, That this extra session of the Forty-second General Assembly adjourn sine die at 2:00 o'clock p. m., March 14, 1928.

The Senate concurred in the House amendment and the resolution was adopted.

Senator McFarlane moved that the vote by which the resolution was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

COMMUNICATION FROM THE GOVERNOR

A communication was received from the Governor, stating that he had on this 14th day of March, 1928, approved:

Senate File No. 1, an Act to provide a comprehensive program for improvement of the Primary Road System of the State of Iowa.

Senate File No. 5, Providing for the publication of the Acts and Journals of the Extra Session of the Forty-second General Assembly.

Senate File No. 6, relating to refunds from the Primary Road Fund to counties for rights-of-way and for bridges and culverts.

Senate File No. 8, appropriating a fund for the expenses of the National Champion Drum Corps of the United Spanish War Veterans of America; the National Champion Fancy Drill Team of the United Spanish War Veterans Auxiliary of the United States of America, in attending a National Convention in Havana, Cuba.

Senate File No. 10, fixing the compensation of the officers and employees of the Extra Session of the Forty-second General Assembly and making an appropriation to pay the expenses of the said extra session.

Senate File No. 11, appropriating a fund for the expenses of the Committee of Twenty-two organized and created to carry on the endeavor to procure agricultural relief and equality.

COMMITTEE TO NOTIFY GOVERNOR

Senator McLeland 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 Senators McLeland, Fackler and Clark of Marion.

COMMITTEE TO NOTIFY HOUSE

Senator Klemme 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 Klemme, Kern and Bergman.

REPORTS OF SPECIAL COMMITTEES

Senator McLeland, 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, and that he wanted to compliment the members of the Senate for the manner in which they had carried on the work of the special session.

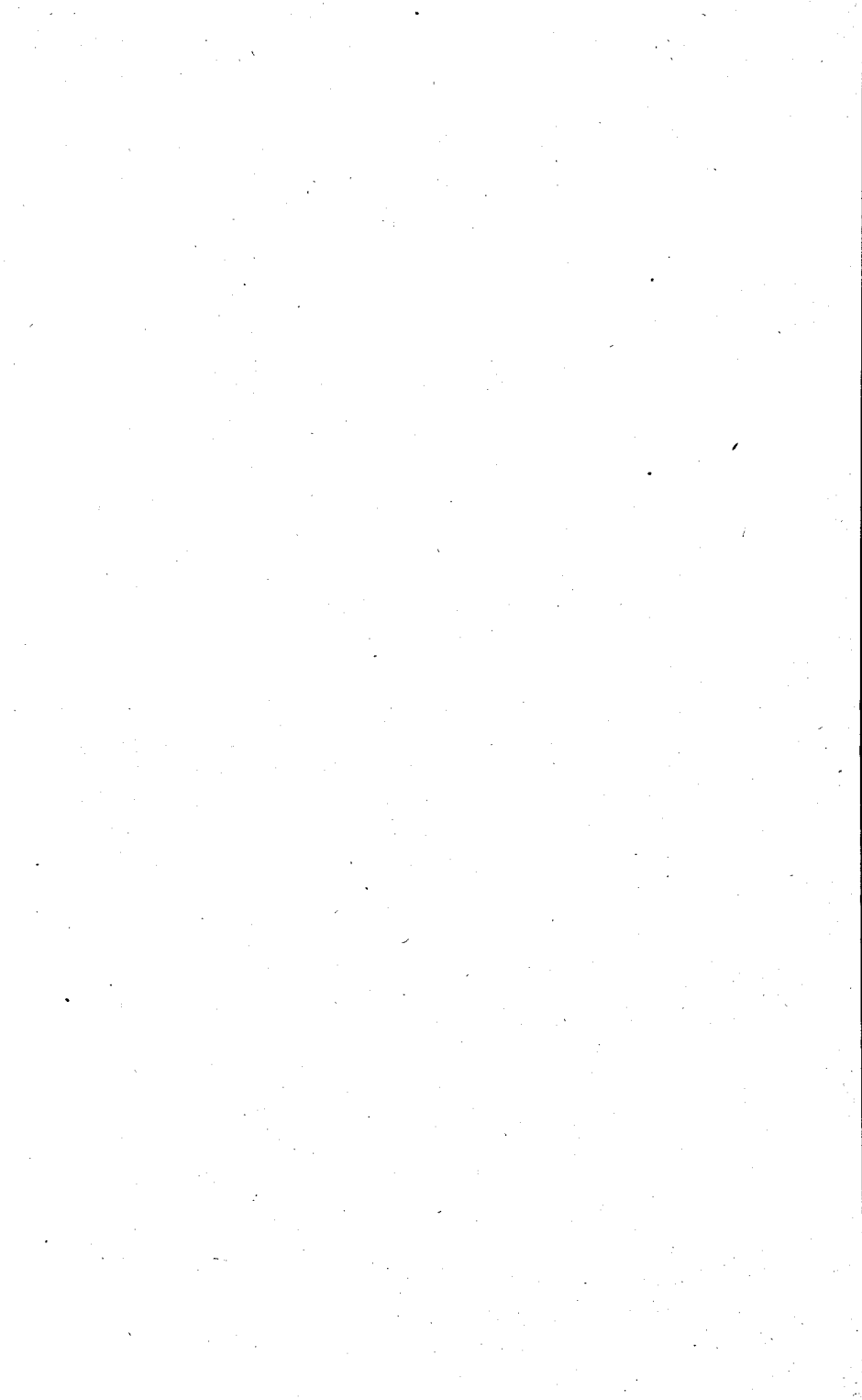
Senator Klemme, from the special committee appointed to notify the House that the Senate was ready to adjourn, returned and announced that it had performed its duty.

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 2 o'clock p. m., having arrived, President Kimball declared the Senate of the Forty-second General Assembly, special session, adjourned sine die.



HISTORY OF SENATE BILLS IN SENATE

SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

1, 5, 6, 8, 10, 11, J. R. 1

RECORD OF EACH BILL

S. F.	Page	S. F.	Page
1 By Committee on Highways. Bond issue of \$100,000,000 for highway improvement.		Reported enrolled	103
Introduced	21	Signed by President	107
Amendments offered	28,	Signed by Governor	116
29, 30, 31, 32, 33, 34,	36,	7 By Baird. To exempt from taxation lands used for air port purposes.	
37, 38, 41, 42, 44, 45,	46	Introduced and placed on calen- dar	51
Amended	35, 38, 42, 44, 45	Amended	64
Passed; ayes 32, nays 17	48	Amendment offered	64
Concurred in part, amended and concurred, refused to concur in part	86-96	Made special order	64
Reported enrolled	112	Amended	72-73
Signed by President	113	Amendment offered	73
Signed by Governor	116	Passed; ayes 28, nays 14	74
2 By Clark of Linn. Judgment liens.		8 By Committee on Approp- riations. National champion drum corps.	
Introduced	36	Introduced and placed on calen- dar	52
3 By Clark of Linn. Defective acknowledgments.		Amended	66
Introduced	36	Passed; ayes 43, nays 0	66
4 By Clark of Linn. Certifi- cates of acknowledgment.		Signed by President	113
Introduced	36	Signed by Governor	116
5 By Baird. Relating to pub- lication of Acts and Journals of the Extra Session of the 42d G. A.		9 By Browne. For additional tax on gasoline.	
Introduced	49	Introduced and placed on calen- dar	52
Amended	58	10 By Committee on Approp- riations. Appropriation to cover expenses of Extra Ses- sion of the 42d G. A.	
Passed; ayes 43, nays 0	58	Introduced	64
Reported enrolled	103	Passed; ayes 45, nays 0	65
Signed by President	107	Refused to concur	86
Signed by Governor	116	Reported enrolled	115
6 By Stoddard. Refunds from primary road funds to counties.		Signed by President	115
Introduced	49	Signed by Governor	116
Amendment filed	50, 62	11 By Benson. Appropriation for expenses of Committee of Twenty-two organized to pro- mote farm relief.	
Amended	59-61	Introduced	109
Passed; ayes 40, nays 9	62	Passed; ayes 27, nays 4	110
Motion to reconsider	63	Reported enrolled	115
Motion to reconsider with- drawn	84-85	Signed by President	115
Concurred	97	Signed by Governor	117

HISTORY OF HOUSE BILLS IN SENATE

HOUSE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

2, 3, 4, J. R. 1

RECORD OF EACH BILL

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2 By Committee on Judiciary.		Amended	99
Certificates of acknowledgment.		Reported enrolled	112
Received and placed on calendar	44	Signed by President	113
Amended	54-55	4 By Committee on Judiciary.	
Passed; ayes 41, nays 0	55	Judgment liens.	
Reported enrolled	77	Received and placed on calendar	44
Signed by President	84	Amended	52-53
3 By Committee on Judiciary.		Passed; ayes 39, nays 0	54
Defective acknowledgments.		Reported enrolled	77
Received and placed on calendar	44	Signed by President	84
Amended	56-57	5 By Patterson. Purchase or	
Passed; ayes 36, nays 0	56-57	condemnation of highway material.	
Reported enrolled	77	Received	106
Recalled	82	Ruled out of order	106
Signed by President	84		

SENATE RECORD ON SENATE JOINT RESOLUTIONS

S. J. R.	Page	S. J. R.	Page
1 By Stoddard. Selection of		Passed; ayes 45, nays 0	12
employees of the General Assembly.		Reported enrolled	35
Introduced	11	Signed by President	40
		Signed by Governor	51

SENATE RECORD ON HOUSE JOINT RESOLUTIONS

H. J. R.	Page	H. J. R.	Page
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